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- Copy of the March 2011 ODNI document titled: "Examination of the Adjudicative Guidelines Perspective from the Social Sciences and Personnel Security."
  - o Appendix B Part 1
  - o Appendix B Part 2
  - o Appendix B Part 3
  - o Appendix B Part 4
  - o Appendix B Part 5
  - o Appendix B Part 6
  - o Appendix C Part 1
  - o Appendix C Part 2
  - o Appendix D
- · ICD 701 Security Policy Directive for Unauthorized Disclosures of Classified Information
- Processing notes for request submitted to ODNI on November 14, 2013 for "documents tracking the number and/or severity of incidents attributed to Al-Qaeda in Iraq since 2004."

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

# Examination of the Adjudicative Guidelines

Perspectives from the Social Sciences and Personnel Security Practitioners

LEADING INTELLIGENCE INTEGRATION

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ONCIX Special Security Directorate Research Program

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### **EXECUTIVE SUMMARY**

This paper synthesizes the results of a formal examination of the current *Adjudicative Guidelines for Determining Eligibility for Access to Classified Information* of 2005. That examination combined review of relevant social science literature, focus groups of academics and other professionals with expertise in areas of interest but without experience in personnel security, and focus groups of personnel security professionals who, besides their subject-matter expertise, contributed the perspective of those involved day by day in making personnel security decisions.

The review concluded that the structure and content of the Guidelines, while requiring some updating and reworking for greater clarity, are sound. Key recommendations include:

- ◆ Reconceptualizing *allegiance* as applying to the concerns of Guidelines B, C, J, and L, rather than solely to those of Guideline A. *Allegiance* thus becomes a matter for a new preamble to the Guidelines, with the title of Guideline A changed to "Acts against the United States."
- ◆ Adopting, with recommended modifications, the ICD 704.2 version of Guideline C in place of the version contained in the 2005 version of the Guidelines.
- ◆ Removing from Guideline E the materials relating to failure to cooperate with security processing and reconstituting them as a new Guideline N ("Falsification and Other Failure to Cooperate with Security Processes").

## ACRONYMS AND ABBREVIATIONS USED

DCID Director of Central Intelligence Directive

DSM Diagnostic and Statistical Manual of Mental Disorders

DSM-IV-TR Diagnostic and Statistical Manual of Mental Disorders, Fourth

Edition, Text Revision

EO Executive Order

eSME used in footnotes to refer to the volume of notes taken during external

subject matter expert focus groups and included as Appendix C Part 1

to this report

*iSME* used in footnotes to refer to the volume of notes from internal subject

matter expert focus groups composed of personnel security

professionals and included as appendix D to this report

ICD Intelligence Community Directive

IT information technology

ODNI Office of the director of National Intelligence

SAMHSA NHDUH used in footnotes to cite results from the 2009 National Survey on

Drug Use and Health

U.S.C. United States Code

SCI Sensitive Compartmented Information SSBI Single Scope Background Investigation

SSD Special Security Directorate

## INTRODUCTION

In simplest terms, enterprise personnel security is the process for determining who should have access to information, facilities, and positions considered sensitive or valuable to the enterprise and who should be denied such access. In government enterprises, such determinations are the responsibility of personnel security agents, among whom are investigators, who gather personal information on candidates for national security and sensitive positions including those requiring access to classified information, and adjudicators, who must determine from the information so gathered whether a person may be permitted such access and, if so, whether exceptions need to be imposed. The overarching criteria for making such determinations are set by executive orders, which have historically specified characteristics required of persons who are to be granted access to classified information or who will occupy The actual determination process is circumscribed by Adjudicative sensitive positions. Guidelines, which call out particular personal attributes and activities that should be considered in the adjudicators' assessments, together with guidance as to how they should be weighed in making those assessments.

The Adjudicative Guidelines in place today were implemented in their basic form in 1997 in response to Executive Order 12968, *Access to Classified Information*, issued in late 1995, which for the first time mandated common Adjudicative Guidelines for the entire government. They were revised in 2005 with a number of small alterations, but their fundamental structure and approach remained unchanged.

The analytical effort described here undertook an in-depth review and analysis of the current Guidelines with the objectives of revalidating what was sound and identifying any changes that might improve their effectiveness as a tool for assuring that adjudication decisions achieve the objectives specified in EO 12968. To this end we organized and commissioned extensive review of social science research for results that might inform our assessment of Guidelines; held working sessions to elicit the relevant perspectives and insights of academics, researchers, and other professionals not involved in personnel security; and held focus groups of persons with extensive professional experience in the area, to elicit issues with the current Guidelines, together with suggestions of ways for dealing with those issues by means of amendments or changes thereto.

We did not expect that this effort would enable a definitive resolution of all issues raised. Rather, we expected it to accomplish a synthesis of the central issues that would create a coherent basis for evaluation of Adjudicative Guidelines from which further policy discussions and decisions could arise.

<sup>&</sup>lt;sup>1</sup> Exceptions are formal decisions to identify that a favorable access eligibility decision was made despite the presence of some residual concern.

The results from this effort are presented here in six sections:

- ♦ *Background*, which describes the adjudication process, the nature of the problems confronting adjudicators, the role of the Guidelines in facilitating that process, and the motivations for this effort;
- ◆ *Methodology*, which describes the technical approach to and expectations of this research;
- ◆ *Results*, which lists key findings from the three components of the project and for the project as a whole;
- ♦ *Discussion*, which synthesizes issues;
- ♦ *Recommendations*, which presents the specific recommendations for changes in the current Guidelines whose efficacy could be validated as the best interpretation of the available data; and
- Options for Restructuring, which summarizes various possibilities for restructuring the Guidelines with their respective advantages and disadvantages.

### BACKGROUND

Personnel security adjudicators assimilate and review the information on a person derived from background investigations (as well as other relevant sources when available, e.g., incident reports, the results of polygraph examination, psychological assessments), analyze and interpret it, and determine whether a person demonstrates qualities consistent with requirements for access to national security information and sensitive positions. The objective in this process is to produce a well-reasoned assessment of the likelihood that the person being evaluated will become an attractive target for exploitation by foreign intelligence agents, deliberately or inadvertently disclose classified information to persons not authorized to receive it, or otherwise compromise national security.

Adjudication, however, by no means bears the whole burden of guaranteeing national security: those who are granted access eligibility will operate within an environment shaped by multiple security disciplines and by counterintelligence activities, each designed to make its relevant contribution. Indeed, such security in depth is essential, because there can be no reasonable expectation that results of adjudication will always be perfect, admitting only those persons who will not violate the trust placed in them, and excluding all those who will. Rather, the expectation is that adjudicators' assessments will be unbiased, objective, and competent, representing the best possible interpretation of the available data against well-defined criteria for the assessments.

The criteria for such assessments are stipulated by executive orders formulated after judicious study of experience with personnel handling of classified information and occupying sensitive positions. Executive Order 10450, Security Requirements for Government Employees, issued in 1953, articulated exclusionary criteria in the form of factors that raise doubts about a person's fitness for a national security position to be used under the presumption that the absence of those factors in a person's background would be understood as providing the necessary evidence to establish fitness. Executive Order 12968, Access to Classified Information, issued in late 1995 (and administratively updated in 2008 by Executive Order 13467), calls for evidence that "affirmatively indicates" the person in question possesses ten positive qualities: United States citizenship, loyalty to the United States, strength of character, trustworthiness, honesty, reliability, discretion, sound judgment, freedom from conflicting loyalties and potential for coercion, and willingness and ability to abide by security regulations.

Only the first of these can be verified directly; the others must be inferred from observable conduct presumed to reflect a manifestation of a particular quality. Accordingly, Executive Order 12968 stipulated that judgment of their satisfaction would be based on a set of Guidelines for data collection and interpretation that would be uniformly understood and followed by the entire government. The response was the publication of *Adjudicative Guidelines* for Determining Eligibility For Access to Classified Information in 1997. These Guidelines included a "whole person concept," invoking a need to consider favorable as well as unfavorable

information, but were structured in a way that continued the approach to personnel security based on a determination of whether factors existed in the subjects' background that would exclude them from being granted access. The revision of the Guidelines in 2005 made a handful of small alterations designed to deemphasize where possible the focus on negatives, but their fundamental structure and approach remained largely unchanged.

In reviewing the criteria stipulated in the executive orders and associated Guidelines, two features become apparent:

- 1. The criteria as expressed in the executive orders are laudable personal characteristics, but are, in fact, abstract constructs admitting a wide range of subjective assessments as to whether they accurately describe elements in the personality make-up of any given person; and
- 2. The intent of the Adjudicative Guidelines is to replace determination of those abstract, subjectively defined qualities with observation of concrete behaviors presumed to manifest those qualities.

Since at least 1986 there has been an effort to establish and develop a dispassionate research foundation for personnel security. In 1986 the Department of Defense established the Personnel Security Research and Education Center—a name since shortened to Personnel Security Research Center, although the acronym, PERSEREC, remains. The Intelligence Community created the Personnel Security Managers' Research Program in 1999, which became the Research Program of the Special Security Center (now Directorate) shortly after its activation in 2003. Both organizations have been involved from their beginnings in research meant to place adjudication on a firmer research footing. PERSEREC played an important role in the development of the 1997 Guidelines, and both organizations contributed to the 2005 revision, but in neither case was there a comprehensive review that included holistically a consideration of the underlying rationale for the Guidelines.

The present project was designed to complement the kinds of research previously undertaken by pursuing an operational approach to Guideline refinement based on identification and analysis of issues that are commonly reported to impede adjudicators' effective use of the Guidelines in their day-to-day application. Specifically, its objective was to undertake a systematic review of the Adjudicative Guidelines that would take into account advancements in the professional and scientific thinking about issues of concern to personnel security, but would also pay due regard to the experience of adjudicators' decision-making without the benefit of results from research that would support scientifically definitive conclusions.

## **METHODOLOGY**

## **Project Formulation**

To pursue our objective, we adopted as the overarching goal for this effort generation of answers to three basic questions with respect to the current Adjudicative Guidelines:

- 1. What should we be aware of or looking at generically in terms of each of the Guidelines while not thwarting other national security interests?
- 2. What are we not thinking about that we should be in this regard?
- 3. What are we thinking about that we should be considering differently?

The current Guidelines address 13 behaviors presumed to manifest personal qualities of concern to adjudication. To organize and facilitate the examination of issues, we grouped these Guidelines into five "clusters," representing sets of Guidelines likely to be informed by the same kinds of information. The clusters so defined are displayed in Table 1.

**Table 1: Organization of Adjudicative Guideline Clusters** 

Cluster	Cluster Name	Guidelines
I	National Conflict	<ul> <li>A - Allegiance</li> <li>B - Foreign Influence</li> <li>C - Foreign Preference</li> <li>L - Outside Activities</li> </ul>
II	Psychosocial Considerations	G - Alcohol Consumption H - Drug Involvement I - Psychological Conditions D - Sexual Behavior (mental health component)
III	Criminal Behavior	J - Criminal Conduct M - Use of IT Systems (criminal component) D - Sexual Behavior (criminal component)
IV	Financial Considerations	F - Financial Considerations
V	Miscellaneous	E - Personal Conduct K - Handling Protected Information M - Use of IT Systems (non-criminal component)

To create resources for answering the overarching questions, we designed and commissioned three data collection efforts:

◆ An extensive review of relevant literature, the purpose of which was to collect and organize the results from social and behavioral science research on topics relevant

- to understanding the relationship between personal behaviors and attributes called out in EO 12968 and their relationship to behaviors of security concern;
- ◆ Consultation with external subject matter experts (academics, researchers and other professionals not involved in personnel security), to elicit informed perspectives and insights on the relationship between observable behaviors and personal attributes that might not be available in the published literature; and
- Structured discussions among experienced personnel security professionals, to elicit information on issues with the current Guidelines, identify frequent/common problems, and generate suggestions of desired or necessary changes that might improve their utility in day-to-day adjudication efforts.

The structure and conduct of each of these efforts are detailed in the following subsections (see Appendix A for a more detailed account of the methodology used).

### Literature Review

For the literature review, we commissioned a consulting firm that specializes in organizational consulting with a strong industrial-organizational psychology focus. We tasked them to locate and summarize relevant literature for clusters I through IV.<sup>2</sup> For each subject area they were asked to locate, summarize, and report relevant material as falling into one of three categories:

- Level 1 evidence, which addresses specific adverse security acts, ranging from security violations to espionage;
- Level 2 evidence, which addresses adverse behaviors in some way analogous with adverse security practices, such as counterproductive job performance; and
- Level 3 evidence, which addresses other factors of interest, such as the extent to which a personality inventory might predict future undesirable outcomes.

The compendia of results from this effort for each cluster make up the multiple sections Appendix B of this report.

<sup>&</sup>lt;sup>2</sup> There was no literature review for Cluster V. Guideline E is too diffuse, and any material relevant to its many concerns surfaced in other clusters; Guideline K would result in searches for the security relevance of security infractions; and the specific aspect of Guideline M addressed in the context of Cluster V is a policy matter irrelevant to social science findings.

## **Consultation with External Subject Matter Experts**

External subject matter experts were selected for their expertise in areas relevant to given Guidelines, not for any background they might have had in national security matters. Their envisioned role in the project, while complementing the literature review by allowing for discussion among experts in relevant disciplines to take place where—unlike in the literature—the focus was explicitly on the Guidelines, was to provide the perspective of people who did *not* necessarily have a national security perspective and so could see issues unencumbered by the assumptions and experiences of those who do.

The data collection was organized and conducted in two ways:

- ♦ Academic and professional experts were organized into focus groups conducted for Clusters I, II, and III. These focus groups comprised all day-sessions plus a half-day day follow-up session for Cluster II, led by a contracted professional facilitator and supported by a senior government security professional whose role was to provide context whenever appropriate and to ensure that the discussions did not stray into areas irrelevant to our interests.
- For Cluster IV, we interviewed individually academics who had an interest in the relationship between financial behavior and access eligibility.<sup>3</sup>

Both the focus groups and participants in individual sessions were asked to address the three overarching questions described earlier, to provide general comments and specific recommendations for things to be considered when determining access eligibility not currently reflected in the Guidelines, to identify anything superfluous in the Guidelines, and to correct any errors of emphasis or obsolete terminology, thereby ensuring that the Guidelines address social science issues in a way that is consistent with current practices and conventional theories.

The minutes from these sessions and biographical sketches of the participants constitute Appendix C of this report.

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<sup>&</sup>lt;sup>3</sup> There were no outside expert focus groups for Cluster V for the same reason that there was no literature review.

## **Internal Subject Matter Expert Discussions**

Internal subject matter experts were senior personnel security practitioners from agencies representing the intelligence, defense, and nuclear communities, as well as civilian agencies.<sup>4</sup> All discussions were conducted on a non-attribution basis so as to extract expert opinion through guided discussion, not solicit agency positions. This means that the minutes of the sessions, while capturing the points raised, do not record the contributions of individual participants.

The inputs from these internal subject matter experts were elicited in focus groups led by the same contracted professional facilitator who supported the external sessions; the officer who advised the outside experts also chaired the internal sessions. These internal focus group sessions comprised individual sessions addressing each of the five clusters, and an additional session to consider overarching issues such as sequence and structure: whether to change the order of the Guidelines to facilitate their logical flow, whether to combine some and divide others, whether to move elements of one into another, and so on. The organization of the internal focus groups paralleled that used for the external: the same three questions structured each session.

Whereas consultations with the external experts were meant to elicit insights unencumbered by day-to-day experience of the practical side of making national security access eligibility decisions, the opposite was true of the internal experts. They better than anyone else understand what it means to make such a decision and what the consequences are of making a mistake, and their inputs were therefore expected to provide the essential national security perspective as operational *users* of the Guidelines. The answers to the three overarching questions from these groups were thus expected to reflect problems and concerns anchored in the realities of the task of determining who can and who cannot be entrusted with operating in a national security environment or with handling classified information.

The minutes from these sessions and a list of participants constitute Appendix D of this report.

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<sup>&</sup>lt;sup>4</sup> Agencies sending participants: Central Intelligence Agency, Department of Homeland Security, Defense Intelligence Agency, Department of Defense, Department of Energy, Department of Justice, Department of State, Federal Bureau of Investigation, Department of Health and Human Services, National Geospatial-Intelligence Agency, National Reconnaissance Office, National Security Agency, Nuclear Regulatory Commission, Office of the Director of National Intelligence, Office of the National Counterintelligence Executive, Office of Personnel Management, and Department of the Treasury.

## **Synthesis**

As just described, these different data collection efforts were envisioned to generate relevant information as to the relationship between Guidelines and EO objectives comprising in totality:

- Results of research supporting scientifically defensible conclusions as to the relationships among behaviors identified in the Guidelines, the attributes they are thought to reflect, and behaviors of security concern;
- Informed, professional wisdom as to such relationships;
- Real-world experience in use of the Guidelines; and
- Expressions of issues, concerns, or problems with attempting to use the Guidelines from persons with extensive experience in personnel security.

In a few instances members of the Research Program conducted follow-on searches to find documentary substantiation for assertions made by subject matter experts during focus group sessions. In exploiting this mass of data for purposes of generating recommendations for changes in the Guidelines, we conceived the role of the Adjudicative Guidelines as describing *indicators* of the personal attributes called out in the EO 12968 presumed to underlie an individual's willingness and ability to operate successfully in a national security environment. In the technical sense of the word as it is used in the Intelligence Community, an *indicator* of an unobserved or unobservable phenomenon, X, is a pattern in observable data whose occurrence would be highly unlikely absent X. Hypothetical indicators of this kind may be validated:

- Statistically, by generation and analysis of empirical data that produce a scientifically defensible validation of the relationship hypothesized;
- Experientially, by aggregation of a body of experience large enough to suggest the validity of indicators; or
- Axiomatically, by descriptions of the relationship between the indicator and the phenomenon indicated that are basic enough to be self-evident and logically imply the validity of the proposed indicator.

In analyzing the issues with the current Guidelines raised in the internal focus groups, we formulated the analysis of a change as a problem of formulating and validating indicators, first searching for bases for statistical validation in the relevant reports of studies surfaced in the literature review, then, failing that, by analyzing the experience base for adequacy, and finally, failing that, by axiomatic argument.

### RESULTS

### Literature Review

The principal finding of the literature review was that there is a paucity of Level 1 evidence (i.e., relating to specific adverse security acts) that might be used to validate the relationship between the Guidelines and national security concerns "to identify personal history behaviors that are antecedents to later security behavior." It thus follows that validation of the operational significance of Guideline criteria and mitigating factors must be based on other than quantitative reasoning applied to empirical evidence of causal relationships between specific behaviors and conditions on the one hand and adverse security behaviors of various kinds on the other.

In addition, the literature review identified several findings supported by synthesis of the material sifted out of the behavioral and social science literature. These are quoted here in Tables 2-5 by cluster. The evidence and reasoning supporting these conclusions are described in detail in reports themselves, which are reproduced as Appendix B.

#### Table 2: Key Findings for Cluster I (Guidelines A, B, C, L)

- Evidence supports the general approach of these Guidelines to evaluate security risk based on potential conflicts between U.S. and foreign attachments.
- Identity-based forms of attachment are likely to be most predictive of security violation behavior.
- Dual citizenship is associated with lower levels of U.S. national identity (but this may be due to language).
- People can manage multiple identity attachments by shifting from one identity to another based on the situation without experiencing the conflict assumed in the Guidelines' approach.
- The Guidelines' evidence that focuses on indicators of risk for security violations does not capture, with some exceptions, the personal attributes leading to acceptable security behavior.

### Table 3: Key Findings for Cluster II (Guidelines G, H, I, D [mental health issues])

- ◆ Patterns of persistent binge drinking have similar weight to evidence of alcohol dependency.
- ♦ Weight given to a history of problem drinking or drug involvement should be given increasing weight with
  - Evidence of financial problems or other personal stressors.
  - History of persistent solitary drinking.
  - o Histories of work injuries, work absence/tardiness, arrest records.
  - o Association with heavy drinkers or those tolerant of heavy drinking.
  - o Family history of problem drinking.
  - o History of impulsive behavior in response to distressors.
- Adolescent drug use without continuation into adulthood is not a risk.
- Clinical evidence of psychopathy will have few, if any, mitigators.
- Cognitive-behavioral treatment for psychological treatment of compulsive or addictive conditions warrants significant consideration as a mitigator where participation has been continuous for an extended period of time.

<sup>&</sup>lt;sup>5</sup> Jerard F. Kehoe, et al., Foundations for Literature Review of Adjudicative Guidelines, 2009, 9. (See Appendix B Part 1.)

- ♦ Young age at which problematic sexual behavior took place, without continuation into adulthood mitigates against early history of disordered sexual behavior.
- Evidence of disordered sexual behavior increases in importance where there is companion evidence of substance abuse, problems with impulse control, and evidence of other problems caused by sexual behavior such as Internet pornography use.

### Table 4: Key Findings for Cluster III (Guidelines J, M, D [criminal issues])

- Evidence across a range of types of workplace behavior shows that past criminal behavior is a predictor of future counter-normative behavior. There is no direct experimental evidence, however, showing the magnitude of this effect on security violation behavior.
- ♦ Considerable evidence shows that criminal behavior is a function of, among other things, a core set of psychological attributes, the most important of which appear to be Self-Control, Excitement Seeking, Neuroticism, Conscientiousness, and Agreeableness.
- Evidence suggests that people high in Neuroticism (especially Aggressive Hostility), low in Self-Control, and low in Conscientiousness and Agreeableness are most likely to engage in criminal behavior and analogs to security violation behaviors such as counterproductive work behavior.
- ♦ Considerable recidivism data about criminal behavior has been gathered indicating that demographics and lifestyle of the offender, associations with others, and characteristics of the offenses influence the likelihood that offenders will repeat. For example, recency of last offense and number of previous offences both predict future offences. But these influences are complex and interactive.
- Generally, adjudicators are trained to decrease the weight placed on criminal history to the extent there is companion evidence indicating decreased likelihood of repeat offenses. The apparent underlying assumption is that those less likely to reoffend are also less likely to commit future security violations. No direct evidence was found that evaluated this assumption.

#### **Table 5: Key Findings for Cluster IV (Guideline F)**

- Evidence supports the general conclusion that problematic financial conditions are antecedents of security violations as well as other analogs of security violations, such as counterproductive work behavior and white collar crime.
- Problematic financial conditions may be antecedents of security violation behavior in at least two ways:
  - Financial problems create motives and incentives for engaging in security violations as a way of making money.
  - o People who are prone to financial problems tend to have dysfunctional personality attributes that also increase the risk of security violations.
- Dysfunctional personality attributes shown to be characteristic of people who exhibit problematic behaviors and who exhibit security violations as analogous behaviors include:
  - o Low emotional stability (high neuroticism).
  - Low self-control/high impulsivity/high risk taking/high excitement seeking.
  - Low conscientiousness.
  - External focus of control.
  - o Competitiveness.

## **External Subject Matter Experts**

The external subject matter expert sessions were structured to stimulate discussions of the Guidelines in light of the current state of the art in the principals' areas of interest, with the objective of eliciting insights that might inform their examination. These sessions led to two types of findings:

- ♦ Recommendations for wording that might better align the descriptions of concerns and mitigating factors in the Guidelines with current thinking and argot in the behavioral and social sciences; and
- *Perspectives* representing outsiders' eyes views of adjudication problems and processes.

The various specific wording recommendations elicited are summarized in Table 6, together with an indication of how those recommendations are reflected in the ones presented in this report. As seen there not all of the expert recommendations were considered to be consonant with the objectives of the Guidelines, but a number of them were adopted outright.

Table 6: Wording Changes Recommended by Behavioral and Social Science Professionals

Recommended Change:	Location	Adopted?
Remove "personality or emotional disorder."	D(12)	Yes
End after "unable to stop."	D(13b)	Yes, but in an equivalent fashion
Weave in language regarding loss of control despite negative consequences.	D(13b)	Yes.
Include "past or present" sexual behavior.	D(13c)	Yes
Remove "of a public nature."	D(13d)	Yes
Remove language about "debt-to-income ratio"; too specific, insufficiently predictive.	F(19e)	Yes
Include something about "in a timely fashion."	F	Yes. Added "late payments" F(19e)
Remove paragraph 25(e) to eliminate references to "licensed clinical social workers."	H(25e)	Yes
Remove "emotionally unstable" and "dysfunctional."	I(28a)	Yes
List some of the behaviors that describe a psychopath, which include: pathological lying, cunning/manipulation, failure to accept responsibility for one's own actions, impulsivity, irresponsibility, grandiose sense of self-worth, poor behavior control, glibness/superficial charm, lack of remorse/guilt, lack of realistic long-term goals, and promiscuous sexual behavior.	I(28a)	No
Include "exploitative" or "extortionate."	I(28a)	Yes
Avoid "delusional" and "psychotic." Some additional examples could be "manipulative," "impulsive," "irresponsible," "chronic lying" or "deceitful."	I(28a)	No, this suggestion conflicted with others
Include something reflecting "course" and future risk, possible monitoring system.	I(28b)	No, redundant with descriptions in 29e
Change "advice" to "plan."	I(28c)	Yes
Change "emotional, mental or personality condition" to "psychiatric condition."	I(28c)	Yes

Recommended Change:	Location	Adopted?
Remove the example of failure to take prescribed medications and replace it with "failure to follow treatment plan or treatment recommendation."	I(28c)	Yes
Add language to capture "persistent and recurring" illness.	I(28c)	No. Captured in 29e reference to absence of recurrence
Remove "emotional instability" and replace it with "psychiatric impairment."	I(29d)	Partially. Used more generic "psychological/ psychiatric condition
Add language addressing "course."	I(29e)	No. Taken under advisement

Tables 7-10 summarize the salient perspectives of the external subject matter experts on four central topics:

- Objectives of adjudication,
- ♦ Problems of adjudication,
- ♦ Validity of Guideline indicators, and
- Possibilities for improvement.

The quotations displayed there are taken from the notes on the focus sessions and are therefore indirect and unattributed. They are organized by relevance to the issue, so what is displayed represents a mix of extracts from different sessions, with no concern for temporal order of the discussions. These perspectives are not intended to represent resolution of the issues addressed. Their value derives not from the answers given, but from the questions they stimulate.

### Table 7: External SME Perspectives on the Objectives of Adjudication

- We are looking to predict security threats. The purpose is to prevent unauthorized disclosures.
- ♦ There is a need to focus on a model of the act of revealing secrets, which would involve an individual's self-concept, the norms for the group, affect, the consequences of the behavior, and the ease of getting caught. "Is this the sort of person who reveals secrets?" then becomes the relevant question.
- It's not just about selection for the job, it's about job performance and trustworthiness in that job.
- Don't we want people who will perform their duties even in the face of conflict?
- The real question about the individual in question is, when a choice needs to be made, where will they stand?
- In that case the real question is their trustworthiness.
- ♦ All this boils down to an issue of trust. How can we best measure trust?
- The real question is whether or not we trust someone and how do we catch those who we should not trust.

## Table 8: External SME Perspectives on the Problems of Adjudication

- We don't want to discriminate against people who may be able to provide a unique perspective.
- If we had good evidence that a particular configuration of attachments is problematic, should we not exclude people exhibiting that configuration? Is it worse to keep a good person out or to let in someone who will do you harm?
- It's a risk prediction exercise—you can't do it until you know what you are trying to predict. What are the base rates and what is the level of comfort with error rates?

- ♦ You also need to know what you want to predict. Using the wrong tool because you don't know what you want to predict can lead to poor judgment.
- (In other words the problem is) how to distinguish between someone with a condition who is a threat and someone with the same condition who is not a threat.
- ♦ The guiding question here is "What should we be looking at?" This begs the unanswered question of why should we be concerned. What kind of breaches are we concerned about? What is the threat? Otherwise this is unanswerable.
- ♦ (For example, in some instances) we are in fact looking for people who are loyal to the institution. (However,) it's not a question of loyalty but conflicted attachment. We want the people who will give up instrumental attachments elsewhere as a consequence of the sentiments they hold for the United States. All of the subparts under Guideline C, para 10(a) may be valuable as flags but should not be exclusionary on their own. Guideline C, para 10(a)'s list of concerns as sufficiently compelling to single these out as risk factors. There could be another 20 things that are equally compelling.
- Adjudicators need constant feedback, (and)feedback isn't there because the cases of spying are so low.
- Consensus opinion: The criteria should not be treated in isolation and that the issues identified in the Foreign Preference Guideline shouldn't be seen alone as cause for disqualification/exclusion.

#### **Table 9: External SME Perspectives on the Validity of Guideline Indicators**

- We need to rethink authority, it's not necessarily nation-based.
- ♦ There are no instances in which dual citizenship has played a role in committing espionage. The number of dual citizens is increasing. Most countries allow citizens obtaining U.S. citizenship to maintain their foreign citizenship.
- Most important when looking at foreign influence and preference is the potential for coercion and duress.
- There is (an) assumption of a correlation between crime and other types of workplace deviance.
- We might be thinking of geography in a limited way in terms of risk. Something could take place within the community (ethnic relations) that could increase risk, creating a fertile ground for ideology to take root.
- (Talking about psychological factors) The nexus to security clearance considerations appears when there are failures of judgment. The word missing is "delusional," which captures the capacity to lose one's judgment; it is also necessary to think about a sense of grandiosity, the feeling that one's judgment is so good, so superior, that one is outside the rules.

#### **Table 10: External SME Perspectives on Possibilities for Improvement**

#### On possibilities for improvement

- ♦ The best direction is to train the adjudicators in a number of ways to learn about the clues they should be looking for.
- ♦ The Guidelines should talk about symptoms independent of diagnoses. The problem is that these Guidelines are for lay interviewers rather than clinicians and so need lay language; if you get over-specific or over-detailed, it becomes unworkable.
- ♦ Let's hear more about grievance psychology. Some spies did what they did because of grievances. A set of questions regarding reaction to unfair treatment on the job would be useful.
- (*Talking about addictions*) Perhaps the Guideline should emphasize the inability to stop as a behavior: something on the order of "loss of control" or "inability to stop regardless of adverse consequences." The inability to stop despite consequences is a useful criterion.
- ♦ There is also a sociodynamic perspective to consider. These areas that we have been looking at are related to an ability of the individual to compartmentalize, live separate lives. We see this in the case of long-term affairs, or long time addictions. This I would see as a risk factor for espionage.
- ♦ There needs to be greater recognition in the Guidelines of the value of delusionality as a critical behavior: "Any pervasive pattern of lying, manipulation, lack of remorse, coercion, irresponsibility, impulsivity, or failure to accept responsibility for own action."
- I would say a history of misappropriation of funds, misfiling, etc, may not be criminal but would still consider them to be risk factors. Other correlates would be cheating on exams, a history of pushing the line, being suspended by the SEC.

## **Internal Subject Matter Experts**

As with the external groups, the sessions for internal subject matter experts focused on eliciting perspectives, not on establishing consensus. Yet consensus did emerge in a number of areas, encapsulated in Table 11.

Table 11: Issues Resolved in Internal Subject Matter Expert Sessions

Issue/Question	Consensus Opinion
Is there a better presentation structure than the Concerns-Conditions-Mitigators format in the current Guidelines?	This structure is clear and helps adjudicators organize their thought. It works well and should be retained.
Should the Guidelines be supplemented with a system for cross-referencing?	No. Instead add language to the preamble encouraging consideration of the relationships between the Guidelines.
Should "falsification" and "failure to cooperate" be moved from Guideline E to K <i>or</i> become the basis for a separate Guideline?	Separate out as own Guideline (N) titled "Falsification and Failure to Cooperate with Security Processing."
How should we treat foreign passports in Guideline C to resolve the disconnect between 2005 Guidelines and ICPG 704.2?	Adopt the ICPG 704.2 approach government-wide.
Should Guidelines B and C be combined?	No. They should remain separate as they are different enough.
Should behavior be emphasized over sentencing in Guideline J?	Behavior is primary. Add language emphasizing behavior to the "concern" language of the Guideline.
Should Guideline M be eliminated?	No. We need to retain a separate Guideline dealing with computer-specific behaviors.
Should traffic violations be explicitly addressed in Guideline J?	No. We need to preserve adjudicators latitude in deciding how much consideration should be given to them as evidence.

That such large and diverse groups of participants could arrive at agreement of issues like those shown in Table 11 speaks to the experiential endorsement of their validity. This conclusion is amplified by the nature of issues and suggestions for which the focus groups could *not* reach a consensus. These are illustrated in Table 12, which describes some of these, together with the factors considered in their deliberation, and in Table 13, which lists some of the numerous suggestions for wording changes which were not accepted by all participants.

Table 12: Some Issues for Which No Consensus was Reached

Issue/Suggestion	Discussion Points
Should the Guidelines	♦ All Guidelines are important, and order does not imply priority; changing the
be rearranged into a	order calls for a good reason to do so; it is not necessary to weight the Guidelines.
more functional	♦ Moving K-L-M up after A-B-C creates a more logical flow by having, separating
order?	CI/security concerns from other factors.
	♦ Moving and relabeling Guidelines could result in more confusion (what is
	Guideline D today becomes Guideline G tomorrow—or Guideline 7 or some
	other, new designator) than benefit of moving; there appears to be no compelling
	need to change the order; keeping consistency has value for adjudicators.
	◆ One change is going to change all the letters anyway—adding a new Guideline,
	for example; may need to change from letters to numbers.
	♦ The resulting structure would be good instead of a hodge-podge - we do it in the

Issue/Suggestion	Discussion Points
	SF86, why is this different?
	◆ Strawman alternative order: 1-A, B, C, K, L; 2-M; 3-J; 4-I, D, G, H; 5-F; 6-E.
	◆ Too subjective, depends on agency's mission as to what's important.
	• Concern E is not seen as important, put that at the bottom and it makes it worse.
	• Guideline I should be at the bottom because it requires an outside expert.
	◆ Add a caveat that the Guidelines are in no particular order.
Rename Guideline D	◆ Concerns about creating a separate "compulsive behavior" Guideline, since
to "Compulsive	gambling only comes into play when its related to a financial issue.
Behaviors" and add	But: gambling that reaches the level of a diagnosable mental health disorder is an
gambling OR create a	issue even if the person should win, break even, or be able to absorb the losses
separate Guideline for	incurred.
gambling.	• Gambling is a subset of mental health, so adding a new Guideline seems arbitrary;
	should we change "sexual behavior" to something else such as "Compulsive
	Behaviors"?
	◆ Arguments could be made for other areas of concern, such as white-collar crime
	with its analogues to espionage; the danger is expanding the Guidelines into
	unwieldiness.
	♦ Move gambling under Guideline I or keep in Guideline F and add a cross-
	reference in Guideline I.
	• "Sexual behavior" is a misnomer and has a negative connotation; keeping in mind
	the audience, should it be renamed to "high risk behavior?" Then it becomes the
	new catchall for drugs, crime, etc.
	♦ Gambling is difficult to define since its cultural—it would have to be diagnosed
Should Guidelines A,	Several participants reported openness to a consolidation of one or more of these
B, and C be	Guidelines as long as all concerns, issues and mitigations were adequately
consolidated?	covered. They cited that such a consolidation may simplify adjudicative case work
	processes.
	• One participant suggested that there seems to be most overlap between Guidelines
	A and C.
	• Others suggested that A, B, and C represent the consideration of separate domains
	and should be reflected as such in the Guidelines.
Should language in	• We should err on side of national security, we shouldn't grant because there is "no
Guideline J para.	evidence to support," but because the person didn't do it—keep the language the
32(c) change to "no	way it is.
evidence to support?"	◆ The current language demands proving a negative.

Table 13: Concerns with Wording Not Resolved with a Group Consensus

Statement of Concern	Ref.	Discussion Points and Suggested Changes	Recommended Resolution
"engage in illegal acts"—Is there a better set of words to say this?	F(18)	<ul> <li>Suggest "improper acts" or "questionable acts."</li> <li>Change to "to engage in illegal or improper behavior to generate funds."</li> </ul>	change to "Illegal or otherwise questionable acts"
"Foreign financial interests" requires an updated and more detailed definition	B(6)	♦ None	paragraph rewritten
"Foreign contacts and interests."	В	<ul> <li>Suggestion to change to "foreign contacts and activities."</li> <li>Suggestion to change to "foreign financial and political interests."</li> </ul>	original language retained but clarified in the rewrite of para 6

Statement of Concern	Ref.	Discussion Points and Suggested Changes	Recommended Resolution
"Allegation" entails no proof	J(31c)	<ul> <li>"Confirmed" or "admitted" could be added as modifiers.</li> <li>Any one allegation could be of no interest but multiple ones could be problem.</li> <li>Suggestion to change to "evidence of" instead of allegation/admission.</li> <li>Using "allegation" may lead adjudicators to have to deal with frivolous hearsay allegations.</li> <li>"Evidence" is too concrete, there is a concern that individual interpretation would preclude valid information from being considered.</li> <li>Everyone agreed that need something more substantive there or a qualifier.</li> <li>Additional suggestions:</li> <li>"Confirmed"</li> <li>"Evidence of"</li> <li>"Non-frivolous allegations"</li> <li>"Evidence (including but not limited to allegations, admissions, or official record) of criminal conduct"</li> </ul>	change to "evidence (including but not limited to a credible allegation)"
Term "licensed	G(22e)	• It is no longer accurate to say that a social	deleted term based on
clinical social		worker has the appropriate authority	the recommendation
worker" needs to be		♦ Physicians are already included in 22(d).	of external experts
replaced		◆ Suggest replacement with something like "licensed mental health professional"	

### **DISCUSSION**

## Three Overarching Questions for Eligibility Determinations

These analyses are predicated on the presumption of three overarching questions to be answered when assessing the eligibility of a person for access to classified information or for holding a sensitive position:

- ♦ *Involvement in Acts against the United States*. Has the person committed or been accused of committing or being involved in acts against the United States, such as espionage, sabotage, or terrorism?
- ♦ *Foreign Associations*. Do the person's foreign associations create, or create the possibility of, a conflict of interest with U.S. national security?
- ♦ *Other Factors*. Irrespective of these first two, has the person committed acts or does the person have conditions otherwise suggesting compromised reliability, trustworthiness, or judgment?

These three questions will be addressed in turn in the following sections. Before doing so, however, it is useful to set their context by consideration of broader notions that stimulate their formulation. Principal among these is the historical focus on *loyalty* as a concern in personnel security matters and the distinctions that must be made in using that attribute as a guiding principle.

President Truman's Executive Order 9835, signed in 1947, established an "Employees Loyalty Program in the Executive Branch" calling for "complete and unswerving loyalty to the United States." The order, however, provided no definition of *loyalty* nor any guidance for identifying it; we might assume that its drafters thought it self-evident. In 1953 President Eisenhower issued Executive Order 10450, which, although it revoked the earlier order, used the identical phrase in creating security requirements for government employment. It did not explicitly define *loyalty*, either, but rested content with implying that anyone who met its criteria was loyal and anyone else was not. In 1995 President Clinton's Executive Order 12968 reaffirmed "loyalty to the United States" as a requirement for a clearance, again without

<sup>&</sup>lt;sup>6</sup> EO 9835, Prescribing Procedures for the Administration of an Employees Loyalty Program in the Executive Branch of the Government, <a href="http://www.presidency.ucsb.edu/ws/index.php?pid=75524">http://www.presidency.ucsb.edu/ws/index.php?pid=75524</a>

<sup>&</sup>lt;sup>7</sup> EO 10450, Security Requirements for Government Employment, http://www.presidency.ucsb.edu/ws/index.php?pid=59216

<sup>&</sup>lt;sup>8</sup> By 1995 the words "complete and unswerving" could be seen as unnecessary. Loyalty, certainly in the national security context, is not a concept that admits of degrees. For example, the person who has committed a single act of espionage, even though perfectly loyal both before it and after, is nonetheless simply disloyal, not "incompletely" or "swervingly" loyal. Thus if there is no point in admitting the notion of incomplete or swerving loyalty, there can be no point in speaking of complete, unswerving loyalty either.

definition or description. Thus loyalty has played a role in personnel security for a long time, but it has never been treated as a technical term with a formal legal definition.

However, the term *loyalty*, while still appearing in the text of the Guidelines, ceased being a title of one of them in 1994, at which time it was replaced by allegiance. Allegiance is a more precise term, referring as it does to that type of loyalty pertaining to the relationship between individuals and their government. 9 While loyalty itself can have this narrower meaning—and, as the three executive orders cited suggest, whenever it has been used it has been used with a qualifier making explicit that it was not loyalty in general that was meant, but loyalty to country—it is more broadly applicable than is allegiance to a considerable range of relationships: besides a country, one can be loyal to a spouse, to an employer, to a religious organization, to a political party, to a sports team, to a brand of soda, to a style of running shoes. None of these can claim allegiance, only loyalty. Merchants use loyalty (not allegiance) programs to induce customers into patronizing them in preference to their competitors. This broader scope of *loyalty*, to say nothing of any discredit it may retain through the abuses of socalled "loyalty oaths" or "loyalty hearings," suggests that allegiance is the preferable term for use in matters of personnel security, even if, in everyday usage, the two terms are taken to be interchangeable. The relevance of allegiance to national security access decisions is a consequence of its definition: individuals with defective allegiance are people who by that definition lack the ability or willingness to honor obligations to the U.S. government, one of which is of course to protect any classified information entrusted to them.

If it is clear that allegiance is essential for national security eligibility decisions, the current Guidelines introduce a potential misunderstanding of it by restricting its applicability to a fixed set of extreme acts—those addressed in the next section, "Acts against the United States." Allegiance, given its definition, is not as restrictive as that, so that anything that calls into question in a substantive way a person's ability or willingness to honor his or her obligations to the U.S. raises a concern about it. When, for example, a person's attachment to another country is such that it is by no means clear whether, if forced to choose, it would be reasonable to expect that the choice would be consistent with U.S. national security interests, then an allegiance issue is raised, yet preferring the welfare of another country over that of the United States, even if it should mean weakening U.S. national security, is not criminal but it does raise concerns about allegiance to the United States. Allegiance is thus not a matter for a single Guideline, but is a quality that is relevant across Guidelines: certainly crimes such as espionage and terrorism provide overwhelming evidence of lack of allegiance, but also the specific nature of a person's foreign connections *could* raise a question about allegiance, as could any act that calls into serious question a person's willingness and ability to conform to the obligations of citizenship.

<sup>&</sup>lt;sup>9</sup> "Allegiance" is "the tie or obligation of a subject to his sovereign, or government." while "loyalty," while it can be used in the sense of "faithful adherence to the sovereign or lawful government," more generally means "Faithful adherence to one's promise, oath, word of honour." "Allegiance" and "Loyalty," *Oxford English Dictionary*, <a href="http://dictionary.oed.com/">http://dictionary.oed.com/</a>. Hereafter cited as *OED*.

<sup>&</sup>lt;sup>10</sup> eSME, 3-5.

## **Involvement in Acts against the United States**

The first question is addressed in Guideline A, Allegiance to the United States. It requires an unequivocal answer, restricting itself as it does to evidence of egregious acts counter to national security that have already taken place or that are contemplated, any of which render a person unfit to function in the national security environment and to have access to classified information or occupy a sensitive position.

### Acts against the United States

Safeguarding classified material is important not as an end in itself, but because the failure to safeguard it impacts national security adversely. The personnel security process strives to ensure that only individuals whose activities will not adversely impact national security are given access to classified material or occupy a sensitive position. For the most part, this involves assessing what breaches of reliability and trustworthiness in one area of life imply for reliability and trustworthiness in the national security realm. Yet those who involve themselves in certain acts that are extreme and unambiguously related to national security—participation in or support for sabotage, espionage, treason, terrorism, sedition, the use of violence against the government, and any acts meant to deprive others of their constitutional rights—have already done that. Those actively involved have done so directly, those lending support have done so indirectly. Each of these activities is not a marker of a potential concern but a consequence to be avoided. It makes no difference that, hypothetically, a given terrorist might have scruples that preclude his giving away a secret, even to benefit the terrorist cause claiming his true allegiance, and so could be counted on to protect classified information; he has already proven himself a threat to national security by involving himself in terrorism and is for that reason unclearable.

That said, it may be possible and reasonable to mitigate certain kinds of prior tangential associations: those that were unwitting or incidental and have long since been abandoned. However, mitigation of *current* associations would rarely be appropriate because current association implies current support.

## Charities as a Special Case

The uses that organizations hostile to U.S. national security make of charities are complex and raise questions about accepting as mitigating a person's involvement with such an organization's benevolent activities in the absence of involvement with its malevolent ones, for the line between the two is by no means always clear. Sometimes there is an actual charity doing actual humanitarian work, operating hospitals and orphanages and distributing food; where this is so, people are in fact benefitted, yet the organization is at the same time recruiting popular

<sup>&</sup>lt;sup>11</sup> See EO 13526, *Classified National Security Information*, which defines each of the three levels of classified information solely in terms of the relative damage to national security if compromised.

support for its strategic agenda through good works.<sup>12</sup> Other times the charity may exist solely as a front, as a means for eliciting funds under cover, with little if any actual benevolent work being done. Yet in either case a benefit accrues to a hostile organization, whether by supporting, even if indirectly, part of its public relations and recruitment programs or by direct, even if unwitting, support to its anti-U.S. mission. The Department of the Treasury maintains a current, publically available listing of charities and other organizations known to provide support to terrorist activities.<sup>13</sup>

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<sup>&</sup>lt;sup>12</sup> See, for example, Daniel Klaidman, Kevin Peraino, and Eve Conant, "The Riddle of Hizbullah," *Newsweek*, March 21, 2005, 37; also "U.S. Treasury, Muslim Charities Intensify Dialogue on Safe Giving," America.gov, Aug 21, 2008, <a href="http://www.america.gov/st/develop-english/2008/August/20080821110439saikceinawz 0.1633417.html">http://www.america.gov/st/develop-english/2008/August/20080821110439saikceinawz 0.1633417.html</a> An example of the use of a charitable organization as a terrorist front occurs in the case of Boim v. Quranic Literacy Institute and Holy Land Foundation for Relief and Development. For a review of the case, see Laura B. Rowe, "Ending Terrorism with Civil Remedies: *Boim v. Holy Land Foundation* and the Proper Framework of Liability," *Seventh Circuit Review*, 4:2 (Spring 2009), 372-427, esp. 376, (<a href="http://www.kentlaw.edu/7cr/v4-2/rowe.pdf">http://www.kentlaw.edu/7cr/v4-2/rowe.pdf</a>).

<sup>13</sup> http://www.treasury.gov/resource-center/terrorist-illicit-finance/Pages/protecting-fto.aspx

## **Foreign Associations**

## Foreign Associations Creating a Potential Conflict of Interest

Acts against the United States can, but need not, be committed on behalf of a foreign country or organization. Sabotage, for example, is still sabotage whether in support of a foreign enemy or of a domestic one or, as might be the case with an anarchist, in support of no one at all: from the point of view of personnel security, what matters is the act of betrayal, not the nationality of the intended beneficiary.

But that does not mean that foreign relationships are without their own interest. It does mean that their relevance goes beyond any potential nexus with acts against the United States. It is true that people with foreign connections of some kind are overrepresented, in comparison to their numbers in the population as a whole, in at least one category of those crimes: in the espionage cases against the United States reported by open sources between 1947 and 2007, naturalized citizens account for 22 percent of the total; for more recent cases, those between 1990 and 2007, the figure is 35 percent. However, because espionage is such a rare event—173 cases resulting in prosecution or conviction or both against the millions of people who have had a clearance at some time during the same period—that suggesting a meaningful connection between it and something as common as holding naturalized citizenship is insupportable. 15

The more immediate if less dramatic concern is that individuals' foreign connections may have the *potential* to influence them, consciously or otherwise and irrespective of their desires and intentions, to behave in various ways harmful to national security that do not rise to the level of espionage. <sup>16</sup> This concern, as currently formulated, does not require actual behavior; there is no need to have done anything at all in order to run afoul of the foreign influence Guideline (Guideline B); it is enough to have a foreign relative or business interest. The separate foreign preference Guideline (Guideline C) does address acts, but acts that are rarely if ever meant to be harmful to the United States; rather they are consequences of foreign associations and point to a level of attachment that goes beyond the simple fact of a connection with a country other than the United States. Act here is understood in its broadest possible sense, including things requiring no more effort than holding a foreign passport. A separate Guideline (Guideline L), capturing involvement in a variety of activities that could result in conflicts of interest with a person's national security responsibilities, overlaps foreign preference, because for the most part the activities it lists are on behalf of foreign countries or organizations. Domestic activities are relevant to Guideline L, but only when they relate to areas of national security interest and when the classified information available to a cleared participant could benefit them.

<sup>&</sup>lt;sup>14</sup> Katherine L. Herbig, *Changes in Espionage by Americans: 1947-2007*, PERSEREC, 2008, 4, 10. Government-wide data concerning the percentage of the cleared workforce consisting of naturalized citizens have proven elusive. However, as a point of reference, 3.5 percent of OPM's FY 09 SSBIs were conducted on naturalized citizens; for the first half of FY 10, the number rose to 5.9 percent. (Data provided by OPM, May 5, 2010.)

<sup>&</sup>lt;sup>15</sup> Herbig, 1, 4.

<sup>&</sup>lt;sup>16</sup> *iSME*, 4.

## Foreign Influence and Preference; Outside Activities

The Adjudicative Guidelines neither codify nor strive to create a fixed and universal standard. They are adjusted from time to time, not in the hope of coming closer to some ineluctable truth, but in order to continue to provide the means for making pragmatic and informed access eligibility decisions as the environment in which those decisions must be made evolves and as understanding of the issues at hand becomes more informed. In the past modifications have arisen out of everything from shifts in the understanding of homosexuality to the wholesale penetration of information technology into the workplace. Today the environment in which the Guidelines operate has changed in ways relevant to the assessment of foreign associations in at least three ways.

### Contemporary Factors Impacting Assessment of Foreign Association

First is the gradual shift occurring in the relative size of immigrant communities in the population as a whole; other things equal, with each passing year it becomes more likely that a given applicant for a clearance will have a background that includes foreign family members and other foreign associations.<sup>17</sup> Some simple measures suggest as much: In 1910 14.7 percent of American *residents* (i.e., the total population of native citizens, naturalized citizens, and noncitizens) were foreign born. This number shrank to 4.73 percent by 1970.<sup>18</sup> For the past forty years, however, it has again been growing: by 1996 it had reached 6.29 percent and 12.46 percent by 2008. Again in 1996, 3.19 percent of all American *citizens* had been naturalized; by 2008 this figure had risen to 5.44 percent. Furthermore, by 2008 another 11.74 percent of all citizens were second generation—native citizens one or both of whose parents are foreign born.<sup>19</sup> Thus today more than one in every six U.S. citizens is either foreign born or the son or daughter of someone who is.

Whether these trends have any deeper significance for the geopolitical fortunes of the United States may be an important question, but one of no interest to personnel security, for the government inevitably must draw upon the people who constitute its citizenry to perform its classified work. What does matter a great deal to personnel security, however, is their impact on a philosophy of adjudication that assumes foreign associations, particularly foreign family relationships, are problematic in the absence of evidence to the contrary.

Second is a fundamental shift in the nature of the principal challenges to national security. The United States no longer faces the univocal threat of the Soviet Bloc that once shaped both its national security challenges and its thinking about what personnel security should entail; instead the country must now deal simultaneously with multiple threats from networks of

<sup>&</sup>lt;sup>17</sup> M.S. Krause, Divided National Loyalties: A Primer for Personnel Security Staff, DCI Special Security Center, 2002, 7-9.

<sup>&</sup>lt;sup>18</sup> U.S. Census Bureau, *Statistical Abstract of the United States: 2003*, Table HS-10: Native and Foreign-Born Population by Place of Birth: 1900 to 2000, <a href="http://www.census.gov/statab/hist/HS-10.pdf">http://www.census.gov/statab/hist/HS-10.pdf</a>

<sup>&</sup>lt;sup>19</sup> U.S. Census Bureau, "United States Foreign-Born Population," Annual Data Tables: Population by Sex, Age, and Citizenship Status for 1996 and 2008, <a href="http://www.census.gov/population/www/socdemo/foreign/datatbls.html">http://www.census.gov/population/www/socdemo/foreign/datatbls.html</a>

third-world terrorists and with additional threats of varying degrees from other countries. This shift in the threat has generated new mission requirements for skills and expertise that exist primarily among immigrants and among the sons and daughters of immigrants. As the then-Director of National Intelligence remarked in May 2008:

[T]he threat we face today is very different than it was when we struggled against fascism or when we struggled against communism. Today we have a very diverse, dynamic, different threat. . . . [W]e have to have skills and cultural understanding and language and abilities that are very different from what you would find on the streets of New York or down in Miami or out in Oklahoma or in Nebraska. It's the very people who wish us harm we have to understand. So having the service and the benefit of heritage Americans who speak the language, who understand the culture, that can allow us to understand the motivations and the intentions and the cultural aspects is absolutely essential for us to be successful.<sup>20</sup>

Third is the evolution of communications capabilities that enable immigrants today to keep in rapid, easy, and inexpensive contact with those they left behind. Specifically, international telephoning, once exotic, is now trivially simple, and the multiplicity of options for rapid, easy, and inexpensive communication offered by the Internet are unprecedented. International travel, once a luxury available only to the few or an ordeal not to be repeated and sometimes both, is now routine. All of this creates an environment that enables immigrants, although living in the United States, to retain substantive, continuing ties to their countries of origin to whatever extent they wish. It can also make it more difficult for them to sever ties they do not wish to maintain: the lines of communication run both ways. A level of contact with an immigrant's—or immigrant parent's—country of origin that even a generation ago might have engendered concerns if for no other reason than its unusualness is now routine.

### Conceptualizing Foreign Connections: Assimilation or Attachment

When considering foreign connections, the personnel security system implicitly has recognized two categories of person: the first consists of those who, because their U.S.-citizen antecedents stretch back a sufficient number of generations, no longer have any connections with their origins outside the United States; the second consists of those who, typically but not necessarily of the first or second generation,<sup>21</sup> still do have such connections. Assimilation for

<sup>&</sup>lt;sup>20</sup> "Director of National Intelligence Mike McConnell Delivers Remarks at the Second Annual Intelligence Community and Heritage Community Summit," *Political/Congressional Transcript Wire*, 30 May 2008. General/ One File <a href="http://find.galegroup.com/gtx/infomark.do?&contentSet=IACDocuments&type=retrieve&tabID=T004&prodId=ITOF&docId=A179539200">http://find.galegroup.com/gtx/infomark.do?&contentSet=IACDocuments&type=retrieve&tabID=T004&prodId=ITOF&docId=A179539200</a> &source=gale&srcprod=ITOF&userGroupName=wash80453&version=1.0

<sup>&</sup>lt;sup>21</sup> For purposes of this report, "first generation" refers to individuals who are not U.S. citizens by birth and who immigrate to the United States; "second generation" refers to U.S. citizens one or both of whose parents is a first-generation American.

the first is presumed complete; for the second, it is presumed not. <sup>22</sup> Despite the fact that assimilation is conceptualized as a process, as a practical matter, people have been seen as falling into one or the other of these two categories by virtue of their answers to questions, asked at the beginning of the investigative process, about citizenship and naturalization status, the presence or absence of dual citizenship, citizenship of present spouse (or cohabitant), citizenship of any past spouses, and citizenship of multiple—currently 16—sorts of relatives. <sup>23</sup> Individuals in both categories face scrutiny regarding any foreign educational, business, professional, or social associations—all of which are also meant to be collected by various items on the questionnaire—as well as regarding any conduct overseas that brings them unwelcome official attention. Those in the second category, however, can expect additional scrutiny, because factors exist that by definition cannot exist for those in the first. Table 14 sets forth seven categories of concern.

Table 14: Foreign Connections by Category of Concern

Concern	Fully assimilated	Foreign-born, or otherwise not fully assimilated	Guideline
Foreign spouse and/or family		X	В
Foreign friends/associates	X	X	В
Foreign professional involvement	X	X	B,C,L
Foreign business/financial involvement	X	X	B,L
Foreign citizenship activities		X	С
Untoward conduct overseas	X	X	В
Foreign national identity		X	C,L

Given this perspective, the first and most obvious issue when assessing foreign connections has been taken to be the matter of connections by blood: people who are themselves foreign born and those who, even if native U.S. citizens, have foreign family members or who marry non-citizens or people having non-citizen relatives. Here the expressed concern is the potential for "heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion."<sup>24</sup> Those risks also can exist with other sorts of relationships and their attendant activities: friendships, business and financial arrangements, other professional activities (such as membership in the bar) that establish more than a casual connection between the individual and some governmental or quasi-governmental authority, and the complex of relationships hinted at by dual citizenship. Yet even if none of these apply, a concern with foreign connections can still be relevant if a person behaves in potentially compromising ways when overseas: here the risk is one of coming to the attention of a country's intelligence service or its police. Finally, if the

<sup>&</sup>lt;sup>22</sup> Traditionally understood as "a largely linear process by which immigrants give up past languages, identities, cultural practices, and loyalties to 'become American.'" (Irene Bloemradd, Anna Korteweg, and Gökçe Yurdakul, "Citizenship and Immigration: Multiculturalism, Assimilation, and Challenges to the Nation-State," *American Review of Sociology*, 2008:34, 162.)

<sup>&</sup>lt;sup>23</sup> Specifically, questions 9, 10, 17, and 18 on the current (July 2008) Standard Form 86, Questionnaire for National Security Positions.

<sup>&</sup>lt;sup>24</sup> "Adjudicative Guidelines for Determining Eligibility for Access to Classified Information," December 29, 2005, para 6.

direct concern throughout is the vulnerability of the individual to some form of pressure from a foreign power, the indirect concern is the perceived potential for a lack of sufficient rigor in a person's self-identification as an American.<sup>25</sup>

It is one thing to identify and to categorize a person's foreign connections, but it is another to assess their meaning. The extreme conservative position would reflexively call for taking evidence of any foreign connection as sufficient to call into question the prudence of granting access eligibility. The extreme liberal position would just as reflexively assert the irrelevance of any such evidence short of involvement with a foreign intelligence service or terrorist organization. Both positions are extreme, invoked here merely to stake out the borders between which discussion needs to occur. The raw fact that a given type of connection exists of itself means little, but at the same time any such connection could serve to point to an issue of concern.

Within the context of personnel security, to say that individuals are assimilated implies the absence of any substantive emotional force binding them to a foreign country. Underlying the current Guidelines is an assumption that, when considering foreign associations, assimilation is the optimum condition for anyone to be in: not only do the fully-assimilated have no foreign family relationships or lingering affection for a country other than the United States that might be exploited or that might create crises of conscience under certain conditions of stress, but that very lack makes any foreign educational, business, professional, or social associations they do have simpler to assess. Thus the junior year spent abroad, for example, becomes easier to see and dismiss as a simple educational opportunity when not clouded by concerns that it also represents a desire to return to one's roots with the attendant weakening of one's American identity. The question, however, is whether making assessments of assimilation provides the best means for assessing risk:26 on the one hand changing demographics make it increasingly unrealistic as any kind of standard, while on the other it has the potential of overemphasizing family ties and immigrant status at the expense of other less obvious but nonetheless interesting and perhaps more relevant relationships. Attachment, on the other hand, a broader concept, suggests a more holistic way of thinking about foreign associations based on what those associations actually represent for the person. 27 While assimilation demands a zero-sum calculation, attachment does not: one can be attached to the United States without renouncing one's heritage. The long-standing requirement in the Intelligence Community, codified in DCID 6/4 and in DCID 1/14 before it, that, absent a waiver, individuals with immediate family who were not U.S. citizens were ineligible for SCI access was a consequence of thinking in terms of assimilation; deleting the requirement in ICD 704 was a consequence of thinking in terms of attachment. Introducing the concept of attachment here seeks to focus the discussion of access eligibility onto a complex of questions meant to help identify in a realistic way the risk

<sup>&</sup>lt;sup>25</sup> *iSME*, 4-5, 9.

<sup>&</sup>lt;sup>26</sup> *eSME*, 3.

<sup>&</sup>lt;sup>27</sup> eSME, 2-8, 16.

represented by a person's foreign connections and, if there is risk, to help make sense of it and either point the way to mitigating strategies or provide the basis for determining that mitigation cannot be sustained. At the same time it seeks to focus the discussion *away* from whatever more subjective elements might come into play when a given set of facts is assessed through the lens of whether or not the person is truly Americanized.

### Dual Citizenship

Dual citizenship, where it is a choice, raises the question of attachment. The question of choice arises because countries vary in how and under what circumstances their citizenship can be renounced.<sup>28</sup> This means that, in a given case, a person can hold dual citizenship despite the desire to be rid of it. Regardless of how easy or difficult it may be to renounce citizenship in a given country, however, the legal status adhering to it is the same. A further nuance arises when individuals consider themselves dual citizens despite the fact that, by the laws of their country of origin, accepting citizenship elsewhere automatically deprives them of it there.<sup>29</sup>

A commonly-used model posits the term *traditional* to describe the way of understanding dual citizenship as a marker of divided commitment. This is the zero-sum view, in which an attachment to a second country of necessity lessens attachment to the United States, thereby calling it into question altogether. This view had once been reflected in U.S. law; the United States Nationality Act of 1940, while not proscribing dual citizenship, made, alongside acts of treason, a dual citizen's exercise of non-U.S.-citizen rights such as voting in a foreign election grounds for revocation of U.S. citizenship.<sup>30</sup>

Near the other end of the spectrum of how to regard dual citizenship the notion of *transnationalism* has arisen. *Transnational* describes individuals who "take actions, make decisions, and develop subjectivities and identities embedded in networks of relationships that connect them simultaneously to two or more nation-states." From this perspective, dual citizenship becomes just one more interesting fact about a person—as an issue, it is understood as all but moot. Since the Supreme Court's 1967 decision in *Afroyim v. Rusk*, which found no constitutional provision for statutory revocation of U.S. citizenship, no effective legal barrier to

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<sup>&</sup>lt;sup>28</sup> Iran is the extreme example. According to the International Organization for Migration, a "[p]erson seeking to voluntarily renounce Iranian citizenship must have reached the age of 25, have performed military service, have settled all affairs in the country, and acquired the permission of the Council of Ministers. Though the rules for renunciation of citizenship are stated in Iranian Law, practical experiences have shown that Council permission is difficult to obtain, thus hindering legal renunciation of Iranian citizenship." http://www.iomdublin.org/DORAS%20Iran%20 Citizenship.html

<sup>&</sup>lt;sup>29</sup> For example, Jeffrey K. Stanton, Robert A. Jackson, and Damarys Canache, "Dual Nationality Among Latinos: What Are the Implications for Political Connectedness?" *The Journal of Politics*, 69:2, May 2007, 475, note that 43 percent of the first-generation U.S. citizens from Cuba in their survey data reported dual citizenship with Cuba notwithstanding that such a status is legally impossible.

<sup>&</sup>lt;sup>30</sup> 54 Stat. 1169, §§401(e) and (h).

<sup>&</sup>lt;sup>31</sup> Linda Basch, Nina Glick Schiller, and Cristina Szanton Blanc, *Nations Unbound: Transnational Projects, Postcolonial Predicaments, and Deterritorialized Nation-States*, London: Routledge, 2003, 7.

dual citizenship in the United States has existed.<sup>32</sup> Current law, therefore, does not invite dual citizenship, but neither does it proscribe it. While the transnational worldview is by no means universally embraced, there is no longer a legally based objection to it.<sup>33</sup>

Dual citizenship is becoming more common.<sup>34</sup> As the United States has moved to an official stance of benign indifference to it, <sup>35</sup> other nations have embraced dual citizenship, which has facilitated the ability of first-generation Americans to retain citizenship in their countries of origin. <sup>36</sup> Currently, nearly two-thirds of all people becoming naturalized Americans have emigrated from one of 20 countries, and of those only three—China, South Korea, and Cuba—do not permit dual citizenship. <sup>37</sup> A fourth, Mexico, technically does not recognize dual citizenship, but has created the accommodation of dual *nationality*, whereby Mexicans accepting citizenship elsewhere retain virtually all the rights of Mexican citizenship. <sup>38</sup> It is a distinction without a difference.

While it can be argued that dual citizenship *as a matter of law* has no appreciable bearing on access eligibility,<sup>39</sup> dual citizenship *as a matter of self-perception* is less straightforward. The literature review uncovered evidence to suggest that, among those who self-report dual citizenship, there is a negative correlation with U.S. political connectedness, measured by such things as voting and whether individuals identify the U.S. or their country of birth as their "homeland." However, in the one study reporting this result explicitly,<sup>40</sup> self-identified dual citizens were also likelier to have less command of English, so it remains an open question how

<sup>33</sup> For the traditional—transnational distinction, see Stanton, Jackson, and Canache, 471f. A third view, the "postnational," also exists, which sees the rights of citizenship being replaced by individual human rights. Here, in the strict sense, dual citizenship becomes irrelevant because citizenship itself is irrelevant. See Irene Bloemraad, "Who Claims Dual Citizenship? The Limits of Postnationalism, the Possibilities of Transnationalism, and the Persistence of Traditional Citizenship," *IMR*, 38:2, Summer 2004, 389-426, esp. 396f, 401-03.

<sup>32 387</sup> U.S. 253.

<sup>&</sup>lt;sup>34</sup> Georgie Ann Geyer, *Americans No More: The Death of Citizenship*, New York: Atlantic Monthly Press, 1996, 68.

<sup>&</sup>lt;sup>35</sup> See, for example, "U.S. State Department Services: Dual Nationality," <a href="http://travel.state.gov/travel/cis">http://travel.state.gov/travel/cis</a> pa tw/cis/cis 1753.html#

<sup>&</sup>lt;sup>36</sup> Stanley A. Renshon, *Dual Citizenship and American National Identity*, Washington, DC: Center for Immigration Studies, 2001, 11.

<sup>&</sup>lt;sup>37</sup> James Lee, "Naturalizations in the United States: 2009," Office of Immigration Statistics, Department of Homeland Security, April 2010, Table 1.

<sup>&</sup>lt;sup>38</sup> "As of March 20, 1998, Mexican law recognizes dual nationality for Mexicans by birth, meaning those born in Mexico or born abroad to Mexican parents. U.S. citizens who are also Mexican nationals are considered Mexican by local authorities. Their dual nationality status could therefore hamper U.S. government efforts to provide consular protection. Dual nationals are not, however, subject to compulsory military service." "Mexico—Consular Information Sheet," June 8, 1999, <a href="http://www.pueblo.gsa.gov/cic\_text/state/mexico.html">http://www.pueblo.gsa.gov/cic\_text/state/mexico.html</a>

<sup>&</sup>lt;sup>39</sup> Its legal relevance is confined to the problems individuals can face if and when they travel to their countries of origin: whenever they do, even if to perform official duties on behalf of the United States, they will be treated as citizens with both the associated rights and, of greater concern from the point of personnel security, the obligations that status entails. Dual citizenship thus does create an assignment constraint which, apart from any security consideration, would be relevant to hiring decisions when service in the country of origin cannot be excluded.

<sup>&</sup>lt;sup>40</sup> Stanton, Jackson, and Canache, who studied first-generation Latinos in the United States who claimed dual citizenship. Bloemraad, working with Canadian data, notes that dual citizens there are more likely than others to "speak a household language other than English or French," but does not address the question of fluency. (Bloemraad, 392)

much of the result stems from dual citizenship itself and how much from the impediment to full participation and identification caused by lack of fluency, on the part of a subset of the dual-citizen population, in the language in which political and civic discourse is conducted—an impediment, of course, that also serves as a disincentive to seeking and obtaining a national security position where English language fluency is expected. Self-reported dual citizenship does appear to be consistent with developing transnational attitudes, <sup>41</sup> but again, no available data suggest that transnational attitudes are any less conducive to the protection of classified information and the ability to perform national-security related responsibilities than are traditional ones.

Where contrary arguments are made, they are made from a much broader philosophical perspective, addressing a concern with dual citizenship's effects on American political culture.<sup>42</sup>

If nuance is required when assessing typical personnel security cases involving dual citizenship, that need vanishes as soon as it becomes clear that dual citizenship flags active involvement in the government of the second country. Here the issue is not dual citizenship *per se*, but the conflict of interest generated by service to two states.

### **Passports**

Possession of a foreign passport is less a separate matter of interest than evidence of dual citizenship. For dual citizens wishing to visit their country of origin, it is a necessity: in normal practice a country, including the United States, requires its citizens to present its passport when entering and leaving the country.<sup>43</sup> Once overseas, dual citizens may legally use either their American or their foreign passport to move among third countries; in certain cases, depending on the nature of the diplomatic relations between the United States and the third country, the non-U.S. passport can facilitate entry.

#### Foreign Family, Foreign Friends, Foreign Associates

It is presumed that foreign family members create security vulnerabilities to the extent that such family members constitute a vulnerability for a person to act against the interests of the United States. The same presumption is applied to foreign friends and other associates with whom people have established relationships that are meaningful to them. Ultimately, however, it is not the fact that a person has foreign relatives and associates, *per se*, that constitutes a personnel security interest, but the circumstances surrounding those relationships. In other words, merely remarking the existence of a foreign tie of whatever kind in the absence of

<sup>&</sup>lt;sup>41</sup> Staton, Jackson, and Canache, 480.

<sup>&</sup>lt;sup>42</sup> See in particular two works by Stanley A. Renshon: *Dual Citizenship and American National Identity*, Washington, DC: Center for Immigration Studies, 2001, and "Dual Citizenship and American Democracy: Patriotism, National Attachment, and National Identity," *Social Philosophy and Policy*, 21:1, 2004, 100-120.

<sup>&</sup>lt;sup>43</sup> See, for example, "U.S. State Department Services: Dual Nationality," <a href="http://travel.state.gov/travel/cis\_pa\_tw/cis/cis\_1753.html#">http://travel.state.gov/travel/cis\_pa\_tw/cis/cis\_1753.html#</a>

context, or where the context is solely a set of general rules of consanguinity, says nothing about whether it represents a threat and, if it does represent one, what that threat is and how much attention needs to be paid to it.

Any potential concern raised by the presence of foreign relatives, friends, and associates falls into one of two broad categories: 1) a cleared person might disclose, intentionally or unintentionally but without malicious intent, national security information to them; and 2) a cleared person might already be a spy or be recruited or coerced to become one or otherwise act as an agent of influence. The first relates to the sorts of disclosures any cleared person might make to anyone; the potential for making such disclosures to non-U.S. citizens is more worrisome than the equally likely potential for making them to Americans only because there is a greater degree of uncertainty regarding the consequences: what happens to the information once the security violation has occurred? This means that, when the potential recipient of a hypothetical unauthorized disclosure is a foreign government official of some kind or otherwise connected in such a way that the information might find its way into the hands of someone who could use it against U.S. interests, then a heightened degree of concern is warranted, but when on the other hand the potential recipient is a private citizen with no such connections, then the potential for harm may be scarcely greater than it would be if the unauthorized disclosure were made to a similarly placed American citizen. In either case, the counterintelligence assessments of the nature of the relationship involved provide the best means for addressing it and categorizing the risk.

#### Foreign Business and Financial Interests

Foreign business and financial interests can be artifacts of having been born in a foreign country, or they can indicate a continuing and substantive involvement in the public life of the country involved, or they can be the result of decisions made solely on the basis of economic advantage. Regardless, such interests create for anyone having them at least an implicit concern for the welfare of the country they exist in—whether they are trivial in the form of foreign bank accounts maintained by frequent travelers to facilitate their time abroad, or substantial in the form of extensive foreign property holdings or investments in foreign markets. When evaluating the relevance of any such assets to access eligibility decisions, especially as they become more substantial, the relevant issue is the conflict of interest that they can create.<sup>44</sup> Involvement in the economic life of the country may cloud practical judgment in ways that less concrete ties do not. If assets are vulnerable to confiscation or can be made subject to punitive taxation, then those affected may be further placed in an untenable position regardless of their attitude toward the country and its government.

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44	iSME, 4.		

### Multiple National Identities

Whether individuals are native-born or naturalized citizens; whether their parents were native-born or naturalized; whether they have foreign family, social, and business connections and, if they do, their breadth and depth; whether they have foreign economic interests; whether they participate in the public life of a country other than the United States, and if so to what degree—all of these are matters of ascertainable fact, but by themselves go not much further than pointing out whether the individuals concerned have interests and personal attachments beyond the limits of America and American citizenship and, perhaps, that connections exist that are potentially harmful to the U.S. The task of determining the significance of foreign associations for access eligibility decisions, however, goes beyond those considerations outlined thus far. Drawing largely from research in the social sciences, additional factors have been identified that may contribute to understanding individuals' foreign attachments, and the extent to which foreign attachments may pose a conflict with U.S. interests. These include contextual factors related to the nature of the attachment itself, and an individual's management of multiple attachments.

THE NATURE OF NATIONAL ATTACHMENTS. The social and behavioral sciences suggest that considerations of foreign attachment may inform personnel security determinations.<sup>45</sup> Two types of attachment are of particular note: instrumental attachments and identity-based attachments. Instrumental attachments are those a person maintains as the means for acquiring or maintaining some benefit only incidentally related to its being located outside the U.S.: a partnership in a foreign business, for example, or membership in an international or foreign-based organization for professional reasons, or dual citizenship maintained because the laws of the country preclude non-citizens from inheriting. In other words, these attachments take the form, "Through membership, I get \_\_\_\_\_ as a benefit." The strength of instrumental attachments depends on the value of the outcome or reward, and therefore, may be context dependent. For example, an individual may maintain an instrumental attachment through citizenship for the sole purpose of enabling the future inheritance of a property. If in fact the citizenship was maintained for this and only this reason, should the individual learn that the they will no longer inherit such property, there may be no further desire to maintain citizenship and the instrumental attachment may dissolve.

From the perspective of adjudication, instrumental attachments themselves raise concerns in two instances. First, an instrumental attachment may serve as a means for a government to exercise untoward control over the person, such as through credible threats of confiscation of the person's business interests, or when the person perceives such a threat even if it does not in fact exist. Second, an instrumental attachment may bias the execution of tasks that may impact the

<sup>&</sup>lt;sup>45</sup> Jerard F. Kehoe and Katherine Ryan, *Adjudicative Guidelines Literature Review: The "National Conflict" Cluster*, 2009, 60-61. (See Appendix B Part 2.)

ability of the individual to obtain the benefit. For example, a linguist with instrumental attachments to a foreign country may bias his analysis, either intentionally or unknowingly, so as to maximize his ability to reap that benefit in which the attachment is based.<sup>46</sup> Assessments of instrumental attachments can therefore be informed by investigative information relevant to the subject's motivation for acquiring or maintaining foreign associations.

*Identity-based attachments*, on the other hand, are those characterized by the way in which people identify themselves through group membership. Most relevant to the context of adjudication is the extent to which individuals self-categorize themselves as a member of a nation state (e.g., American, Bolivian, etc.) and the importance of that group membership to that individual.<sup>47</sup> These take the form of, "I am a \_\_\_\_ and being a member of that group is important to me." These attachments may be motivated by the degree to which the group identification provides individuals with a sense of value, uniqueness, belongingness, as well as certainty about their environment. <sup>48</sup> The next section will highlight ways in which these attachments may manifest. <sup>49,50</sup>

MANAGING MULTIPLE IDENTITY-BASED ATTACHMENTS. Evidence from the psychological literature shows that individuals are capable of simultaneously defining themselves in terms of multiple identities. <sup>51</sup> Studies of U.S. immigrants, for example, show that people can and do sustain multiple identities that, from an external point of view, appear to conflict. <sup>52</sup> Of particular relevance to the discussion of social identity with respect to the Adjudicative Guidelines is the question of how an individual with multiple national identities manages the potential demands of competing identities and the relevance, if any, to adjudication or risk-management of the management strategy used. No studies have directly examined how specific management strategies affect allegiance issues or potential conflicts of interest relevant to adjudication; however, *categories* of strategies have been identified that may have utility in conceptualizing multiple national attachments for the purposes of adjudication. The following

<sup>&</sup>lt;sup>46</sup> Richards J. Heuer, Jr., *The Psychology of Intelligence Analysis*, Center for the Study of Intelligence, 1999.

<sup>&</sup>lt;sup>47</sup> This discussion is constrained to synthesizing the most relevant findings. The interested reader should refer to the literature review in Appendix B for a more thorough discussion of the relevance of the attachment literature to the adjudication process.

<sup>&</sup>lt;sup>48</sup> Cynthia L. Pickett and Yanine D. Hess, Assessing Predictors of U.S. National Identification and Allegiance, 2009, 1-4

<sup>&</sup>lt;sup>49</sup> Kehoe and Ryan, *National Conflict*, 60. (See Appendix B Part 2.)

<sup>&</sup>lt;sup>50</sup> Recent research illustrates the relationship between foreign national identity-based attachments and engagement in government activities. In one experiment participants were tasked to rate the performance of others under the auspices of conducting research to help determine whether funding should be given to foreign or American students. Participants with a foreign national identity rated more leniently the performance of individuals with whom they shared a foreign group membership. Further, for all participants those that identified more strongly with their group showed a stronger leniency in their ratings of those in their group. While the mere presence of a foreign national identity did not independently account for variations in lenient scoring, the results of this laboratory-based experiment do show that a person's foreign national identity can color judgment in ways relevant to a government activity. See Pickett and Hess.

<sup>&</sup>lt;sup>51</sup> Tom Postmes and Jolanda Jetten, "Individuality and the group: Advances in social identity," in Postmes and Jetten (eds.), *Individuality and the Group: Advances in Social Identity*, Thousand Oaks, CA: Sage Publications, Inc, 2006

<sup>&</sup>lt;sup>52</sup> Postmes and Jetten.

describes four empirically-derived strategies that individuals may use to manage multiple identities.<sup>53</sup>

*Merger*, as a management strategy, acknowledges multiple identities simultaneously, combining and integrating features of both. Here national identity is transcended, replaced by a new, different, global identity. The individual adopting this strategy may think of him- or herself as a citizen of the world rather than a person of a given nationality, American or otherwise. Individuals may sever connections with their home country and at the same time may fail to develop an identity rooted in the country they have immigrated into, thus in a sense becoming stateless, even when holding the passport of one nation or another. Axiomatically, it would seem that there is no conflicting national attachment in either case that could potentially interfere with the orderly execution of national security duties including the protection of classified information—the foreign identity is of no more influence than the American one—yet the very absence of any national connection whatsoever, particularly a U.S. national connection, may become troublesome. The void may suggest an inability to meet the requirement of Executive Order 12968 for a history that "affirmatively indicates loyalty to the United States," regardless of the definition of loyalty used.<sup>54</sup>

Intersection, as a management strategy, is characterized by an identity rooted in the intersection of multiple groups where a new functional hybrid identity is formed. These are the "hyphenated Americans," those who have pulled parts from their American and foreign identity to form a new identity. The task here for personnel security does *not* consist of developing and deploying some test of "Americanness" that goes beyond the requirement of EO 12968 for U.S. citizenship and that in any case would collapse under the lack of defensible criteria, but rather of identifying whether any elements of a person's foreign identity raise substantive concerns about the ability and willingness to function within a national security environment and to protect classified information. If any do, the question then becomes whether a reasonable risk management strategy is available to address whatever concern exists and is appropriate to employ.<sup>55</sup>

Compartmentalization as a strategy for managing multiple identities acknowledges both national attachments by keeping them separate and switching between identities based on context: the American identity in an American context, the foreign identity in a foreign one. Here there is a solid American national identity; the issue for personnel security to consider is

<sup>&</sup>lt;sup>53</sup> Roccas and Marilynn B. Brewer, "Social Identity Complexity," *Personality and Social Psychology Review*, 6:2, 2002, 88-106, esp. 89-92.

<sup>&</sup>lt;sup>54</sup> See the discussion of *loyalty* and *allegiance*, above.

<sup>&</sup>lt;sup>55</sup> Recent research has examined how multiple identities are integrated within the intersection strategy. Results suggest that the integration can be described according to how the individual perceives identities in terms of blendedness (vs. distance) and harmoniousness (vs. conflictual). Interestingly, perceptions of conflict between the integrated identities is associated with poorer psychological adjustment, interpersonal strains, and less. See V. Benet-Martinez, & J. Haritatos, "Bicultural Identity Integration (BII): Components and Psychosocial Antecedents," *Journal of Personality*, 73, 2005, 1015-49, and Verónica Benet-Martínez and Que-Lam Huynh, *Adaptive and Maladaptive Biculturalism: Measurement, Validity, and Psycho-Social Correlates of Bicultural Identity Integration (BII)*, 2009.

whether the foreign identity is in anyway problematic. This is less a matter of considering whether those with compartmentalized attachments would take proper precautions with national security information in an American context: in these contexts the American identity is dominant. Rather it is a matter of considering whether an individual relying on this strategy will protect sensitive U.S. national security information once in a foreign context, especially when *not* protecting it would prove beneficial to the group in which this identity is based—in this case, the foreign country.

Dominance as a management strategy is indicated with individuals adopting one or more primary group identification. The dominance strategy, in other words, assumes that one identity dominates the other. For example, when using this strategy, a Chinese immigrant's simultaneous identification with "Chinese" and "American" cannot be sustained, one of these identities will dominate the other. Persons seeking a security clearance who have adopted this strategy and reject their American identity are unlikely to be attached to the United States or be motivated to maintain its interests. On the other hand, those electing their American identity over another national identity may be motivated to do so.

#### Evaluating Foreign Associations

In an increasingly interconnected world with increasing ease of international travel and communication facilitated by cascading technological advances, in a country whose population increasingly consists of immigrants and the children of immigrants, in a government with increasing needs for people with skills found in those immigrant communities, the questions raised by a person's foreign associations—connectedness to people, institutions, and authorities outside the United States—assume a greater urgency than they have had heretofore. In the past the pragmatic approach was to play it safe by excluding from access, absent a compelling reason to do otherwise, anyone having substantive foreign connections; today's pragmatic approach, on the other hand, arises from the need simultaneously to meet changing mission requirements and to acknowledge changing national demographics but to do so without introducing self-defeating security risks.

#### Two Key Questions regarding Foreign Associations

When assessing foreign associations, their types (e.g., foreign spouse or foreign bank account or dual citizenship) by themselves say little. Thus any adjudicative strategy based on a preset hierarchical schema—in which, for example, dual citizenship would always be more noteworthy than having a foreign spouse, while having a foreign spouse would always be more noteworthy than having a foreign bank account—would be unrealistic. The important element in these cases is not the presence or absence of given markers, but what those markers, whenever they are present, mean within the life of the person involved.<sup>56</sup>

<sup>&</sup>lt;sup>56</sup> eSME, 10.

In this regard concerns with foreign associations devolve to two central questions: (1) Do those associations provide a realistic path for intelligence targeting or for exercising influence against the interests of the U.S. and (2) Do they flag an attachment to a foreign country so important to the person that it has the potential to interfere with forming an attachment to the U.S. sufficiently robust to preclude acting against U.S. national security interests? If so, the issue is one of allegiance.

THE FIRST QUESTION. Determining whether a realistic path for espionage or harmful influence exists—and *realistic* is the key term—first requires identification of a threat, then, if one exists, an assessment of the individual's vulnerability to it. The first task is a counterintelligence matter, the second is one of weighing, in light of whatever information counterintelligence has been able to provide, not only the person's attachment to the country in question (that is, answering the second question, below), but also all other factors that, although having nothing to do with foreign associations themselves, nonetheless have a bearing on vulnerability to the threat identified, such things as mental health and financial issues. Here the general question of reliability and trustworthiness that the personnel security process asks of everyone acquires a specific focus: Can the person be relied upon successfully to resist attempts, if and when they are made by the identified threat, to solicit information or exercise harmful influence? The presence of the threat thus need not preclude access eligibility, but this question must be answered satisfactorily to establish the prudence of granting it.

THE SECOND QUESTION. The traditional model of assimilation assumes that the more a person identifies with another country the less he or she will identify with the U.S.; assimilation is complete only when there is no second country to identify with. Following this model, any person with any degree of foreign association possesses some substantive risk. But as suggested by this research effort, people with foreign attachments need not exercise them at the expense of the U.S.<sup>57</sup> For adjudication the important issue is to ascertain the absence of any reason to suspect that whatever foreign associations exist would create an impediment to a person's willingness and ability to operate successfully in a national security environment in general and in particular to protect classified information. In other words, from the perspective of adjudication, the critical question is not whether foreign identity-based attachments exist, but, where they do exist, the nature and the extent of the attachment. This determination is informed by an understanding of the context of these associations and the nature of the attachments they may signify. Because it is clear that individuals can adaptively manage multiple identities without experiencing them as conflictual, and because attachments are dynamic and can therefore change over time, it is less often a decision of granting access eligibility than how to manage the risks potentially associated with foreign attachments.

<sup>&</sup>lt;sup>57</sup> eSME, 3, 8-9, 16.

### Other Factors Relating to Reliability and Trustworthiness

When developing Guidelines for factors other than involvement in acts against the U.S. and foreign associations, it is necessary to take into account a contradiction of sorts. On the one hand, to make any sense of an issue it is necessary to examine it in isolation: mental health and alcohol and finances, to cite three examples, are separate and require separate attention in order to be understood. On the other hand, while issues often do arise in isolation in people's lives, they can just as easily be linked in ways that require them to be assessed together—comorbidity, to borrow a term from medical practice. For example, if a person's depression has led to attempts at self-medication with alcohol which have led to an alcohol problem which has created financial stress, then treating the issues in isolation can result in missing the main point and, more importantly, reaching the wrong conclusion about the person's ability to hold a sensitive position or to safeguard classified information. Further, there is the intrinsic overlapping of some elements of some Guidelines. While alcohol misuse may or may not be related to a mental-health issue and may or may not lead to financial problems, nearly everything considered as a misuse of drugs is by definition a criminal activity in addition to a practice raising concerns about potential adverse psychological or physiological effects on the user's reliability and trustworthiness; thus it is a matter for the current Criminal Conduct Guideline as well as for the Drug Involvement one. In the same way, problematic sexual matters (Sexual Behavior Guideline) involve either a psychosexual disorder of some kind (Psychological Conditions Guideline) or criminal activity (Criminal Conduct Guideline) or both. Other examples are possible. An attempt to anticipate all the relationships among multiple issues in anything like a systematic manner would soon break down under its own weight. Accordingly, the following discussion looks at issues discretely, although it does so with the understanding that at least some of the time a given problem will be mitigated or exacerbated by the fact that it occurs in conjunction with something else.

The question next arises about the best way to organize for examination the material currently covered by Guidelines D, E, F, G, H, I, J, K, and M. One way, of course, would be to address each Guideline in turn, and that is in fact the approach to be used in the Recommendations section of this report. However, in the discussion that follows, a different arrangement has proven desirable in order simultaneously to address the respective concerns of interest, to allow the discussion to move in a more orderly way from one topic to another, and at the same time to address to the extent possible questions of comorbidity among issues identified. This arrangement yields six sections: Psychosocial Factors, Crime, Financial Issues, Personal Judgment and Behavior, Security Practices, and a final section dealing with Information Technology.

### **Psychosocial Factors**

Psychosocial factors encompass those behaviors and conditions that are psychological or psychiatric in nature, whether diagnosable mental health disorders or conditions short of being

diagnosable but still of concern. They are *psychosocial* in recognition of their psychological or psychiatric basis and are psychosocial because they include considerations that play out in social environments and have consequences there. They include material currently in five Guidelines. Besides Psychological Conditions (Guideline I), these are the portion of Financial Considerations (F) dealing with pathological or compulsive gambling, Sexual Behavior (D), Alcohol Consumption (G), and Drug Involvement (H).

#### Mental Health Conditions—General<sup>58</sup>

Psychiatrists and psychologists have the knowledge and the clinical skills to make informed judgments about an individual's mental condition, to prescribe and supervise courses of treatment when warranted and to judge their success, and to assess in at least a general way how a given condition is likely to affect a patient's behavior; they do not, however, have the expertise to make national security assessments. On the other hand, personnel security professionals, while lacking the skills of psychiatrists and psychologists, do have that expertise. Thus determining the relevance of a given mental health issue to a person's eligibility for classified access is a matter of experts in one field (mental health) providing information to experts in another (personnel security) in a form that enables the latter to use it in their work to support informed decisions.<sup>59</sup> However, in other than those places where sufficient in-house mental health resources are available to personnel security practitioners, adequate information has not always been forthcoming, due both to constraints on investigation and to concerns by practitioners with releasing sensitive information on their patients to third parties, even with consent. Indeed, the investigative constraints, meant to be sensitive to the stigma too often associated with seeking psychiatric and psychological treatment, have too often been selfdefeating, enforcing rather than erasing taboos by suggesting that there is in fact something about a condition relating to mental health shameful enough that it deserves to be hidden.<sup>60</sup>

Mental health conditions may first be suspected because of some behavior; the behavior can but need not be of any interest on its own accord to personnel security. For example, in a given case compulsive activity of some kind might indicate an underlying disorder, or it might not, but regardless the activity *itself* has no meaning from a personnel security point of view; on the other hand an arrest for shoplifting, which could have—but need not have—occurred because the person involved in it is suffering from kleptomania, is itself an issue in any case: the personnel security process will have to assess the theft whether or not some mental health

<sup>&</sup>lt;sup>58</sup> 50 U.S.C. 435c establishes a statutory clearance exclusion for anyone who is "mentally incompetent." This exclusion applies only to Restricted Data and to special access programs (including SCI), not to other access eligibility determinations. "Mentally incompetent" is a legal, rather than a clinical term: courts find individuals mentally incompetent, not psychiatrists or psychologists.

<sup>&</sup>lt;sup>59</sup> *iSME*, 12-13; *eSME*, 19.

<sup>&</sup>lt;sup>60</sup> *iSME*, 12.

disorder contributed to it. In either case, however, determining whether a mental health condition in fact exists demands the intervention of a psychologist or psychiatrist.<sup>61</sup>

**DIAGNOSES AND BEHAVIORS.** A diagnosis is a determination by a psychiatrist or psychologist that an individual has a condition catalogued and described in the Diagnostic and Statistical Manual. 62 While specific diagnoses relating to certain disorders can provide overwhelming support for a decision to deny or revoke access eligibility, the presence of a diagnosis per se, while always a relevant fact, does not necessarily provide grounds for such a decision. The question is not the presence of some given mental health disorder, but how that disorder manifests itself behaviorally, whether it is ameliorable by treatment, and what its long-term prognosis is. Conversely, the absence of a formally diagnosable condition does not, in the face of questionable and problematic behavior, mean that no personnel security issue exists. It is possible for sub-clinical or otherwise non-diagnosed conditions to manifest in ways that call into question the appropriateness of granting or maintaining eligibility for access to classified information.63

Some agencies have established favorable psychological screening as a criterion for employment. For determining clearance eligibility across government, on the other hand, the primary concern lies with identifying and assessing any conditions that could adversely impact reliability and trustworthiness, with the presence of anything suggesting impaired judgment being particularly troublesome. Impaired judgment adversely impacts a person's ability to make the sorts of decisions necessary to function securely in a national security environment and to protect classified information and accordingly merits careful scrutiny.

The complex nature of psychological functioning makes establishing straightforward Guidelines in the form of if x then y for making access eligibility decisions problematic. For example, current psychiatric hospitalization would be evidence of access ineligibility; however, prior psychiatric hospitalization is of interest only if there is a persistent or recurring condition. In that case the hospitalization would serve not as a disqualifier but as an indicator of the underlying condition.

### Pathological Gambling

Pathological gambling, most often diagnosed as an impulse control disorder, is of special significance for access eligibility decisions.<sup>64</sup> Gamblers are people who take risks with objects of value; for most this is no more of an issue than is any other recreational activity with some degree of risk, and recreational gamblers tend to wager the sorts of sums that can be equated with

<sup>&</sup>lt;sup>61</sup> eSME, 19.

<sup>&</sup>lt;sup>62</sup> American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision (Washington, DC: American Psychiatric Association), 2000. Cited henceforward as DSM-IV-TR.

<sup>&</sup>lt;sup>63</sup> eSME, 19-20

<sup>&</sup>lt;sup>64</sup> eSME, 32-33.

the costs involved in participating in other activities. However, gambling that reaches the level of an impulse control disorder differs meaningfully. The underlying issue relates less to the amount of money placed at risk than to the controlling, compulsive nature of the disorder, although financial distress can be and typically is a consequence. It is, moreover, an *exacerbating* consequence, because financial distress from pathological gambling increases the likelihood of crime: pathological gamblers are two and a half times as likely to have committed a crime within the previous 12 months than are recreational gamblers.<sup>65</sup> Crime appears at the confluence of the mental health disorder and financial distress: as legitimate sources of gambling funds vanish, they may be replaced by illegitimate ones in the form of various types of theft, in particular embezzlement and fraud. The compulsive nature of the gambling excludes quitting as an alternative. Embezzlement, to the extent that it is a rough analogue of espionage, is particularly worrisome for national security decisions, with as many as one in five pathological gamblers engaging in it.<sup>66</sup>

### Psychosexual Issues

*Paraphilias* are diagnosable disorders relating to sexual imagining or behaviors that focus on non-human objects, suffering or humiliation, children, or any other non-consenting person.<sup>67</sup> To be diagnosable, they must have lasted at least six months and must cause distress or social impairment.<sup>68</sup> Paraphilias in general are the extremes of sexual behaviors that in milder forms are more or less psychologically unexceptionable; however, those such as pedophilia that depend upon the non-consensual participation of another person are never unexceptionable and, irrespective of any mental health assessment, require being assessed as crimes.

Pornography is not a paraphilia, although paraphiliacs can consume pornography that speaks to their particular disorder. Pornography itself becomes a concern when its use rises to the level that it can be diagnosed, a possibility facilitated by the ease of access to quantities of pornography of all types on the Internet. While there is some correlation between early continued use of violent pornography and psychopathology in adult sexual offenders, there appears to be no correlation with regular adult pornography consumption and psychopathology.

<sup>&</sup>lt;sup>65</sup> Gerhard Meyer and Michael A. Stadler, "Criminal Behavior Associated with Pathological Gambling," *Journal of Gambling Studies* 15:1, Spring 1999, 34. In the cases studied, 51.8 percent of pathological gamblers had committed one or more crimes within the past year; 89.3 percent had done so at some point in their lives.

<sup>&</sup>lt;sup>66</sup> Meyer and Stadler, 36. 21.7 percent of pathological gamblers had engaged in embezzlement, compared with 1.1 percent of recreational gamblers.

<sup>&</sup>lt;sup>67</sup> "BehaveNet Clinical Capsule: Paraphilias," <a href="http://www.behavenet.com/capsules/disorders/paraphilias.htm">http://www.behavenet.com/capsules/disorders/paraphilias.htm</a>

<sup>&</sup>lt;sup>68</sup> Forensic Psychiatry.ca, "Paraphilias," http://www.forensicpsychiatry.ca/ paraphilia/overview.htm

<sup>&</sup>lt;sup>69</sup> *eSME*, 26. Typically compulsive use of pornography is diagnosed as an Impulse Control Disorder—Not Otherwise Specified. There is no separate DSM-IV-TR diagnosis for it *per se*.

<sup>&</sup>lt;sup>70</sup> Thomas J. Tiefenwerth, *Criminal Sexuality and Psychopathology: Pornography as a Contributory Risk Factor in the Psycho-Social Development of Violent Sex Offenders*, diss. The University of Southern Mississippi, 2007, 88.

### Alcohol and Drug Issues 71

In one sense, alcohol and drugs are simply two categories of the same thing: substances, the use of which can alter mood, mind, and physiology. In another sense, however, alcohol and drugs could not be more different. Whenever personnel security takes an interest in someone's involvement with drugs, it is almost always, in addition to any psychophysiological effects, because the substance being used is illegal or, if legal itself, because it is being used illegally; only in limited cases is there no legal issue. For personnel security then, drug use is normally *illegal* drug use. At the same time, except for minimum age limitations and a handful of other restrictions such as open container laws, neither the possession nor the use of alcohol is a crime. Its use might be a *component* of a crime—driving while intoxicated, for example—but by itself it remains beyond the interest of the law. To put it concretely, possession of cocaine, even if the person possessing it does nothing but look at it, is always a personnel security issue; possession of a bottle of scotch, at least for an adult, never is and leads to one only if its possessor meets the criteria of alcohol abuse or dependence or commits an alcohol-related crime or otherwise demonstrates that alcohol is becoming a problem.

The discussion following ignores any direct consideration of criminality; that finds its place in the section, below, dealing with crime. The concern here is with the potential and actual effects of drugs and alcohol and what those effects mean for reliability and trustworthiness. The relevant question is: Irrespective of legal considerations, are there reasons to consider drug and alcohol use of personnel security concern? At the same time, the discussion does touch upon the relationships of drugs and alcohol with other crime, looking both at how certain acts (again, driving is the best example) become crimes when performed under their influence and at the ways that their use may lead to increased crime of various kinds.

**ABUSE AND DEPENDENCE.** Any exploration of how the use of drugs and alcohol affects reliability and trustworthiness needs to begin by defining a few key terms. The DSM uses the term *substance* to speak of any of 11 classes of chemicals—the things commonly subsumed under the heading of drugs and alcohol. Some of these have valid medical purposes, others have been used medically in the past but no longer are, still others have never had any medical purpose. Some can be used in moderation with few or no ill effects, others create damage with their first use.

The DSM uses two terms to describe levels of involvement with substances sufficient for diagnosis: *abuse* and *dependence*, which together constitute *substance-related disorders*. First abuse:

<sup>&</sup>lt;sup>71</sup> 50 U.S.C. 435c establishes a statutory clearance exclusion for anyone "who is an unlawful user of a controlled substance or an addict." This exclusion applies to all clearance levels, not just Restricted Data and special access programs, including SCI.

<sup>&</sup>lt;sup>72</sup> DSM-IV-TR, 191. The 11 classes are: "alcohol; amphetamine or similarly acting sympathomimetics; caffeine; cannabis; cocaine; hallucinogens; inhalants; nicotine; opioids; phencyclidine (PCP) or similarly acting arylcyclohexylamines; and sedatives, hypnotics, or anxiolytics."

The essential feature of *Substance Abuse* is a maladaptive pattern of substance use manifested by recurrent and significant adverse consequences related to the repeated use of substances. In order for an Abuse criterion to be met, the substance-related problem must have occurred repeatedly during the same 12-month period or been persistent. There may be repeated failure to fulfill major role obligations, repeated use in situations in which it is physically hazardous, multiple legal problems, and recurrent social and interpersonal problems.<sup>73</sup>

The presence of any one of the four indicators listed in the last sentence is sufficient to support a diagnosis of substance abuse. Dependence presents a different set of problems:

The essential feature of *Substance Dependence* is a cluster of cognitive, behavioral, and physiological symptoms indicating that the individual continues use of the substance despite significant substance-related problems. There is a pattern of repeated self-administration that can result in tolerance, withdrawal, and compulsive drug-taking behavior.<sup>74</sup>

Diagnoses of abuse and dependence require repeated use over time; a single event, no matter how serious, does not meet the criteria for either. Yet the diagnostic criteria are inclusive of a number of variations of problematic substance or alcohol use. A weekend binge-drinker whose drinking leads to frequent Monday morning absences from work is failing to meet a major role obligation, just as the person who insists on driving after drinking is engaging in a hazardous situation whether or not arrests result; both may meet the criteria for abuse. The key question that determines abuse is whether the person's involvement with drugs or alcohol has resulted in a pattern of irresponsible or problematic behavior.

The DSM identifies four subtypes of remission of dependence, all of which require the absence of *all* abuse and dependence criteria for one month. Those who remain free of all abuse and dependence criteria for the next eleven months are in *early full remission*; *sustained full remission* describes those who remain free beyond that period. *Early partial remission* and *sustained partial remission* describe people who relapse into one or more of the abuse or dependence criteria but do not reach the level required for a diagnosis of abuse or dependence.<sup>75</sup> Early full remission is a predictor but not a guarantee of sustained full remission.<sup>76</sup>

From the perspective of adjudication, the patterns of irresponsible behavior sufficient to support an Abuse or Dependence diagnosis themselves provide some evidence of diminished reliability and trustworthiness potentially sufficient to call into question a person's ability to operate within national security environments. By definition, such a person persists in a behavior that has on multiple occasions led to some significant, otherwise avoidable problem; he or she

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<sup>&</sup>lt;sup>73</sup> DSM-IV-TR, 198.

<sup>&</sup>lt;sup>74</sup> DSM-IV-TR, 192.

<sup>&</sup>lt;sup>75</sup> DSM-IV-TR, 195-97.

<sup>&</sup>lt;sup>76</sup> See, for example, Stephen A. Maisto, Patrick R. Clifford, Richard Longabaugh, and Martha Beattie, "The Relationship between Abstinence for One Year Following Pretreatment Assessment and Alcohol Use and Other Functioning at Two Years in Individuals Presenting for Alcohol Treatment," *Journal of Studies on Alcohol*, LXIII (2002), 397ff. Maisto and his colleagues examined the drinking patterns of individuals who had passed through two alcohol treatment programs for the two years following treatment, comparing those who abstained for the first 12 months with those who did not.

has failed, with or without intention, to exercise sound judgment. Given the complexity of issues underlying abuse and dependence, however, such determinations should consider the specifics of each case and, if possible, be informed by mental health professionals familiar with substance misuse.

In cases of remission, one must consider the relevance of prior problematic use to a person's present and future reliability and trustworthiness. This determination first entails a judgment that the dependence is truly a matter of the past, and unlikely to recur. Secondly, the determination requires a judgment as to whether the past abuse or dependence in and of itself raises sufficient uncertainty about reliability and trustworthiness to consider precluding access eligibility. In fact, some evidence suggests that substance abuse may serve as a more general indicator of dispositional deviance proneness.<sup>77, 78</sup> The issue here is not the possibility of relapse but whether the history of involvement was part of a larger pattern of diminished reliability and trustworthiness that still persists.

SUBSTANCE USE. The *National Survey on Drug Use and Health* for 2009 reported that approximately 130.6 million people in the United States—51.9 percent of the population over age 12—are current users of alcohol; the drug-using population is much smaller, with 21.8 million current users. (In both cases the *Survey* considers a current user to be someone who used a substance within the past month.) The numbers of people who have used alcohol or drugs at some point in their lives are higher—208.5 million for alcohol and 118.7 million for illicit drugs (including 104.4 for marijuana and hashish). This means that nearly half of all people in the U.S. 12 and older have tried illicit drugs and 4 out of every 5 have used alcohol. It also means that, while nearly two-thirds of those who have used alcohol at any time in their lives are current users, less than one-fifth of those who have used illicit drugs do so currently.

Most people who involve themselves with substances, whether legal or not, do not rise to the level of having a substance-related disorder. The *Survey* reported 22.5 million people with substance abuse or dependence, 15.4 million for alcohol only, 3.9 for drugs only, and 3.2 for both alcohol and drugs.<sup>81</sup> Table 15 provides data.

<sup>78</sup> Jerard F. Kehoe, Kimberly Perry, and Monica Schnick, *Adjudicative Guidelines Literature Review: The "Psychological Considerations" Cluster*, 2010, 29. (See Appendix B Part 3.)

<sup>&</sup>lt;sup>77</sup> Normand et al., 1994.

<sup>&</sup>lt;sup>79</sup> Substance Abuse and Mental Health Services Administration, *Results from the 2009 National Survey on Drug Use and Health: Volume I: Summary of National Findings* (Office of Applied Studies, NSDUH Series H-38A, HHS Publication No. SMA 10-4586Findings), Rockville, MD, 2002, 13, 29. Cited henceforward as 2009 SAMHSA NSDUH.

<sup>80</sup> Substance Abuse and Mental Health Services Administration, *Results from the 2009 National Survey on Drug Use and Health: Detailed Tables*, Tt 1.1a, 1.1b, 2.1a, 2.1b, downloaded 2 November 2010 from <a href="www.oas.smahsa.gov/NSDUH/2k9NSDUH/tabs/Sect1peTabs1to10.pdf">www.oas.smahsa.gov/NSDUH/2k9NSDUH/tabs/Sect1peTabs1to10.pdf</a> and .../Sect2peTabs1to10.pdf

<sup>&</sup>lt;sup>81</sup> 2009 SAMHSA NHDUH, 73.

Table 15: 2009 Drug and Alcohol Use and Abuse/Dependence among Persons 12 Years Old and Older

Substance	Users (n)	% Users in Total Pop	Abuse/Dep (n)	% Abuse/Dep in Total Pop	% Abuse/Dep in User Pop
Alcohol	130.6 m	51.9%	19.3 m*	7.7%	14.8%
Drugs	21.8 m	8.7%	7.1 m*	2.8%	32.6%

<sup>\*</sup>Includes 3.2 m with both drug and alcohol abuse/dependence Source: 2009 SAMHSA NSDUH

The use of drugs and alcohol short of abuse and dependence raises questions in five areas. Three first three—(1) expectable behavior under the influence of the substance used, (2) the addictive properties of the substance used and the likelihood that use will escalate, and (3) the relationship between use of the substance and other issues of concern—relate to the substance itself; the remaining two—(4) the pattern, timing, and frequency of use and (5) the motivations for use—are specific to the user. We consider them in turn.

- (1) Expectable behavior under the influence of the substance used. What effects does the substance have on people while they are using it? By way of example, one common characteristic of someone using one of the amphetamines is talkativeness, which, particularly when combined with the impaired judgment inherent in the use of the drug, raises concerns that a cleared person could, under the influence of the drug, include classified material among the things talked about. On the other hand, the sorts of euphoric effects marijuana produces, even combined with the drug's typical mental confusion, probably create less of a risk. Once the effects themselves are understood, a second question arises: Do those effects change with the amount used? The person who has drunk one bottle of beer behaves very differently than a person who has drunk eight. The person who has drunk enough to have achieved a blood alcohol content of 0.2 percent will probably remember nothing of what happened and is in a more likely position to be manipulated by the unscrupulous.
- (2) The addictive properties of the substance used and the likelihood that use will escalate. Is someone who uses a given substance more or less likely to abuse it sooner or later? Fewer than two in ten people who drink abuse alcohol; the fact that a person drinks at all carries with it some risk of eventual alcohol abuse, but that risk is small enough to play at most a trivial role in access eligibility decisions. For the occasional cocaine user, however, because of the way the substance works, the risk of becoming an abuser is higher. The personnel security process, although looking at what has happened, does so in order to determine what is reasonable to expect in the future.
- (3) The relationship between use of the substance and other issues of concern. People do not normally drink or take drugs because they see it as the means to get into other trouble, but that is often enough the result. For example, people are unlikely to drink out of the desire and intent to drive while intoxicated, but the lack of intent cannot be relied on to keep them from doing so: in 2009 alone there were nationwide 1.4 million arrests for driving under the

influence.<sup>82</sup> Approximately a quarter of the violent crimes that lead to incarceration in either federal or state prison are committed by persons under the influence of drugs at the time.<sup>83</sup> Such events often serve as the evidence that a drug or alcohol problem exists—matters of comorbidity, in other words—but even where no event has yet occurred, personnel security, in assessing reliability and trustworthiness, must make judgments about whether a person's use of a given substance increases the likelihood of problems developing out of that use. More specific to the workplace, and as uncovered in the literature review, there is also evidence to suggest a robust link between alcohol and drug use and deviant counterproductive work behaviors, including verbal and workplace aggression.<sup>84-85</sup> For the use of illegal substances, the question must also be asked about the person's contact with the source of the drug, to assess whether that association itself, apart from any legal questions, creates a vulnerability.

(4) The pattern, timing, and frequency of use. The person who drinks 14 glasses of wine in two weeks, one each day with dinner, presents a different order of risk than does the person who, while also drinking 14 glasses of wine in the same two weeks, drinks them all in a two-hour period on one day. A common pattern of cocaine involvement involves episodic use, so the "infrequent cocaine user" may nonetheless have a very large problem. Thus it is important to know not only how much of a given substance a person consumes, but how. Most collegiate binge drinking occurs on weekends, away from classes; <sup>86</sup> the "weekend alcoholic" has long been a fixture of the adult world. Both might claim that their drinking does not interfere with meeting their responsibilities, which may or may not be true, but it is certainly true that their intoxication is no less worrisome than that of the person who drinks heavily every night—it simply occurs less often.

(5) The motivations for use. Those who drink or use drugs when alone and are not substance dependant may simply *choose* a glass of scotch over non-alcoholic beverages because they prefer the taste, or a bit of marijuana over chocolates because they don't want to gain weight—but they make the choice free from the compulsion of abuse or dependence. Those who drink or use drugs in social situations deal with additional motivations, including attempts to conform to the expectations of their peers. Conformity against better sense calls into question the person's ability to make reliable and trustworthy judgments and marks something short of maturity. Maturity at the time of use plays a role in making personnel security evaluations: we do not expect 18-year-olds to exhibit the same mature judgment that we expect from 28-year-olds, and thus it becomes easier to find mitigation, for example, for the person who used a drug

<sup>&</sup>lt;sup>82</sup> Federal Bureau of Investigation, *Crime in the United States*: 2009, Table 29 "Estimated Number of Arrests", <a href="http://www2.fbi.gov/ucr/cius2009/data/table\_29.html">http://www2.fbi.gov/ucr/cius2009/data/table\_29.html</a>

<sup>&</sup>lt;sup>83</sup> Christopher J. Mumola and Jennifer C. Karberg, "Drug Use and Dependence, State and Federal Prisoners, 2004," U.S. Department of Justice, Bureau of Justice Statistics, Oct 2006 (rev. Jan 2007), 5.

<sup>84</sup> McFarlin et al. 2001

<sup>85</sup> Ames et al. 1997

<sup>&</sup>lt;sup>86</sup> John D. Clapp, Audrey M. Shillington, and Lance B. Segars, "Deconstructing Contexts of Binge Drinking among College Students, *American Journal of Drug and Alcohol Abuse*, February 2000, 139ff.

at a party when 18 than for the one who used the same drug at the same party for the same reason but who was 28 at the time. But beyond simple preference and social conformity lies a more basic and more difficult question. For millennia people have used drugs and alcohol in order to affect conscious states, in order, at least in the short term, to make them feel better than they would have felt if they had not used them.<sup>87</sup> If a person's substance use is motivated only by simple hedonism, then the only question is one of judgment: Do the certain, the probable, and the potential consequences of using the substance outweigh the value of the desired pleasurable effect? If they do, then the person exercised poor judgment and must be assessed accordingly. If they do not, then the person exercised reasonable judgment and the behavior can be seen as irrelevant. Here the question of even occasional use of illegal drugs arises: irrespective of the fact that, as a case in point, a person who uses an illegal substance no more than twice a year is unlikely to suffer an adverse *medical* effect as a result, the potential adverse consequences of the criminal act are such that ignoring them suggests at least a degree of impaired judgment. Once the motivation goes beyond a simple hedonism, if the substance use turns out to be an attempt to find a coping mechanism for some other problem, then, whatever else it may be, it takes on the character of a pointer to other things of likely personnel security significance.

#### Crime88

Criminal activity in its various forms conflicts with at least five of the ten criteria EO 12968 establishes for access eligibility: trustworthiness, honesty, reliability, discretion, and sound judgment. Three more—strength of character, freedom from conflicting loyalties and potential for coercion, and willingness and ability to abide by security regulations—might plausibly also belong on the list. Consideration of criminal activity, in fact, helps clarify the larger context for making personnel security decisions: the criteria of the EO are not generic ideas but are tied to national security. The fact that a member of a gang, for example, displays reliability and trustworthiness in the context of the gang's criminal endeavors exacerbates rather than mitigates concerns, because the clearance context is always allegiance to the United States, and allegiance to the United States includes respect for its laws.

### The Scope of the Issue

In broadest terms, societies distinguish between two types of unacceptable behaviors: those that are formally adjudicated and punished through the legal system and those that may result in greater or lesser expressions of disapproval but that lie beneath the interest of the formal

<sup>&</sup>lt;sup>87</sup> Jean-Pierre Changeux, "Drug Abuse," *Dædalus*, Spring 1998, 145ff.

<sup>&</sup>lt;sup>88</sup> 50 U.S.C. 435c establishes statutory clearance exclusions for anyone convicted of a crime who served a sentence greater than one year or who was dishonorably discharged or dismissed from the Armed Forces. Unlike the exclusion for current drug use but like the one for mental incompetence in the same statute, the exclusions here apply only to Restricted Data and to special access programs (including SCI).

system of punishments. Although the line between the two is not always clear and indeed changes from time to time and from jurisdiction to jurisdiction,<sup>89</sup> here we concern ourselves only with the former; the latter find their place in the discussion of problematic behavior, below. For the present our interest is in people who break the law, whatever the law happens to be at the particular time and place in question.

This leaves an enormous range of behaviors, everything from parking violations to premeditated murder. According to the FBI's Crime in the United States, the rate of property and violent crime in the United States was approximately 3,465 instances per 100,000 inhabitants in 2009; violent crime (murder, forcible rape, robbery, aggravated assault) accounted for just over 14 percent of these, occurring at a rate of approximately 429 instances per 100,000 inhabitants. 90 But those are just the most serious offenses, omitting misdemeanors and even some felonies, including drug crimes. In California, taken as a typical case, in 2007 there were approximately 3,358 misdemeanor arrests and 486 felony drug arrests per 100,000 population<sup>91</sup> By another measure, 9.0 percent of men and 1.1 percent of women—5.1 percent of the U.S. population overall—will at some point in their lives be incarcerated in state or federal prison.<sup>92</sup> This says nothing about the people who spend time in municipal and county jails. These figures give a rough idea of the order of magnitude of criminal activity in the United States, although the actual number of criminal offenses and the actual number of people who would have spent time in prison if only they had been apprehended is doubtless larger. One statistic can help us get some sense of how much larger the population of perpetrators is than the number of arrestees: 18.6 percent of property crimes reported in *Crime in the United States* are cleared, whether by arrest or other means—meaning that in more than four cases out of five the offender is never apprehended, at least for that particular offense; the clearance rate for violent crimes is higher, but still less than half: 47.1 percent<sup>93</sup> The absence of an arrest record does not ensure the absence of criminal, even serious criminal, activity. When the people who commit these offenses apply for access eligibility, the personnel security system must decide how what they have done impacts their reliability and trustworthiness.

<sup>&</sup>lt;sup>89</sup> eSME, 40.

<sup>&</sup>lt;sup>90</sup> Federal Bureau of Investigation, *Crime in the United States* 2009, Table 1. <a href="http://www2.fbi.gov/ucr/cius2009/data/table\_01.html">http://www2.fbi.gov/ucr/cius2009/data/table\_01.html</a>

<sup>&</sup>lt;sup>91</sup> California Criminal Justice Profiles, Table 4A, <a href="http://stats.doj.ca.gov/cjsc\_stats/prof07/00/4A.htm">http://stats.doj.ca.gov/cjsc\_stats/prof07/00/4A.htm</a>; Table 3A <a href="http://stats.doj.ca.gov/cjsc\_stats/prof07/00/3A.htm">http://stats.doj.ca.gov/cjsc\_stats/prof07/00/3A.htm</a> The rates of actual offenses are presumably higher, but no good statistics are available as many of the crimes come to the attention of the police, not as a result of complaints, but only in the course of their routine duties. For example, the nearly 12,000 arrests for prostitution are unlikely to represent the sum of prostitution in California, since much of that activity would occur with no one reporting that a crime had been committed and thus would not result in arrest.

<sup>&</sup>lt;sup>92</sup> Thomas P. Bonczar and Allen J. Beck, *Lifetime Likelihood of Going to State or Federal Prison*, (U.S. Department of Justice, Bureau of Justice Statistics Special Report NCJ-160092, March 1997), 2.

<sup>93</sup> Crime in the United States 2009, Table 25, http://www2.fbi.gov/ucr/cius2009/data/table 25.html

#### Crime and Criminals

With regard to serious breaches of law, there are criminals and then there are people who at some point in their lives commit a crime. The former act repeatedly;<sup>94</sup> some of them perpetrate hundreds of offenses in their lifetimes, while others act only sporadically—the only difference is frequency. The latter, on the other hand, commit one single serious violation. They have been law-abiding up to the time of their crime and will, whether they are caught or not, almost certainly be law-abiding afterwards.<sup>95</sup> Their crimes occur at the confluence of circumstances; they are crimes of anomalous opportunity. What can be said of serious crimes—meaning the sorts of offenses dealt with in the FBI's annual report *Crime in the United States*—can also be said of lesser offenses: some people commit them routinely, others occasionally, and still others only once.

Criminologists offer variously nuanced definitions of crime. Some focus on objective criteria; seen this way, crime is "an act that violates the criminal law and is punishable by the state. Criminal *laws* are formalized or codified *norms*, which are rules that make explicit certain social expectations about what is appropriate behavior for particular people in specific situations." Such a definition says nothing of the criminal's motivation or anything else that might provide some degree of qualification: if the legislature has proscribed an act and has provided for the punishment of anyone who commits it, then it is a crime; conversely, if the legislature has not proscribed an act, then it is not a crime. This definition is a good place to begin; however, it provides little to help delineate why committing a crime might have a bearing on a person's subsequent reliability and trustworthiness. For that, we need to turn to an approach that views crimes as "acts of force or fraud undertaken in pursuit of self-interest." The notion of self-interest<sup>98</sup> pursued by coercive means points to a critical element in understanding why past criminal behavior raises concerns about future reliability and trustworthiness. Those who have committed crimes have demonstrated a willingness to violate the implicit trust that is necessary between people for society to work, and, absent evidence to the contrary, they have done so for selfish purposes. When confronted with a choice of acting either according to "the rules that make explicit certain social expectations about what is appropriate behavior" or according to the dictates of their own appetites, they have acted according to the latter. The key is have acted. The issue is not the presence of some thought, obscure or explicit, about doing something, nor even a predisposition to crime however determined, but the demonstrated

<sup>96</sup> John E. Conklin, *Criminology*, 7<sup>th</sup> ed. (Boston: Allyn and Bacon, 2001), 6.

<sup>&</sup>lt;sup>94</sup> For example, 6.4 percent of 272,111 persons released from prison in 1994 were responsible for 45 or more crimes each. Patrick A. Langan and David J. Levin, *Recidivism of Prisoners Released in 1994* (Washington, DC: Bureau of Justice Statistics, 2002, report NCJ 193427), Table 4.

<sup>&</sup>lt;sup>95</sup> eSME, 40.

<sup>&</sup>lt;sup>97</sup> Michael R. Gottfredson and Travis Hirschi, *A General Theory of Crime* (Stanford, CA: Stanford University Press, 1990), 15. Conklin, 5.

<sup>98 &</sup>quot;Regard to, or pursuit of, one's own advantage or welfare, esp. to the exclusion of regard for others." OED, emphasis added.

willingness and ability to commit a crime. Nor, for that matter, is the character of the *act* changed by the presence, when crime occurs, of extenuating circumstances, even factors that make of a person a passive agent for crime rather than someone who acts volitionally. Such circumstances may well exist in any given case, but they play a role, not in turning the crime in question into something benign, but in demonstrating why in the case at hand it may be possible or even necessary to overlook the implications usually arising out of an instance of criminal behavior. They provide matters of mitigation, in other words, but the fact of the crime that they mitigate and what it says about the person's willingness to violate other established rules of conduct such as those for protecting national security information still must be dealt with.

#### Recidivism

Crimes are breaches of trust, and someone who has committed one has demonstrated untrustworthiness. However, the fact of having committed a crime is troublesome from a more mundane, more practical perspective: people who involve themselves with crime once are likely to do so again. As a case in point, of 272,111 persons released from prison in 1994, 67.5 percent had been rearrested within three years, 46.9 percent reconvicted, and 25.4 percent sent back to jail. These 272,111 people had committed a recorded 4,132,174 offenses up to 1994 and added 744,480 more in the three years after their release—an average of 17.9 crimes each.<sup>99</sup> Of course, a lack of arrests and convictions does not guarantee that a person will remain crime-free—after all, each of those quarter-million-plus people at some point had to commit a first crime. Conversely, the presence of prior arrests and convictions does not guarantee that a person will reoffend—at least some of the people released from prison in 1994 had not been rearrested after three years, and the longer individuals go without reoffending, the less likely it becomes that they will reoffend. 100 In fact, depending on age at arrest and the crime involved, those who do not reoffend for a number of years reach a point at which their likelihood of criminal involvement becomes no greater than that of the population at large. Thus, for example, a person arrested for robbery at age 18 who engages in no criminal activity for the next 8 years has reached the point where he is no more likely to commit a crime of any kind than any peer in the general population. 101 Likewise, the person who has committed a crime of anomalous opportunity is unlikely to reoffend: the crime, regardless of seriousness, grew out of a set of circumstances rather than any criminal disposition. Criminologists have done important work

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<sup>&</sup>lt;sup>99</sup> Langan and Levin, 3-4. The study surveys prisoners from 15 states accounting for two-thirds of all releases from prison in 1994.

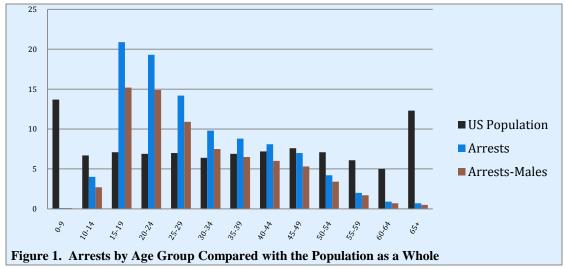
<sup>&</sup>lt;sup>100</sup> The figure, of course, would be 32.5 percent *if* we could assume that *every* arrest were reported to and recorded by the state and FBI records repositories Langan and Levin used as the sources of their information. The authors take care to note (p. 2) that no such assumption is possible. The 67.5 percent rearrest rate may well be higher, to say nothing of the possibility of persons reoffending but not getting caught.

<sup>&</sup>lt;sup>101</sup> Alfred Blumenstein and Kiminori Nakamura, "'Redemption' in an Era of Widespread Criminal Background Checks," *NIJ Journal*, 263 2009, 13, <a href="http://www.ojp.usdoj.gov/nij/journals/263/redemption.htm">http://www.ojp.usdoj.gov/nij/journals/263/redemption.htm</a>

examining predictors of recidivism besides time since the last offense, but time since the last offense appears to be the most significant.<sup>102</sup>

### Age and the Likelihood of Crime

While most juvenile offenders do not become adult criminals, most adult criminals started out as juvenile offenders. Crime is disproportionally an activity of the young and of men and boys; persons of either sex between the ages of 10 and 34, while constituting 34.1 percent of the population, committed 68.2 percent of the over 10.7 million crimes reported in *Crime in the United States* for 2008, and males regardless of age committed 75.4 percent of the offenses. Figure 1 compares the percentage of arrests in 2008 by age group with the percentage of the U.S. population as a whole by age group. It further shows the percentage of arrests of males. At the same time, most young men do not commit crimes, at least ones for which they suffer arrest. In 2008, the number of arrests of men between 20 and 24 (1.6 million) equals 15.4



percent of the male population (10.4 million) of the same age. All of these numbers, of course, have inherent instabilities, created on the one hand by multiple arrests of the same person and on the other by crimes for which no arrest is ever made; however, they do suggest an order of magnitude. Age is a risk factor, but it neither causes nor in any real sense predicts whether a specific individual will succumb to crime.

<sup>&</sup>lt;sup>102</sup> See, for example, Paul Gendreau, Tracy Little, and Claire Goggin, "A meta-analysis of the predictors of adult offender recidivism: What works!" *Criminology* (34:4, Nov 1996), 575-607.

<sup>&</sup>lt;sup>103</sup> eSME, 39.

<sup>&</sup>lt;sup>104</sup> Crime data developed from *Crime in the United States 2008*, Tables 38-39; population data from U.S. Census Bureau, *Current Population Survey, Annual Social and Economic Supplement 2008*, Table 1. This table uses 2008 because, while crime data for both 2008 and 2009 was available at the time of writing, the most recent population data available was from 2008.

### Alcohol, Drugs, and Crime

The examination of alcohol and drugs above deferred consideration of the legal aspects of their possession and use to the present discussion of crime. We take them up now.

The possession of alcohol, other than by minors or in specific circumstances (e.g., in violation of laws that prohibit open containers of alcohol in motor vehicles), faces no legal prohibition, nor does its use (again, except by minors). Alcohol becomes an issue of crime either as a necessary component of certain offenses or as a contributing cause to an offense that also can and does occur in the absence of alcohol—assault, for example. In 2008, 19.0 percent of the victims of violent crime noted that their attackers had been drinking beforehand.<sup>105</sup> That does not mean that alcohol caused those crimes, although it would be fair to assume that, in some number of them, had the perpetrator not been drinking, the crime would not have taken place. Thus alcohol can be and often is a contributing factor to crime, but it is by no means a precondition for crime nor is crime a likely result of using alcohol.

Over half—52.4 percent—of federal prisoners are incarcerated for drug offenses. <sup>106</sup> Nationwide, in 2009 drug offenses accounted for 12.2 percent of all arrests—12.5 percent in 2004. <sup>107</sup> These are "drug-*defined*" offenses, activities indistinguishable from drug involvement: drug *possession*, drug *use*, drug *distribution*, things that, were the drugs in question themselves legalized, would cease to be crimes. The more important question is the relationship between drugs and other types of crime—"drug-*related*" offenses—anything *but* possession, use, distribution, and their variants, meaning crimes that are committed while under the influence of drugs and that would remain crimes whether drugs were involved or not. <sup>108</sup> It is a truism that "drug addicts and heavy drug users have a high likelihood of being involved in violent criminal behaviors." <sup>109</sup> Throughout the 10 jurisdictions surveyed by the Office of National Drug Control Policy's Arrestee Drug Abuse Monitoring Program, substantial numbers of arrestees—and at rates much higher than those for the population in general—test positive for drug use at the time of arrest; Table 16 records 2008 figures for arrestees testing positive for marijuana and cocaine and compares them with current use in the 12-and-over population at large.

Bureau of Justice Statistics, "Alcohol and Crime: Data from 2002 to 2008," <a href="http://bjs.ojp.usdoj.gov/content/acf/apt1">http://bjs.ojp.usdoj.gov/content/acf/apt1</a> crimes by type.cfm

<sup>&</sup>lt;sup>106</sup> U.S. Department of Justice, Federal Bureau of Prisons, *State of the Bureau 2008*, 61.

<sup>&</sup>lt;sup>107</sup> Crime in the United States 2009, Table 29; Crime in the United States 2004, Table 29.

<sup>&</sup>lt;sup>108</sup> See "Fact Sheet: Drug-Related Crime" (Rockville, MD: ONDCP Drug & Crime Clearinghouse, September 1994) for definitions.

<sup>&</sup>lt;sup>109</sup> Jiang Yu and William R. Williford, "Alcohol, Other Drugs, and Criminality: A Structural Analysis," *American Journal of Drug and Alcohol Abuse* (20:3, August 1994).

Table 16: Marijuana and Cocaine Use at Time of Arrest 2008<sup>110</sup>

Denic	Current Use	Arrestees Testing Positiv	
Drug	Gen'l Pop	Low	High
Marijuana	6.1%	30.8%*	48.8%‡
Cocaine	0.7%	17.2%†	43.8%‡

<sup>\*</sup>Washington, DC †Sacramento, CA ‡Chicago, IL

Regardless of the actual psychological and physiological effects of drug use, current drug users are involved in criminal activity out of proportion with their numbers in the population at large. It may be that among those willing to break the taboos associated with drug use are disproportionately individuals also less inclined to honor other taboos such as prohibitions against crime, and at least some people commit their crimes to obtain the wherewithal to purchase more drugs. While substance abuse is by no means a necessary precondition for crime, nor is criminal activity proof of substance abuse, the relationship between the two is suggestive of a nexus sufficiently worrisome from the point of view of assessing reliability and trustworthiness: other things equal, drug users are at greater risk of being or becoming criminals than are those who abstain.

**SEXUAL CRIME.** Paraphilias may or may not involve criminal activity: fetishism probably will not, pedophilia invariably will. Similarly, criminal sexual activity may or may not involve a paraphilia: a mental health disorder is not a precondition for the rapist to attack, although he of course may have one. Thus while any given sexual crime may raise the question of an underlying paraphilia, the answer to that question is not always yes.

Contemporary society views sexual crimes differently than it does other violations of law. The FBI sponsors the National Sex Offender Registry<sup>111</sup> as a means of accessing the separate registries of sex offenders maintained by the states, yet there are no similar publically available registries for other offenders such as car thieves or housebreakers. Its existence reinforces the perception that perpetrators of sexual crimes are more troubling, more dangerous, more worthy of being shunned once they reemerge from custody, than are the perpetrators of other crimes involving a comparable or even greater level of violence. The nature of sexual crime—the violation of trust, the violation of person, and at least in some cases the possible effects on a human life created as a consequence of the crime—all contribute to this perception. Yet the most authoritative work to date suggests that sex offenders are *less* likely to be rearrested for a crime of any kind within three years of leaving prison than are non-sex offenders: 43 percent compared with 68 percent of individuals released from state prisons in 1994. At the same time, 5.3 percent of the sex offenders did commit another sex offense within three years of release, and of the subgroup of child molesters, 3.3 percent reoffended with another child.

<sup>&</sup>lt;sup>110</sup> Office of National Drug Control Policy, *ADAM II: 2008 Annual Report*, Washington, DC, April 2009, Table 3.3; 2009 SAMHSA NSDUH, 14-15.

<sup>111</sup> http://www.fbi.gov/scams-safety/registry

Unlike with other criminals, the age of the offender played no role in the probability of recidivism. The numbers, however, suggest nothing more than a sense of the probability of recidivism; they say nothing about the nature of the crime committed: and if 43 percent is significantly less than 68 percent, it is still worrisome. In the end it is this nature of sexual crime itself that places it in a different category than other, otherwise comparable, crime.

But not all sexual crimes are assaults; some involve no violence at all and, as in the case of prostitution, can even be consensual, so-called victimless crimes. Yet even if we were to agree that prostitution itself is an unobjectionable transaction between consenting adults, there remains that fact that involvement in prostitution wherever it has been criminalized inevitably associates participants with criminals and thus opens up a potential channel for exploitation that otherwise would not exist. There, more than in the nature of the act itself, lies any personnel security concern. On the other hand, some instances of statutory rape, those in which partners are of substantially the same age but one above and one below the age of consent, can raise problematic issues. Although the legal case is clear, and offenders do make their way onto sex offender registers, it is by no means clear that their crimes raise the same concerns as do those of other sexual offenders.

WHITE COLLAR CRIME. White collar crime<sup>115</sup> differs from other forms by virtue of its veneer of gentility. Yet that veneer is only that, for all elements of the definition of crime alluded to above—a punishable violation of law committed for reasons of self-interest—are present. It may in fact be more pernicious, for it typically demands a degree of premeditation and planning and functioning over time unlikely in much street crime.<sup>116</sup> There is no such thing as a "white collar crime of passion," even if emotions can play a part in the decision to initiate one, just as they can with espionage.<sup>117</sup> The activities of white collar criminals are no more anomalous than those of street criminals: 43 percent of the individuals included in the Yale White Collar Crime Project had prior arrests; 12 percent had four or more.<sup>118</sup> Taking the embezzler and the bank robber as

<sup>&</sup>lt;sup>112</sup> Patrick A. Langan, Erica L. Schmitt, Matthew R. Durose, *Recidivism of Sex Offenders Released from Prison in 1994*, U.S. Department of Justice, Bureau of Justice Statistics, 2003.

<sup>&</sup>lt;sup>113</sup> *iSME*, 26.

<sup>&</sup>lt;sup>114</sup> eSME, 44.

<sup>115</sup> There has been considerable debate about what precisely constitutes white collar crime, with various scholars including and excluding given types of behavior in formulating definitions. See M.S. Krause, *Contemporary White Collar Crime Research: A Survey of Findings Relevant to Personnel Security Research*, PSMRP, 2002, 6-9. Here the term is being used conceptually in the sense of crimes committed against employers (e.g., embezzlement, theft of goods, time-card fraud), against the public (e.g., fraudulent advertising), and against the government (e.g., tax evasion). This is consistent with Krause's conclusion that what J.W. Coleman (*The Criminal Elite: The Sociology of White Collar Crime*, New York, St. Martin's Press, 1989) calls "occupational crime" best suits what is relevant to personnel security in any understanding of white collar crime.

<sup>116</sup> eSME, 40.

<sup>&</sup>lt;sup>117</sup> Gary Harris, Terence J. Thompson, and Nicholas J. Ciccarello, *Anger and Espionage: Report of an Interview with Earl Edwin Pitts*, 28-29 August 2002, PSMRP, 2002 discusses the role Pitts' anger against the FBI played in his decision to spy for the Soviet Union.

<sup>&</sup>lt;sup>118</sup> Krause, 28.

examples of white collar and street criminals (who, in this case moreover, want to steal the same thing), the difference between them is that the former is in a trusted position, steals by the subtle manipulation of records, and eschews overt violence; the latter is an outsider, makes demands that are anything but subtle, and often threatens and sometimes exercises violence. Yet of the two, the embezzler's offense more closely matches the actual criminal threat against national security information: the spy is a trusted insider who copies and removes information and does so without the need to resort to violence. Espionage is a white collar crime.<sup>119</sup>

#### **Financial Issues**

### Financial Distress and Unexplained Affluence

Financial issues are among the most frequently encountered by the personnel security process.<sup>120</sup> Whether this is so because they are in fact at the forefront of the problems present in the cleared and would-be-cleared populations or because the data identifying them are relatively easy to collect compared to those relevant to other issues is a separate and for the moment unanswerable question. Regardless of their frequency relative to other matters of interest, however, financial issues merit scrutiny. They are of two orders:

(1) Financial distress. Traditionally, financial distress has been seen both as a possible indicator of lack of reliability and trustworthiness and as a potential vulnerability. On the one hand, the analogy could be made that the person who is careless with something as important as meeting financial responsibilities is apt to be just as careless in meeting national security responsibilities; on the other, financial distress could lead a person to take excessive risk—the extreme being espionage for pay—in an attempt to secure the resources necessary to resolve the problem. While both of these are legitimate as far as they go, they overlook three important points.<sup>121</sup> First, people can be and often are subjected to financial stresses, even extreme ones, for reasons having nothing to do with their degree of reliability and trustworthiness: unanticipated losses of employment, serious illnesses, natural disasters, and deteriorated national or global economic conditions they are powerless to control can all create them. Second, the vulnerability to extreme measures to resolve issues, while real, depends too much on other factors to be anything more than a possibility to be considered. Third, perceptions can be as important as facts: someone with a sound credit profile and who other measures of financial well-being suggest is in a satisfactory position may nonetheless fear being on the brink of financial ruin, whether because of unrealistic expectations or out of some concern about possible future financial drains. A credit bureau report will be silent about these concerns, but they can be at least as debilitating as actual financial distress, at least regarding the question of vulnerability. However, while identifying objective financial difficulties involves nothing more than a few

<sup>120</sup> *iSME*, 21.

<sup>119</sup> eSME, 45.

<sup>&</sup>lt;sup>121</sup> eSME, 52.

calculations, identifying perceptions of financial difficulty requires subtle analysis of hints contained in a background investigation, a more complex and less certain task.

(2) Unexplained affluence. The issue with unexplained affluence is not wealth, but its unknown source. Once the source has been identified as legitimate—e.g., an inheritance or a legal settlement—the concern evaporates. At the same time, if the source is identified as illegitimate—e.g., criminal earnings or payment for espionage—the concern shifts to whatever has been uncovered. In either case, unexplained affluence is never an issue in itself, but always a symptom that requires resolution: denying or revoking access eligibility for "unexplained affluence" is illegitimate, while denying or revoking it for what the process of resolving its cause has revealed is not. That much is simple, but determining what levels and types of affluence require explaining is another matter. It is one thing to identify retrospectively assets that a person acquired from an illicit source and see them as "unexplained," but another to determine prospectively the difference between pointers to criminal activities that call for investigation and pointers to good financial planning or good fortune.

Just as unexplained affluence serves as a marker rather than an issue, something that may point to something else that is the actual concern, financial distress can perform the same function. This happens when the cause of the financial problem is itself an issue of concern such as pathological gambling or drug use. It can even be a pointer indirectly: this happens when the financial problem that appears on a credit report results from extortion or blackmail resulting from the desire to hide some criminal involvement or anything else the victim considers too shameful to be revealed. No investigation of financial issues is complete until the underlying cause has been determined.

#### Finances and Espionage

Money has fluctuated as an incentive for espionage; it was the sole or primary motivation for 45.5 percent of the 66 spies between 1947 and 1979, for 67.1 percent of the 70 between 1980 and 1989, but for only 27.0 percent of the 37 between 1990 and 2007. Thus not everyone who spies does so for money; and even among those who do, financial considerations are often only one of several motivators. Indeed, in the group from 1990 to 2007 only one, Shaaban Shaaban, claimed money as his sole reason for spying. 123 Nonetheless, money does play a role in espionage, and even those whose motivation was elsewhere often have been paid for their spying. Furthermore, convicted spies have been shown to be more likely than similar individuals who never committed espionage to have had financial issues: an examination of 40 recent spies found that 19 of them—47.5 percent—had had substantive financial issues while only 4 of the 40 demographically matched individuals—10.0 percent—with whom they were compared did. 124

<sup>&</sup>lt;sup>122</sup> Herbig, *Changes in Espionage*, Table 10.

<sup>&</sup>lt;sup>123</sup> Herbig, 63.

<sup>&</sup>lt;sup>124</sup> Terry Thompson, A Study of Vulnerability Factors in Espionage by the Trusted Insider. diss, Union Institute, 2003, 190.

Finally, both financial distress and unexplained affluence can appear in the same case, as can be seen by the fact that the former played a role at the start of Aldrich Ames's espionage, while the latter became relevant as it progressed.

Certainly, foreign intelligence services use money as a lure for potential spies, and potential spies understand that they will be paid for their espionage. Yet if the relevance of finances to espionage is clear, defining the financial indicators of espionage remains problematic. Financial need, real or perceived, may be one of several precursors to espionage, yet only rarely do cleared people with money difficulties involve themselves in it. Greed is, perhaps at bottom, an even greater motivator than need, but greed can at best be measured indirectly—and, of course, even when identified, it provides no prima facie proof of a willingness to spy. The most that any financial data can *predict* is a slightly increased susceptibility to espionage.

Financial indicators of espionage once it begins, however, can provide a more productive line of inquiry. Certain financial activities, such as the large cash transactions monitored under the Bank Secrecy Act and significant shifts in a person's credit profile, may provide the first clues that lead to uncovering a spy, or they may provide additional, supporting evidence in cases where suspicions of espionage have been raised in some other way.

### Finances and General Questions of Reliability and Trustworthiness

When financial distress has not resulted from some activity that is in itself a concern in making determinations of access eligibility, there remains the question of its meaning, if any, for the assessment of an individual's reliability and trustworthiness. There is at least some evidence to suggest that prior financial issues increase the likelihood of future counterproductive work behaviors, at least on those touching in some sense on monetary matters—not only the failure to pay debts, but theft and illegally soliciting items of value. Among Bureau of Prison employees studied in 2008, 33.1 percent of those who had answered one or more of the financial concerns questions "yes" on the Questionnaire for Public Trust Positions had subsequently been involved in a counterproductive work behavior as opposed to 18.1 percent of those who had answered "no" to all the questions. 125

Yet, as already noted, financial distress need not suggest irresponsibility. Self-inflicted financial distress describes situations where unsupportable indebtedness arises from decisions that reflect irresponsibility in the use of money: spending beyond one's means for no necessary purpose. Imposed financial distress, on the other hand, describes situations where it arises despite all reasonable efforts to avert it: legitimate and unavoidable expenses outrun income, or unforeseeable events destroy a heretofore carefully managed financial plan. Both types of financial difficulties have in common the need of the person involved for additional money to satisfy creditors, and they look the same on a credit report. Where they differ is in the question

<sup>&</sup>lt;sup>125</sup> Edward S. Oppler, Brian D. Lyons, Debora A. Ricks, Scott H. Oppler, "The Relationship Between Financial History and Counterproductive Work Behavior," *International Journal of Selection and Assessment* 16:4, December 2008, 417f.

of responsibility: self-inflicted unmanageable indebtedness may be evidence for irresponsibility, imposed indebtedness is not.<sup>126</sup>

#### Financial Distress and Irresponsibility

Financial distress that can be shown to be the consequence of irresponsible behavior suggests an unwillingness or inability to manage money, but also an unwillingness or inability to consider the possible adverse effects of one's actions on others. The financial distress itself is less worrisome than the irresponsibility that caused it. The issue is in fact not even whether financial irresponsibility correlates meaningfully with any other specific forms of irresponsibility, because it is a component of irresponsibility as such and thus its presence provides evidence worthy of skeptical consideration. That said, there is no unambiguous border where responsible behavior ceases and irresponsibility begins. Even the various tests of creditworthiness used by the financial industry offer little help, for their purpose is the more narrow one of determining the probability of a person's being able to manage an additional debt—a mortgage or car payment or line of credit—successfully.<sup>127</sup> High debt-to-income ratios, for example, say nothing about how a person is managing debt, they say nothing about the circumstances of the debt, they say only that the margin for accepting much more of it is small. There is no reason to believe that a person who is debt-free is any more or less reliable and trustworthy than someone with a mortgage and a car payment who is also repaying a student loan.

In some cases "distress" may be too strong a term to describe what is happening: a person might establish a pattern of late payments, for example, not because of any shortage of funds, but simply from lack of attention, lack of care, or lack of competence—in which case the issue is in fact not financial at all, but one of poor judgment.

### Financial Difficulties from Causes Other than Irresponsibility

It is one thing to be financially irresponsible, it is another to find oneself in a financially precarious position. Of those in the latter category, it is one thing to be there because of financial difficulties generated by unforeseen and unforeseeable circumstances, it is another to be there because of a certain naïveté. 128 As an example, the drop in housing prices affects both these groups. With the exception of one year, median housing prices in the United States increased annually from 1963 to 2007. Thus individuals buying houses in 2007 could reasonably expect, based on long-term data, that their investments would continue to appreciate; making financial decisions based on those expectations appeared a sound thing to do. Yet by 2009 median housing

<sup>&</sup>lt;sup>126</sup> eSME, 55.

<sup>&</sup>lt;sup>127</sup> eSME, 53, 55.

<sup>&</sup>lt;sup>128</sup> eSME, 52.

<sup>&</sup>lt;sup>129</sup> The one exception, 1991, saw a 2.4 percent decrease, which was reversed in 1992 and erased before the end of 1993.

prices had decreased by 12.6 percent. <sup>130</sup> Reasonable calculations based on reasonable expectations can and do go awry. The difference between those who were caught up in circumstances despite having made reasonable decisions and the naïve is that the latter's decisions were not reasonable to begin with; for them the collapse of the housing market did not cause their financial stress but merely exacerbated the financial distress that would have developed in any case. Their unreasonable assumptions (e.g., that they would still be able to afford their balloon mortgages when the interest rate increased) had already marked them out for difficulties.

When there is no reason to expect irresponsibility as its cause, the steps taken by a person to address and resolve financial distress are critical. <sup>131</sup> If the response is reasonable and responsible, even if it includes something as worrisome as bankruptcy or default, if the evidence suggests that the person is working to resolve issues in the best way available, then any concerns about reliability and trustworthiness lessen. Taking financial counseling and education are important positive indicators. Thus, as a matter of moral judgment, good faith efforts to resolve problems mitigate them. <sup>132</sup> However, national security decisions are not moral decisions, but pragmatic ones. To the extent that they assess an *attitude*, the pragmatic and moral judgments are identical; to the extent they measure a *vulnerability*, the pragmatic judgment must be to examine the specific circumstances of a person's financial difficulties critically. "Vulnerability" here refers not just to egregious breaches of security such as espionage or other crime, but to the question whether the financial difficulties of a responsible person interfere with the ability to function in a secure environment. That, if anything, is a psychological question; it is certainly not a financial one. The financial record raises it, but it cannot answer it.

### **Security Practices**

### Demonstrated Failure to Safeguard Protected Information

Protected information refers to material with established formal limitations on unrestricted exposure. Inside government it is anything covered by the exemptions to the Freedom of Information Act (5 U.S.C. 552[b]), which include classified information, but also such things as personnel and medical files. Outside government it would include among other things a company's proprietary information, a bank's account data, and a police department's files relating to ongoing investigations.

<sup>&</sup>lt;sup>130</sup> U.S. Census Bureau, "Median and Average Sale Prices of New Homes Sold in the United States," downloaded Dec 2, 2010 from http://www.census.gov/const/uspriceann.pdf

<sup>131</sup> See, for example, Angela C. Lyons, Tommye White, Shawn Howard, "The Effect of Bankruptcy Counseling and Education on Debtors' Financial Well-Being: Evidence from the Front Lines," Money Management International and The University of Illinois at Urbana/Champaign, 2008, <a href="http://www.cefe.illinois.edu/research/reports/The%20Effect%20of%20Bankruptcy%0Counseling%20and%20Education">http://www.cefe.illinois.edu/research/reports/The%20Effect%20of%20Bankruptcy%0Counseling%20and%20Education</a> 122008.pdf

<sup>&</sup>lt;sup>132</sup> eSME, 54, 56.

Those granted access to classified or any other form of protected information are expected to safeguard it from unauthorized disclosure. Intrinsic to the value of anything properly classified is its secret character: its value is diminished, destroyed, or even turned into a liability through exposure. The various security regulations and procedures identify the tools and practices necessary for protecting classified information; they require compliance on the part of those entrusted with access to it. Any breach of security requirements opens the potential for compromise whether one takes place in fact or not.

Every other matter of personnel security interest is mediated through a general concern for reliability and trustworthiness. Here, however, the connection is more direct: failure to safeguard classified information is a specific behavior the personnel security program exists to help prevent. When a failure is inadvertent or occurs under extenuating circumstances then denial or revocation of access eligibility is almost certainly uncalled for—much as revoking the driver's license of every person who has been at fault in an automobile accident regardless of the circumstances is inappropriate. However, patterns of unintentional disclosures or intentional disclosures of any kind are a different matter. 133 A person with multiple instances of failing to safeguard protected information may be demonstrating an inability to grasp and to act on relevant security practices or may be acting out of an unwillingness to give them due heed; in either case the behavior that the personnel security program is intended to preclude is in evidence and can no longer be attributed to benign or anomalous causes. Intentional unauthorized disclosures place individual views about what does and does not merit safeguarding ahead of a formal decision that the information in question requires protection. As long as that decision is legitimate and made according to established rules, the person who has intentionally circumvented it by releasing the information has called his or her reliability and trustworthiness, and thus eligibility for continued access to classified information, into question. To resume the analogy with driving, the person who intentionally releases protected information is no longer equivalent to the driver who causes an accident through negligent or inadvertent circumstance but with no intention of doing so, but rather to the driver who chooses to use an automobile as a weapon.

#### Failure to Cooperate with the Personnel Security Process, Material Falsification

In order to make informed and fair judgments about granting access eligibility, it is important for adjudicators to have accurate and complete information. That information comes from several sources exploited during the background investigation, but by far the richest is the person being investigated.<sup>134</sup> It follows that the completeness of a background investigation is

<sup>&</sup>lt;sup>133</sup> *iSME*, 25.

<sup>&</sup>lt;sup>134</sup> In Ralph M. Carney's 1996 study of issue cases, *SSBI Source Yield: An Examination of Sources Contacted during the SSBI* (Monterey, CA: PERSEREC), 81 percent of issue information came from the subject in the form of answers to the questions on the personnel security questionnaire and responses to those asked during the subject interview (see Table 3, p. 4). subsequent studies of various aspects of investigative productivity have confirmed the relative richness of the subject as a source. Gary

degraded when its subject refuses to provide necessary information, or provides false information, or refuses to execute the releases that permit the government to collect it, or refuses to participate in procedures meant to resolve issues of concern. A failure to cooperate—whether by omitting or misrepresenting facts or by impeding the efficient collection of potentially relevant information—thus would reduce the likelihood that the information necessary to make a valid decision would be available. If in the face of such a refusal an investigation were nonetheless to go forward, it might ultimately develop all relevant information despite the subject's lack of candor and cooperation, but it would almost certainly require more intensive investigative work and take more time than it otherwise would have, thus increasing costs and diverting investigative resources from other requirements. Seen in this light, refusal to cooperate with security screening can only be understood as an attempt to undermine the process itself and as such calls into question the person's willingness to abide by the security regimen necessary to protect classified information.<sup>135</sup>

#### **Problematic Behavior**

Behaviors may raise concerns about granting a person eligibility for access to classified information without touching upon psychosocial matters, or criminal activity, or questionable finances, or unsound security practices; they may have nothing to do with foreign associations and be innocent of any connection with acts against the United States. These could involve either activities that increase a person's vulnerability to blackmail, or rulebreaking that does not rise to the level of a criminal offense, or associations with criminals that engender concerns about their degree of influence, or anything that otherwise suggests that placing a person into a national security environment would be disruptive to the point of adversely impacting the ability to safeguard classified information. The relevant question when confronting any of these is: Does a particular event or condition or trait, whatever it might be, adversely impact the person's reliability and trustworthiness and, if so, to what degree?

### **Information Technology**

If there is any single attribute that distinguishes the twenty-first century from its predecessors, it is the nearly ubiquitous use of microcomputers and digital networks. Such cyber capabilities today serve as the preferred means of information management in nearly every workplace, no matter how small, and in private homes, where information handling and communications capabilities that were once too expensive or too esoteric for personal use have become the preferred medium for discovering and retrieving, creating, storing, and exchanging information, together with other uses, ranging from on-line shopping to payment of bills to

Harris and Bryan A. Castelda, *Applying Phasing to the Single Scope Background Investigation* (Washington, DC: DNI Special Security Center, 2008) found that the subject interview alone accounted for 82.8 percent of all issues identified (Table 2).

<sup>&</sup>lt;sup>135</sup> *iSME*, 26.

submission of income tax returns and other government forms, that would have been unimaginable as little as thirty years ago.

While the explosion of use of such capabilities has largely been a boon to productivity and convenience, the cyber revolution is not without its deleterious consequences. Of particular relevance to personnel security are three effects of this kind:

- The creation, storage, and communication of classified information by computer and computer networks have altered in significant ways what it means to have access to, and to handle, classified information.
- The near universal reliance on digital communications has created new vulnerabilities to espionage and sabotage, in the form of "cyber-attacks" that, while they may be launched from the outside, may also be launched from the inside by cleared personnel.
- A new, on-line culture of discourse has arisen in which concerns with, and restraints on, disclosure of personal information have been reduced by the illusion of privacy created as a consequence of the solipsistic nature of communications by means of an inanimate computer screen and keyboard.

The Adjudicative Guidelines issued in 1997 were the first to include language addressing information technology. The creation of an IT Guideline did not enjoy universal support at the time among personnel security professionals, some of whom argued that anything rising to the level of a concern that had been done with IT would already be captured by an existing Guideline: using a computer to commit a crime did not alter the fact that it was still a crime, a security violation was a security violation whether it involved a computer or a hard-copy document, and so on. The argument was never that IT-based activities were irrelevant, rather that calling them out as a special category of concern was redundant. The counterargument, persuasive at the time, was that IT was becoming so integrated into the business model of the classified community and was so important and would only become more important, that calling special attention to it by creating a separate Guideline for it was worth any redundancy it might involve. Furthermore, a separate Guideline would serve as a means for conveying to anyone inclined to think otherwise that there was no special dispensation for on-line activities, that the way people interacted with their computers was just as important as the way they interacted with anything else.

Today the very ubiquity of computers in both public and private life revives the question of the relevance of a separate Guideline for IT: an argument can now be made that information technology in all its forms has become *so* ubiquitous, *so* much a part of what we do and who we are that it no longer makes sense to continue to single it out. After all, there are no separate Guidelines for other tools in daily use, for the telephone or the automobile. The counterargument is much as it was in 1997: it may or may not be true that a separate IT Guideline is redundant; even if it is, however, that fact is beside the point, for the essential purpose of a separate Guideline is to ensure that behaviors that directly and adversely affect

information technology systems, for the very reason of their criticality, are properly considered.<sup>136</sup>

#### Problematic IT Behaviors

A behavior that raises a concern when it does *not* involve the use of IT raises *at least* as much of a concern when it does. The use of IT may help explain a behavior's circumstances, but it never ameliorates it and may aggravate it. An embezzler commits the same crime whether manipulating a pen-and-paper ledger or a data base, and someone commits a security violation when providing classified information to an uncleared person whether in a letter or in a posting to a social networking site. In the first example, the crime will appear identical regardless of how committed, but in the second the use of IT compounds the problem because of the easy availability of the information to far more people than just its intended recipient. IT may have made both the crime and the security violation easier to commit, its availability may even have been the deciding factor in bringing them about, but neither of those considerations is mitigating.

More to the point, however, is the fact that the nature of IT has created vulnerabilities whose repercussions can be far-reaching. Acts, whatever their immediate motivation, that adversely affect the confidentiality, integrity, and availability of a system—acts that, in a precomputer world, would have been either trivial or impossible—become the primary point of interest in assessing a person's IT use.

From the point of view of personnel security, there are three *levels* of problematic IT use and six *characterizations*. Table 17 provides an overview.

Laval	Characterization	Where	
Level	Characterization	Work	Outside
Time Mat	Nonproductive	X	
Time Mgt	Counterproductive	X	
Harmful	OPSEC and Failure to Protect	X	X
	Criminal Result	X	X
Malicious	Criminal	X	X
	National Security Threat	X	X

**Table 17: 2009 IT Levels and Characterizations** 

In this schema, *time management* issues are anything that is not work-related that occurs when work should be taking place; *harmful* issues are those that, without intending malice, nonetheless create security concerns; and *malicious* issues are those that are in fact intended to do damage, whether to another person or to the United States, for the benefit of another.

Nonproductive and counterproductive IT behaviors differ in degree. They are by their definitions both exclusively workplace behaviors. The former involves any otherwise

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<sup>&</sup>lt;sup>136</sup> *iSME*, 32.

<sup>&</sup>lt;sup>137</sup> Paul M. Mastrangelo, Wendi Everton, and Jeffrey A. Jolton, "Personal Use of Work Computers: Distraction versus Destruction," *CyberPsychology & Behavior*, 9:6, 2006, 730-41.

unexceptionable act (e.g., sending and receiving personal email, web surfing) conducted at but not related to work. Fair-use policies can render some or all of this behavior outside consideration, and at any rate it is of personnel security interest only when it begins to interfere with the ability of an individual to meet his or her national security responsibilities. The latter is more problematic, because by definition it *does* meet that threshold, or at the very least has a reasonable potential for disruptiveness: downloading and displaying pornography or partisan political materials, for example.

Individuals using information technology can engage in *violations of operational security discipline* or other *failures to protect classified information* that can result in its unauthorized disclosure. Unlike nonproductive and counterproductive behaviors, these can take place anywhere. Violating protocols by writing a letter home from the front that talks about a forthcoming operation into enemy territory risks exposure of protected information to the recipient of the letter; sending the same information in an email exposes it to anyone with the equipment necessary to intercept it, including the enemy; posting it on a website or social networking page gives it to the world.<sup>138</sup> The concern, however, not only is relevant to matters of communication, but also is a function of the ease of storing considerable quantities of data on very small media. The inadvertent loss of a classified package might compromise one document, the inadvertent loss of a thumb drive might compromise hundreds, even thousands, of them. Absent malice, violations of IT security policies and regulations are problems of this type.

The difference between *criminal* behavior and behavior with *criminal result* is the ability to prosecute. The latter recognizes that the online environment has created and continues to create circumstances that the more slowly moving legal processes spread across the world's jurisdictions sometimes find difficult to keep pace with. Thus an activity may be conducted in such a way that, strictly speaking, it violates no laws, or it may be conducted from safe havens in which case the question of the ability to prosecute despite criminality is moot, but its result is indistinguishable from that of a crime that results in a trial and conviction. <sup>139</sup> *National security threats* are those targeting the IT infrastructure of the government, whether from within or without. They also are crimes, but crimes against the United States.

The borders are fluid. Sending an email to a friend from a work computer is a nonproductive behavior but, from the point of personnel security, trivial. However, if the email contains something classified, then it becomes a failure to protect and is no longer trivial. Unauthorized copying of classified material onto removable media is a security violation—another failure to protect whether the information is compromised or not—if the purpose is to provide data to a co-worker who needs it; it is a national security threat if the purpose is to provide it to a foreign intelligence service or the press.

<sup>139</sup> *iSME*, 32.

<sup>&</sup>lt;sup>138</sup> *iSME*, 24.

#### The Personnel Security Focus

Security management of today's classified workspace faces multiple challenges presented by the ubiquity and central operational role of IT. It must focus not only all classical security problems—unauthorized removal of information, breaches of physical integrity, and so on—but also on ensuring that IT systems maintain confidentiality, integrity, and availability. Anything done by an individual that compromises the IT system raises an issue, irrespective of motive. So, besides high-end hostile attacks that could take any form and use any tools, mundane infractions from sharing a password to introducing unauthorized software or hardware to manipulating data to making unauthorized engineering changes are all matters of concern. Those are not personnel security issues in the narrow sense, yet personnel security cannot be indifferent to them, and those who do them, even the least of them, are demonstrating shortcomings in reliability and trustworthiness that call for assessment.

### Internal Threats to Critical Systems

Cleared individuals with legitimate system access may, if they possess the requisite computer skills, disrupt or destroy operations or manipulate systems for malicious purposes. Although all such threats violate the integrity of systems, they may nonetheless be placed on a scale of roughly increasing concern:<sup>140</sup>

- Explorers, who manipulate systems for curiosity and without malicious intent;
- ◆ Good Samaritans, who take unauthorized actions in an attempt to improve systems;
- ♦ Hackers, who gain self-satisfaction from defeating system safeguards;
- Machiavellians, who sabotage systems for personal advancement;
- ♦ Exceptions, who misuse systems with impunity because their unique knowledge and skills make them essentially irreplaceable;
- Avengers, who attack systems in retaliation for perceived injustices against them;
- Career Thieves, who use government or company IT to commit crime;
- ♦ Moles, who use government or company IT to commit espionage.

These are all IT-specific, and in all but the last two the essential element is an attack against the IT system itself in some way. They are, in other words, except for the last two, acts for which realistic non-IT equivalents with the potential to generate commensurate damage would be difficult to find. The last two may or may not attack the integrity of the systems they use, but they certainly manipulate them.

<sup>&</sup>lt;sup>140</sup> This taxonomy is from Eric D. Shaw, Jerrold M. Post, and Kevin G. Ruby, *Insider Threat to Critical Systems: Typology of Perpetrators, Security Vulnerabilities, Recommendations*. Bethesda, MD: Political Psychology Associates, 1999.

### RECOMMENDATIONS

The following moves through the current nationally approved Adjudicative Guidelines, dated December 29, 2005, except that the version published as Intelligence Community Policy Guidance 704.2 on October 2, 2008, is used as the basis for the discussion of Guideline C. There are both substantive and editorial recommendations; the former are addressed in a "rationale" following the proposed changes for each Guideline, the latter are left to speak for themselves. Not every paragraph or subparagraph of every Guideline contains a change; only those sections or subsections with proposed changes are shown. The recommendations in this section are made without reference to any reorganization of the Guidelines and would not be affected by it.

### **Preamble**

add PREAMBLE PROPOSED: A clear precondition for eligibility for access to classified information is allegiance to the United States, allegiance meaning here having acted and continuing to act in consonance with the obligations to constitutional government acquired through citizenship. There is no positive test for allegiance, but there are negative indicators. These include participation in or support for acts against the United States, which is where Guideline A is relevant. Another negative indicator is placing the welfare or interests of another country above those of the United States, which is where Guidelines B and C are relevant, as well as Guideline L insofar as the outside activity is counter to U.S. interests. Finally, failing to adhere to the laws of the United States can make Guideline J relevant if the violation of law is harmful to stated U.S. interests.

#### Rationale

Allegiance in the context of access eligibility decisions is "the tie or obligation of a subject to his sovereign, or government" or "the fidelity owed by a subject or citizen to a sovereign or government." Thus it applies not only to issues raised in Guideline A; the person need not have committed or contemplated a crime against the United States, but simply be so placed as to face the real possibility of having to choose between continuing to maintain his or her obligations to the United States and acting against U.S. interests in favor of another country. Furthermore, allegiance is an appropriate concern with someone who is involved in any criminal activities that do not rise to the level of the offenses specified in Guideline A but that are nonetheless meant to harm U.S. interests.

<sup>141 &</sup>quot;Allegiance," OED; "Allegiance," Merriam-Webster Unabridged, http://www.merriam-webster.com/dictionary/allegiance

### Guideline A

<u>title current</u>: Allegiance to the United States <u>title proposed</u>: Acts against the United States

<u>para 3 current</u>: An individual must be of unquestioned allegiance to the United States. The willingness to safeguard classified information is in doubt if there is any reason to suspect an individual's allegiance to the United States.

<u>para 3 proposed</u>: An individual who engages in acts against the United States or provides support or encouragement to those who do, has already demonstrated willingness to compromise national security. Reasonable suspicions that an individual has engaged in such acts must be resolved in favor of national security.

<u>subpara 5(b) current</u>: the individual's involvement was only with the lawful or humanitarian aspects of such an organization;

<u>subpara 5(b) proposed</u>: the individual's involvement was humanitarian and permitted under U.S. law;

#### Rationale

Title and para 3: The material in the Guideline is sound as written; however, it addresses allegiance only in terms of the most egregious violations of it, acts better characterized as "Acts against the United States."

Para 5: Even superficially benign involvement in organizations hostile to the U.S. can be problematic. Establishing the twin tests of "humanitarian" and "permitted under U.S. law" help ameliorate any concern.

### Guideline B

para 6 current: Foreign contacts and interests may be a security concern if the individual has divided loyalties or foreign financial interests, may be manipulated or induced to help a foreign person, group, organization, or government in a way that is not in U.S. interests, or is vulnerable to pressure or coercion by any foreign interest. Adjudication under this Guideline can and should consider the identity of the foreign country in which the foreign contact or financial interest is located, including, but not limited to, such considerations as whether the foreign country is known to target United States citizens to obtain protected information and/or is associated with a risk of terrorism.

para 6 proposed: Foreign contacts and interests, including business, financial, and property interests, are a security concern if they result in divided allegiance; furthermore, they may be a security concern if they create circumstances in which the individual may be manipulated or induced to help a foreign person, group, organization, or government in a way inconsistent with U.S. interests or otherwise made vulnerable to pressure or coercion by any foreign interest. Assessment of foreign contacts and interests should consider the country in which the foreign contact or financial interest is located, including, but not limited to, such considerations as whether it is known to target United States citizens to obtain protected information and/or is associated with a risk of terrorism.

<u>subpara 7(c) current</u>: counterintelligence information, that may be classified indicates that the individual's access to protected information may involve unacceptable risk to national security;

<u>subpara 7(c) proposed</u>: counterintelligence information, whether classified or unclassified, indicating that the individual's access to protected information may involve unacceptable risk to national security;

<u>subpara 7(i) current</u>: conduct, especially while traveling outside the U.S. which may make the individual vulnerable to exploitation, pressure, or coercion by a foreign person, group, government, or country.

<u>subpara 7(i) proposed</u>: conduct while traveling or residing outside the U.S. which may make the individual vulnerable to exploitation, pressure, or coercion by a foreign person, group, government, or country.

#### **Rationale**

The one change going beyond the editorial is the introduction of a distinction between, on the one hand, foreign contacts and interests that indicate divided allegiance—given the centrality of allegiance, any such relationships *do* indicate a security concern that must be dealt with—and, on the other hand, other relationships that do not reach this threshold and which *may* indicate a security concern but also *may* be benign. The relevant concern being addressed in subpara 7(i) is

behavior outside the United States that gives local authorities an at least superficially plausible excuse, usually based on local law or custom, to exploit the cleared U.S. citizen involved in some way counter to U.S. national security interests. That can happen whether the person involved is traveling or residing overseas, but it must happen overseas.

### Guideline C

There have existed since October 2008 two incompatible versions of Guideline C: one contained in the Adjudicative Guidelines of December 2005 and the other in Intelligence Community Policy Guidance (ICPG) 704.2. This has created a situation inconsistent with the requirement of Executive Order 12968 for a "common set of adjudicative guidelines," an inconsistency made more troublesome by the fact that the version used by the government at large is more restrictive than the one used for the granting of SCI access eligibility. The ICPG version of the Guideline, which is more in keeping with the findings of this report and which was endorsed in principle by the Security Executive Agent Advisory Committee at its April 2010 session, is used as the basis for the comments below, with reference to the 2005 version as appropriate in the remarks.

<u>title current</u>: Foreign Preference <u>title proposed</u>: Foreign Involvement

para C1 current: When an individual acts in such a way as to establish a preference for a foreign country over the United States, he or she may provide information or make decisions that are harmful to the interests of the United States. The principal goal of the Foreign Preference assessment is to determine the risk based on foreign associations that information may be compromised if access is approved; it is not a measurement of how loyal a subject is to the United States. Therefore, a finding that there is a preference must be established by adequate evidence of heightened risks related to national security. Furthermore, the fact that a U.S. citizen is or has become a citizen of another country does not establish a preference for a foreign country. Being a U.S. citizen and a citizen of another country is not prohibited or disqualifying absent a showing of heightened risks related to national security. The same is true for the exercise of any right, privilege or obligation of foreign citizenship or action to acquire or obtain recognition of a foreign citizenship by a U.S. citizen.

para C1 proposed: Foreign involvement can be of two types: *official* involvement includes, although it is not limited to, seeking, acquiring, or exercising the rights and obligations of foreign citizenship; *prejudicial* involvement consists of performing acts for the benefit of some foreign entity. Foreign involvement of either type raises concerns about an individual's reliability and trustworthiness to protect classified information when it is in conflict with U.S. national interests or when the individual acts to conceal it. *By itself* the fact that a U.S. citizen is a citizen of another country, or has exercised some of the rights of that citizenship, is not disqualifying without an objective showing of such conflict or attempt at concealment.

<sup>142</sup> §3.1.		

<u>subpara C2b current</u>: Failure to disclose to an appropriate security official the acquisition of citizenship in any other country;

<u>subpara C2b proposed</u>: the application for and/or acquisition of citizenship in any other country;

<u>subpara C2c current</u>: failure to report to an appropriate security official the possession of a passport issued by any other country;

<u>subpara C2c proposed</u>: failure to report to an appropriate security official the possession of a passport issued by any country other than the United States;

<u>subpara C2e current</u>. Performing or attempting to perform duties, or otherwise acting so as to serve the interests of a foreign person, group, organization, or government in conflict with U.S. national security interests;

subpara C2e proposed. Participation in foreign official activities, including but not limited to: (1) assuming or attempting to assume any type of employment, position, or political office in a foreign government, international entity (but excluding those in which the United States is a member), or military organization; (2) willingness to bear arms for other than the United States; (3) voluntary participation in foreign political or electoral activities; and (4) otherwise acting so as to serve the interests of a foreign person, group, organization, or government in any way that conflicts with U.S. national security interests;

<u>subpara C2f current:</u> intentional act of expatriation from the United States such as declaration of intent to renounce United States citizenship or renunciation of U.S. citizenship, with the exception of routine oaths associated with citizenship in another country;

<u>subpara C2f proposed:</u> an intentional act of expatriation from the United States such as declaration of intent to renounce United States citizenship or taking up arms or engaging in acts of transnational terrorism against the United States or its allies.

<u>subpara C2g current</u>: seeking or holding political office in a foreign country; or <u>subpara C2g proposed</u>: *delete; seeking or holding political office outside the U.S. is subsumed within the recommended language for para C2e.* 

<u>subpara C2h current</u>: military service or a willingness to bear arms for a foreign country. <u>subpara C2h proposed</u>: *delete; military service and the willingness to bear arms for other than the U.S. are subsumed within the recommended language for para C2e.* 

<u>subpara C3a current:</u> Any of the potentially disqualifying activities noted in paragraph two above occurred before the initial request for a security clearance granting access to SCI;

<u>subpara C3a proposed:</u> the application for and acquisition of citizenship in a foreign country occurred before the initial request for access eligibility;

<u>subpara C3b current:</u> any of the potentially disqualifying activities noted in paragraph two above that occurred after the initial request for a security clearance granting access to SCI were sanctioned by a cognizant security authority.

<u>subpara C3b proposed:</u> any potentially disqualifying activity took place after receiving the approval of an appropriate security official.

<u>subpara C3c current:</u> The perceived foreign preference involves a foreign country, entity, or association that poses a low security risk.

<u>subpara C3c proposed:</u> The perceived foreign preference involves a foreign person, entity, or government that poses a low security risk.

#### Rationale

Title: *Preference* is a vague term, easy enough to speak of in a generic sense, difficult to isolate when addressing a person's national relationships outside the United States. "In any dispute between the U.S. and X, I'm on the side of X" is not a statement of preference, but a declaration of allegiance and as such disqualifying, yet statements less categorical than that—"I like the way X handles that issue better" or "I always root for X at the Olympics," which *are* preferences—have nothing to do with national security. What is actually at issue in Guideline C are those things people do that identify themselves with another country (or international organization), or that attempt to obscure that identity, especially to those responsible for making access eligibility determinations, or that benefit a foreign entity at the expense of U.S. national security interests. Hence calling the Guideline "Foreign Involvement" better captures what is of concern.

Para C1 (para 9 in the 2005 version): The 2008 wording was preoccupied with making the point that holding dual citizenship and acting in ways consistent with it need not be disqualifying, thus it continues at some length to say what it is *not* interested in. The same point can be made more succinctly, which is what the recommended language attempts to do. It makes explicit the two circumstances in which foreign official activity becomes disqualifying: when it conflicts with U.S. national interests and when it is concealed. If the former approaches tautology, it does so with the purpose of providing some basis for grounding a decision: if the U.S. is on good terms with country X, if country X is not a threat to U.S. interests, then, other things equal, someone's dual citizenship with X is of less consequence than it would be if the U.S. and X had incompatible objectives or, worse, were hostile. The latter is a specific, serious variant of behavior otherwise captured in the proposed Guideline N—deliberate concealment of relevant information from the security process.

Para C2 (para 10 in the 2005 version): The 2008 version legitimized the seeking and obtaining of foreign citizenship. Yet it is one thing for persons to hold citizenship in another country because of birth or parentage or because the laws of the country bestow it on them despite their having done nothing to seek it, it is another to apply for and accept such citizenship as an act of volition. In the former circumstances the dual citizenship may be problematic or—

more likely—benign, depending upon the specifics of the case; in the latter, however, the dual citizenship always raises concerns regarding national attachment. Thus in the former the onus lies with those arguing against eligibility, in the latter it is with those arguing for it. The 2005 version makes holding a foreign passport a potentially disqualifying issue and goes so far as to suggest its destruction. Yet a passport is nothing more than a document that confirms citizenship: the real concern is not the document, but the fact that it supports. If a person's dual citizenship is not a concern, the possession of a passport is unlikely to be; if, on the other hand, the dual citizenship *is* a concern, whether there is also a passport involved makes no difference.

Para C3 (para 11 in the 2005 version): If a given activity is a concern, it makes no difference whether it began before or after the person applied for a clearance; the one possible exception is acquiring a second citizenship, which could well have happened in ignorance of any national security implications.

### Guideline D

<u>para 12 current:</u> Sexual behavior that involves a criminal offense, indicates a personality or emotional disorder, reflects lack of judgment or discretion. . . .

<u>para 12 proposed:</u> Sexual behavior that involves a criminal offense, reflects lack of judgment or discretion. . . .

<u>subpara 13(b) current</u>: a pattern of compulsive, self-destructive, or high-risk sexual behavior that the person is unable to stop or that may be symptomatic of a personality disorder;

<u>subpara 13(b) proposed</u>: a pattern of compulsive, self-destructive, or high-risk sexual behavior, including cybersex, that the person is unable to stop despite negative consequences;

<u>subpara 13(c) current</u>: sexual behavior that causes an individual to be vulnerable to coercion, exploitation, or duress;

<u>subpara 13(c) proposed</u>: past or present sexual behavior that causes an individual to be vulnerable to coercion, exploitation, or duress;

<u>subpara 13(d) current</u>: sexual behavior of a public nature and/or that which reflects lack of discretion or judgment.

subpara 13(d) proposed: sexual behavior that reflects lack of discretion or judgment.

add new subpara 14(e) proposed: where there is an underlying mental disorder, it is readily controllable with treatment, and the individual has either successfully completed an appropriate program of treatment or is currently enrolled in one, has demonstrated ongoing and consistent compliance with the treatment plan, and has received a favorable prognosis from the attending duly qualified mental health professional.

#### **Rationale**

Para 12: The relevant issue for this Guideline is sexual behavior, irrespective of any underlying diagnosable condition. Where such a condition is present it is relevant and requires treatment, but without acting out it is moot: and a diagnosis absent behavior is unlikely.

Para 13: Cybersex—in the sense of simulating sexual intercourse by exchanging messages with another person over the Internet—merits being called out in the Guideline to underscore the point that it is behavior relevant to its concerns even though it does not involve the physical contact that other behaviors do. Cybersex is a matter of concern on its own because of its relationship to sexual addiction, <sup>143</sup> but also because it is a means of sexual predation, particularly involving minors.

<sup>&</sup>lt;sup>143</sup> *eSME*, 24

Para 14: There has heretofore been no mitigation when there is an underlying psychiatric/psychological disorder that can be and is being successfully managed. The recommended language provides that mitigation.

### Guideline E

The following first reproduces the current Guideline E in total, then with those portions recommended to form the basis of the proposed Guideline N removed. There are additional minor changes addressed in the Remarks.

Current 15. The Concern. Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. Of special interest is any failure to provide truthful and candid answers during the security clearance process or any other failure to cooperate with the security clearance process. The following will normally result in an unfavorable clearance action or administrative termination of further processing for clearance eligibility:

- (a) refusal, or failure without reasonable cause, to undergo or cooperate with security processing, including but not limited to meeting with a security investigator for subject interview, completing security forms or releases, and cooperation with medical or psychological evaluation;
- (b) refusal to provide full, frank and truthful answers to lawful questions of investigators, security officials, or other official representatives in connection with a personnel security or trustworthiness determination.
- 16. Conditions that could raise a security concern and may be disqualifying also include:
- (a) deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine security clearance eligibility or trustworthiness, or award fiduciary responsibilities;
- (b) deliberately providing false or misleading information concerning relevant facts to an employer, investigator, security official,

15. *The Concern*. Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified information.

Proposed

16. Conditions that could raise a security concern and may be disqualifying also include:

*Current* Proposed

competent medical authority, or other official government representative;

- (c) credible adverse information in several adjudicative issue areas that is not sufficient for an adverse determination under any other single Guideline, but which, when considered as a whole, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information;
- (d) credible adverse information that is not explicitly covered under any other Guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available information supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information. This includes but is not limited to consideration of:
- (1) untrustworthy or unreliable behavior to include breach of client confidentiality, release of proprietary information, unauthorized release of sensitive corporate or other government protected information;
- (2) disruptive, violent, or other inappropriate behavior in the workplace;
- (3) a pattern of dishonesty or rule violations;
- (4) evidence of significant misuse of Government or other employer's time or resources;
- (e) personal conduct or concealment of information about one's conduct, that creates a vulnerability to exploitation, manipulation, or duress, such as
- (1) engaging in activities which, if known, may affect the person's personal, professional, or community standing, or
  - (2) while in another country, engaging in

- (a) credible adverse information in several adjudicative issue areas that is not sufficient for an adverse determination under any single Guideline, but which, when considered as a whole, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information;
- (b) credible adverse information that is not explicitly covered under any other Guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available information supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information. This includes but is not limited to consideration of:
- (1) untrustworthy or unreliable behavior to include breach of client confidentiality, release of proprietary information, unauthorized release of sensitive corporate or other government protected information;
- (2) disruptive, violent, or other inappropriate behavior in the workplace;
- (3) a pattern of dishonesty or rule violations;
- (4) evidence of significant misuse of Government or other employer's time or resources;
- (c) personal conduct or concealment of information about one's conduct, that creates a vulnerability to exploitation, manipulation, or duress by a foreign security or intelligence service or other group; such conduct includes:
- (1) engaging in activities which, if known, could affect the person's personal, professional, or community standing;
  - (2) while in another country, engaging in

Current Proposed

any activity that is illegal in that country or that is legal in that country but illegal in the United States and may serve as a basis for exploitation or pressure by the foreign security or intelligence service or other group;

- (f) violation of a written or recorded commitment made by the individual to the employer as a condition of employment;
- (g) association with persons involved in criminal activity.
- 17. Conditions that could mitigate security concerns include:
- (a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts;
- (b) the refusal or failure to cooperate, omission, or concealment was caused or significantly contributed to by improper or inadequate advice of authorized personnel or legal counsel advising or instructing the individual specifically concerning the security clearance process. Upon being made aware of the requirement to cooperate or provide the information, the individual cooperated fully and truthfully;
- (c) the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;
- (d) the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that caused untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur;
- (e) the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress;
- (f) the information was unsubstantiated or from a source of questionable reliability;
  - (g) association with persons involved in

any activity that is illegal in that country or that is legal in that country, whether or not it is illegal in the United States;

- (3) while in another country, engaging in activity that, while legal there, is illegal in the United States.
- (d) violation of a written or recorded commitment made by the individual to the employer as a condition of employment;
- (e) association with persons involved in criminal activity.
- 17. Conditions that could mitigate security concerns include:

- (a) the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;
- (b) the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that caused untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur;
- (c) the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress;
- (d) the information was unsubstantiated or from a source of questionable reliability;
  - (e) association with persons involved in

Current	Proposed	
criminal activities has ceased or occurs under	criminal activities was unwitting or has ceased or	
circumstances that do not cast doubt upon the	occurs under circumstances that do not cast doubt	
individual's reliability, trustworthiness, judgment,	upon the individual's reliability, trustworthiness,	
or willingness to comply with rules and regu-	judgment, or willingness to comply with rules	
lations.	and regulations.	

### **Rationale**

Regarding the removal of material relating to security processing, see Guideline N below. Para 17: Adding not being witting of association with persons engaged in crime as a mitigator acknowledges that it is possible in good faith to form relationships with individuals without knowing or having reason to suspect any criminal involvement on their part.

### Guideline F

para 18 current: *The Concern*. Failure or inability to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds. Compulsive gambling is a concern as it may lead to financial crimes including espionage. Affluence that cannot be explained by known sources of income is also a security concern. It may indicate proceeds from financially profitable criminal acts.

para 18 proposed: *The Concern.* Failure to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. Financial distress can also be caused or exacerbated by, and thus can be a possible indicator of, other issues of personnel security concern such as mental health conditions, substance misuse, or alcohol abuse or dependence. An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds. Affluence that cannot be explained by known sources of income is also a security concern insofar as it may result from criminal activity, including espionage.

<u>subpara 19(a) current</u>: inability or unwillingness to satisfy debts; subpara 19(a) proposed: inability to satisfy debts;

<u>subpara 19(b) current</u>: indebtedness caused by frivolous or irresponsible spending and the absence of any evidence of willingness or intent to pay the debt or establish a realistic plan to pay the debt.

subpara 19(b) proposed: unwillingness to satisfy debts regardless of the ability to do so;

<u>subpara 19(d) current:</u> deceptive or illegal financial practices such as embezzlement,
 employee theft, check fraud, income tax evasion, expense account fraud, filing deceptive loan
 <u>subpara 19(d) proposed</u>: deceptive or illegal financial practices such as embezzlement,
 employee theft, check fraud, expense account fraud, mortgage fraud, filing deceptive loan

<u>subpara 19(e) current</u>: consistent spending beyond one's means, which may be indicated by excessive indebtedness, significant negative cash flow, high debt-to-income ratio, and/or other financial analysis;

<u>subpara 19(e) proposed</u>: consistent spending beyond one's means, which may be indicated by excessive indebtedness, significant negative cash flow, a history of late payments or of non-payment, and/or other financial analysis;

<u>subpara 19(f) current</u>: financial problems that are linked to drug abuse, alcoholism, gambling problems, or other issues of security concern.

subpara 19(f) proposed: delete.

<u>subpara 19(h) current:</u> unexplained affluence, as shown by a lifestyle or standard of living, increase in net worth, or money transfers that cannot be explained by subject's known legal sources of income;

<u>subpara 19(h) proposed:</u> unexplained affluence, as shown by a lifestyle or standard of living, increase in net worth, or money transfers that are inconsistent with known legal sources of income;

<u>subpara 19(i) current</u>: compulsive or addictive gambling as indicated by an unsuccessful attempt to stop gambling, "chasing losses" (i.e. increasing the bets or returning another day in an effort to get even), concealment of gambling losses, borrowing money to fund gambling or pay gambling debts, family conflict or other problems caused by gambling.

subpara 19(i) proposed: move to Guideline I

<u>subpara 20(b) current:</u> the conditions that resulted in the financial problem were largely beyond the person's control (e.g. loss of employment, a business downturn, unexpected medical emergency, or a death, divorce or separation), and the individual acted responsibly under the circumstances;

<u>subpara 20(b) proposed:</u> the conditions that resulted in the financial problem were largely beyond the person's control (e.g. loss of employment, a business downturn, unexpected medical emergency, or a death, divorce or separation, clear victimization by illegal predatory lending practices), and the individual acted responsibly under the circumstances;

<u>subpara 20(c) current</u>: the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control;

<u>subpara 20(c) proposed</u>: the person has received or is receiving counseling for the problem from a legitimate and credible source such as a service associated with the National Foundation for Credit Counseling and/or there are clear indications that the problem is being resolved or is under control;

<u>subpara 20(d) current:</u> the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts;

<u>subpara 20(d) proposed:</u> the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts;

#### **Rationale**

Para 18: The recommended additional language makes explicit the role of financial matters as potential flags for other issues. (This replaces language currently in para 19.) A financially overextended person may resort to solutions that are strictly speaking legal but nonetheless questionable and likely to exacerbate rather than solve the long-term problem: gambling, acquiescing to predatory lending, and the like. Move "compulsive gambling" to Guideline I (see discussion there).

Para 19: Splitting out *inability* and *unwillingness* into separate subparagraphs acknowledges that they are different things representing different problems: both result in a failure to pay, but in the latter the ability to pay, even if with considerable discomfort, exists but the person chooses not to do so; it is the more serious problem from the point of view of assessing reliability and trustworthiness. The language regarding "frivolous or irresponsible spending" is too subjective to be meaningful. "Income tax evasion" can be deleted from subpara (d) because it is already contained in the more general subpara (g). The language regarding financial problems related to other Guidelines appears redundant in a discussion of "conditions that could raise a security concern and may be disqualifying"; for example, a drug-related financial problem—subpara (f)—is at the same time something else, whether "inability to satisfy debts" because all the person's money is going to drugs, or a "deceptive or illegal financial practice" because the person is embezzling funds to pay for drugs, etc. The thought is better served by moving it to the introductory "concern" paragraph. Debt-to-income ratio is not as much a measure of financial stress relevant to access eligibility as it is an indicator to loan officers of how much additional debt a person may safely absorb

Para 20: Predatory lending has become an issue of some concern which has caught up many acting in good faith, thus identifying it as a possible mitigator is a matter of practical necessity. Adding "and is adhering to" in subpara (d) closes a loophole: it is one thing to enter into a payment plan, it is another to adhere to it.

### Guideline G

<u>subpara 22(a) current</u>: alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, disturbing the peace, or other incidents of concern, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent;

<u>subpara 22(a) proposed</u>: alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, disturbing the peace, or other incidents of concern, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent and regardless of whether formal charges were filed;

<u>subpara 22(b) current</u>: alcohol-related incidents at work, such as reporting for work or duty in an intoxicated or impaired condition, or drinking on the job, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent;

<u>subpara 22(b) proposed</u>: alcohol-related incidents at work, such as reporting for work or duty in an intoxicated or impaired condition, or drinking on the job, or jeopardizing the welfare and safety of others, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent;

<u>subpara 22(d) current</u>: diagnosis by a duly qualified medical professional (e.g., physician, clinical psychologist, or psychiatrist) of alcohol abuse or alcohol dependence;

<u>subpara 22(d) proposed</u>: diagnosis by a duly qualified medical or mental health professional (e.g., physician, clinical psychologist, or psychiatrist) of alcohol abuse or alcohol dependence;

add new subpara in para 22: the failure to follow treatment advice once diagnosed;

<u>subpara 22(e) current</u>: evaluation of alcohol abuse or alcohol dependence by a licensed clinical social worker who is a staff member of a recognized alcohol treatment program; <u>subpara 22(e) proposed</u>: *delete*.

<u>subpara 23(c) current</u>: the individual is a current employee who is participating in a counseling or treatment program, has no history of previous treatment and relapse, and is making satisfactory progress;

<u>subpara 23(c) proposed</u>: the individual is a current employee, has no previous history of treatment and relapse, who is participating in a counseling or treatment program, has no history of previous treatment and relapse, and is making satisfactory progress in a treatment program;

subpara 23(d) current: the individual has successfully completed inpatient or outpatient counseling or rehabilitation along with any required aftercare, has demonstrated a clear and

established pattern of modified consumption or abstinence in accordance with treatment recommendations, such as participation in meetings of Alcoholics Anonymous or a similar organization and has received a favorable prognosis by a duly qualified medical professional or a licensed clinical social worker who is a staff member of a recognized alcohol treatment program.

<u>subpara 23(d) proposed</u>: the individual has successfully completed a treatment program along with any required aftercare, and has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations.

### Rationale

Para 22: The issue of concern is the alcohol-related incident, which does not change even if formal charges were dropped or never made. The added language in subpara (a) makes this explicit. It is one thing for someone's performance to be diminished because of intoxication, another when that diminished performance places others at risk; hence the addition to subpara (b). The addition to subpara (d) preserves the intent of subpara (e), while deleting the latter removes reference to licensed clinical social workers.

Para 23: Effective treatment programs can take multiple forms; "inpatient or outpatient counseling or rehabilitation" is unnecessarily restrictive. The remainder of subpara (d) is redundant.

### Guideline H

para 24 current: Use of an illegal drug or misuse of a prescription drug can raise questions about an individual's reliability and trustworthiness, both because it may impair judgment and because it raises questions about a person's ability or willingness to comply with laws, rules, and regulations. (a) Drugs are defined as mood and behavior altering substances, and include: (1) Drugs, materials, and other chemical compounds identified and listed in the Controlled Substances Act of 1970, as amended (e.g., marijuana or cannabis, depressants, narcotics, stimulants, and hallucinogens), and (2) inhalants and other similar substances; (b) drug abuse is the illegal use of a drug or use of a legal drug in a manner that deviates from approved medical direction.

<u>para 24 proposed</u>: The illegal use of controlled substances, the misuse of prescription and non-prescription drugs, and the use of other substances in a manner inconsistent with their intended purpose can raise questions about an individual's reliability and trustworthiness, both because such behavior may lead to physical or psychological impairment and because it raises questions about a person's ability or willingness to comply with laws, rules, and regulations. (a) *Controlled substance* means any drug, material, or other chemical compound identified and listed in 21 U.S.C. 802; (b) *Substance misuse* is the generic term adopted in this Guideline to describe any of the behaviors listed above.

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<u>subpara 25(a) current</u>: Any drug abuse (see above definition); <u>subpara 25(a) proposed</u>: Any substance misuse (see above definition);
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<u>subpara 25(b) current</u>: testing positive for illegal drug use;
<u>subpara 25(b) proposed</u>: testing positive for illegal use of a controlled substance;
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<u>subpara 25(c) current</u>: illegal drug possession, . . . . <u>subpara 25(c) proposed</u>: illegal possession of a controlled substance, . . . .
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<u>subpara 25(e) current</u>: evaluation of drug abuse or drug dependence by a licensed clinical social worker who is a staff member of a recognized drug treatment program;

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subpara 25(e) proposed: delete
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<u>subpara 25(g) current</u>: any illegal drug use after being granted a security clearance; <u>subpara 25(g) proposed</u>: delete (see first proposed new subpara in para 26, below)
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<u>subpara 25(h) current</u>: expressed intent to continue illegal drug use, or failure to clearly and convincingly commit to discontinue drug use.

<u>subpara 25(h) proposed</u>: expressed intent to continue substance misuse, or failure to clearly and convincingly commit to discontinue such misuse.

<u>subpara 26(b) current</u>: a demonstrated intent not to abuse any drugs in the future, such as: (1) dissociation from drug-using associates and contacts; (2) changing or avoiding the environment where drugs were used; (3) an appropriate period of abstinence; (4) providing a signed statement of intent with automatic revocation of clearance for any violation.

<u>subpara 26(b) proposed</u>: the individual acknowledges his or her substance misuse, provides evidence of actions taken to overcome this problem, and has established a pattern of abstinence, including: (1) dissociation from drug-using associates and contacts; (2) changing or avoiding the environment where drugs were used; (3) providing a signed statement of intent to abstain from all substance misuse, acknowledging that any future misuse is grounds for revocation of access eligibility.

add new subpara in para 26: Substance misuse after being granted a security clearance is normally not mitigatable.

add new subpara in para 26: All use of marijuana was for medical purposes, took place in a jurisdiction permitting such use, was prescribed by a physician or other person authorized by the jurisdiction to do so, and was in clear and unambiguous compliance with the then-applicable state laws providing for medical use of marijuana.

#### Rationale

Para 24: The recommended changes restate more completely the actual concern of the Guideline. There is an attempt at greater precision of terminology. *Controlled substance* has the advantage over illegal drug of being the term used in statute; illegal use of a controlled substance thus becomes any use proscribed by the Controlled Substances Act of 1970, as amended. Drug abuse is potentially misleading, suggesting as it does substance abuse, which is not strictly speaking a legal term but a diagnostic one indicating a specific level of involvement; a person can easily run afoul of the law by using a substance in a way that no psychiatrist or psychologist would characterize as abuse, and a diagnosis of abuse is not necessary for adverse psychophysiological effects to begin to manifest themselves in behavior. Substance misuse avoids this potential source of confusion as a general term for all behaviors relevant to the Guideline: illegal use of controlled substances (not just "illegal drugs," as only those on Schedule I are illegal in all cases), use of prescription drugs in ways not approved by a physician (overdosing on one's own medications or using another's without medical warrant), overdosing or otherwise misusing over-the-counter drugs, and use of other substances, chiefly but by no means exclusively inhalants such as airplane glue and "canned air," the consequences of which can be of the same order of harm brought about by illegal substances.

Para 25: Besides following through with use of *substance misuse* in place of *drug abuse*, the recommended revisions here include consistent use of *controlled substance* when referring specifically to illegal acts. Deleting subpara (e) removes the reference to licensed clinical social worker and is thus consistent with the same change in Guideline G. Subpara (g) is in form if not in intent redundant, since formally it says nothing not already said in subpara (a). However, the larger point—which is that, although any substance misuse (drug abuse in the current Guideline) is an issue, it is *more of* an issue if it happens once a clearance has been granted—should not be lost. Accordingly, comparable language is added to para 26 that says substance misuse once a clearance has been granted will not normally be mitigated.

Para 26: A "demonstrated intent not to abuse any drug" is vague; the recommended language attempts to provide some specific shape to what is required: the person's acknowledgement of the misuse, evidence that he or she is doing something that will put it in the past (e.g., has enrolled in a drug rehabilitation program or is otherwise obtaining and following through with counseling), and the emergence of a pattern of abstinence. Included in that pattern of abstinence is a statement of intent to abstain. The present language goes too far in attempting to decide the result of any relapse in advance. Saying instead that it is grounds for revocation is in line with actual practice, but also allows for the admittedly unlikely possibility of mitigating circumstances for the relapse. Adding an explicit acknowledgement of medical marijuana removes an ambiguity in the current Guidelines. The wording both is consistent with current legal practice and is meant to be flexible to accommodate future shifts in policy.

### Guideline I

<u>subpara 28(a) current</u>: behavior that casts doubt on an individual's judgment, reliability, or trustworthiness that is not covered under any other Guideline, including but not limited to emotionally unstable, irresponsible, dysfunctional, violent, paranoid, or bizarre behavior;

<u>subpara 28(a) proposed</u>: behavior that casts doubt on an individual's judgment, reliability, or trustworthiness, including but not limited to irresponsible, violent, paranoid, manipulative, impulsive, chronic lying, deceitful, exploitative, or bizarre behavior;

<u>subpara 28(b) current</u>: an opinion, by a duly qualified mental health professional that the individual has a condition not covered under any other Guideline that may impair judgment, reliability, or trustworthiness;

<u>subpara 28(b) proposed</u>: an opinion, including a prognosis regarding long-term recovery, by a duly qualified mental health professional that the individual has a condition that may impair judgment, reliability, or trustworthiness;

<u>subpara 28(c) current</u>: the individual has failed to follow treatment advice related to a diagnosed emotional, mental, or personality condition, e.g. failure to take prescribed medication.

<u>subpara 28(c) proposed</u>: the individual has failed to follow a prescribed treatment plan related to a diagnosed psychological/psychiatric condition.

add new subpara in para 28: pathological gambling, the associated behaviors of which may include unsuccessful attempts to stop gambling; gambling for increasingly higher stakes, usually in an attempt to cover losses; concealing gambling losses; borrowing or stealing money to fund gambling or pay gambling debts; and family conflict.

<u>subpara 29(d) current</u>: the past emotional instability was a temporary condition (e.g., one caused by a death, illness, or marital breakup), the situation has been resolved, and the individual no longer shows indications of emotional instability;

<u>subpara 29(d) proposed</u>: the past psychological/psychiatric condition was temporary (e.g., one caused by a death, illness, or marital breakup), the situation has been resolved, and the individual no longer shows indications of emotional instability;

<u>subpara 29(e) current</u>: there is no indication of a current problem.

<u>subpara 29(e) proposed</u>: there is no indication of a current problem and the condition is such that recurrence is unlikely.

#### **Rationale**

This Guideline covers *conditions* of psychological and psychiatric interest that adversely impact a person's reliability and trustworthiness. These are conditions that are serious enough to

interfere in a demonstrable way with the exercise of judgment. They often do manifest in problematic behaviors (yet the reverse need not be true, for problematic behaviors do not require an underlying psychological disorder: for example, a person does not have to have one to commit a crime or to fall into financial disorder, although the presence of one might lead to either event). Nonetheless, like Guideline B but unlike any other, it is not necessary for a person to *do* anything for there to be a concern here: that is the consequence of the emphasis on conditions. Diagnoses are important and relevant, but neither the presence nor the absence of one in a given case determines the personnel security outcome: there are diagnosable conditions that, when properly managed, do not preclude access eligibility, just as there are subclinical conditions that call eligibility into question.

An up-to-date Psychological Conditions Guideline is one thing, and that is what has been attempted with the proposed revisions here; however, a Guideline that is broadly effective is a matter of coming to terms with four key challenges, all of which adversely affect the ability of the personnel security process to acquire and properly evaluate the relevant facts relating to a person's mental health. This is not a matter of seeking to make more denials and revocations based on psychological conditions, but rather one of seeking to make more informed decisions, including decisions regarding mitigation, based on accurate, complete, and properly understood information. First, by policy the government itself excludes the reporting of potentially relevant facts: it is certainly true that most—even nearly all—marital, family, and grief counseling is irrelevant to access eligibility, but the presence of such counseling can, at least in conjunction with other issues (e.g. financial stress, alcohol-related incidents, drug use, criminal activity), be relevant in some number of cases. Second, the decision to exclude requiring such reporting itself grows out of the more far-reaching problem of the stigma still attached to any mental health counseling or treatment in the view of many. 144 Third, there is the issue of mental health professionals' concerns for patient privacy that may be violated when conveying sensitive information to third parties, particularly in government, who are not themselves mental health professionals. 45 Finally, and related to the third, is the lack in many agencies of a clear and easily accessible line of communication between those making access eligibility determinations and mental health professionals who have a good understanding of the personnel security process, its concerns, and the criteria it uses in its decision-making. 146

Paras 28 and 29: This Guideline is not a catch-all, nor is it a Guideline of last resort; therefore, focusing it on issues "not covered under any other Guideline" is inappropriate. In fact, issues relevant here *can* be related to other Guidelines: the person whose mental health disorder is related to his shoplifting, for example, or whose problem drinking stems from depression. Recovery is an important consideration when considering someone with a mental health

<sup>&</sup>lt;sup>144</sup> Paul Y. Kim, Thomas W. White, Robert P. Klocko, Lyndon A. Riviere, and Amy B. Adler, "Stigma, Negative Attitudes About Treatment, and Utilization of Mental Health Care Among Soldiers," *Military Psychology*, 23:1, 2011, 65-81.

<sup>&</sup>lt;sup>145</sup> *iSME*, 12.

<sup>&</sup>lt;sup>146</sup> *iSME*, 12.

disorder, including an understanding of the likelihood of recurrence. Treatment plans are more concrete and easier to measure progress against than the more nebulous "advice." The relevant issue is any psychological/psychiatric condition, "emotional, mental, or personality condition" being imprecise and vague.

Para 28 Pathological Gambling: Currently Guideline F includes "compulsive or addictive" gambling as an issue of concern. Pathological gambling is currently classified as an impulse control disorder and is diagnosable as such. It is thus not a financial problem, but a mental health problem, albeit one that almost invariably manifests itself by creating financial stress, and so moving it to Guideline I better reflects what is of concern with it. The disorder would not evaporate if the pathological gambler were to win more than lose and thus raise no financial issue. While the Guideline calls out no other specific diagnosis, the nature of pathological gambling—as a disorder the central feature of which is placing objects of high value (money) at risk—warrants special mention; the personnel security process, after all, seeks assiduously to weed out those who would place objects of high value (classified material) at risk.

### Guideline J

offense;

<u>subpara 31(a) current</u>: a single serious crime or multiple lesser offenses; <u>subpara 31(a) proposed</u>: any criminal conduct resulting in prosecution;

<u>subpara 31(b) current:</u> discharge or dismissal from the Armed Forces under dishonorable conditions;

subpara 31(b) proposed: renumber as 31(d)

<u>subpara 31(c) current</u>: allegation or admission of criminal conduct, regardless of whether the person was formally charged, formally prosecuted, or convicted;

<u>subpara 31(c) proposed</u>: evidence (including but not limited to a credible allegation, an admission, and matters of official record) of criminal conduct, regardless of whether the person was formally charged, prosecuted, or convicted;

<u>subpara 31(d) current</u>: individual is currently on parole or probation; <u>subpara 31(d) proposed</u>: *delete* 

<u>subpara 31(e) current</u>: violation of parole or probation, or failure to complete a courtmandated rehabilitation program;

<u>subpara 31(e) proposed</u>: violation of parole, revocation of parole or probation, or failure to complete a court-mandated rehabilitation program;

add new subpara 31(b): a pattern of minor offenses any one of which on its own would be unlikely to affect an access eligibility decision;

subpara 32(c) current: evidence that the person did not commit the offense; subpara 32(c) proposed: no reliable evidence to support that the person committed the

<u>subpara 32(d) current</u>: there is evidence of successful rehabilitation; including but not limited to the passage of time without recurrence of criminal activity, remorse or restitution, job training or higher education, good employment record, or constructive community involvement.

<u>subpara 32(d) proposed</u>: there is evidence of successful rehabilitation; including but not limited to the passage of time without recurrence of criminal activity, restitution, compliance with the terms of parole or probation, job training or higher education, good employment record, or constructive community involvement.

#### Rationale

Para 31: The recommended changes are an attempt to remove some of the vagueness of the existing language, recognizing that considerable vagueness nonetheless remains. That is an inevitable consequence of the complexity of evaluating acts that range from the all-but-trivial such as a parking ticket to the most serious such as murder and attempting to calibrate their degree of relevance to personnel security decisions. Variations from jurisdiction to jurisdiction in the United States in what constitutes what kind of crime, what is and is not prosecuted, and what does and does not result in a given level of punishment add another degree of complexity. Yet the attitude of a particular jurisdiction about a particular act's seriousness is relevant here, although it is not the main concern: the act itself—what it means for the reliability and trustworthiness of the person who did it—is. The recommended language creates three broad categories. First are acts, no matter what, that were in fact prosecuted; this captures everything that, in a certain place and at a certain time, was thought serious enough to warrant bringing it to court. Second are patterns of minor infractions that by themselves have little significance but that in concert begin to suggest that the person may have a problem with rule-following. Finally are any other criminal acts irrespective of what the judicial system may have done with them or, for that matter, irrespective of whether the judicial system was aware of them. Here the question to be answered is whether a given act, which is also a violation of law, performed by an individual raises doubt about his or her reliability and trustworthiness serious enough to contribute to a denial or revocation of access eligibility.

Para 31 Parole and Probation: The current language identifies parole and probation as issues of concern. As such, however, they are superfluous: neither can occur without some act already relevant to an access eligibility determination being under review. More to the point, parole and probation are not exacerbating conditions, but at worst neutral and at best mitigating: they represent a decision by the judicial system that the person need not be in confinement in order to keep from reoffending. Parole and probation are, in other words, conditions of trust, not issues that increase concern.

Para 32: The present mitigator calling for evidence of innocence in fact requires the proving of a negative, which places innocent people at risk of *unfounded* accusations. *Credible* accusations are already included in the understanding of *evidence* given in para 31. Compliance with the terms of parole or probation suggests rehabilitation. Remorse, on the other hand, is subjective, uncertain, and easy to counterfeit.

### Guideline K

<u>para 33 current:</u> Deliberate or negligent failure to comply with rules and regulations for protecting classified or other sensitive information raises doubt about an individual's trustworthiness, judgment, reliability, or willingness and ability to safeguard such information, and is a serious security concern.

<u>para 33 proposed:</u> Deliberate or negligent failure to comply with rules and regulations for handling protected information—which includes classified and other sensitive government information, but also proprietary information—raises doubt about an individual's trustworthiness, judgment, reliability, or willingness and ability to safeguard such information, and is a serious security concern.

<u>subpara 34(c) current:</u> loading, drafting, editing, modifying, storing, transmitting, or otherwise handling classified reports, data, or other information, including images, on any unapproved equipment including but not limited to any typewriter, word processor, or computer hardware, software, drive, system, gameboard, handheld, "palm" or pocket device or other adjunct equipment;

<u>subpara 34(c) proposed:</u> loading, drafting, editing, modifying, storing, transmitting, or otherwise handling classified or other protected information, including images, on any unapproved equipment or medium;

<u>subpara 34(e) current</u>: copying classified or other protected information in a manner designed to conceal or remove classification or other document control markings;

<u>subpara 34(e) proposed</u>: copying or modifying classified or other protected information in a manner designed to conceal or remove classification or other document control markings;

add new subpara in para 35: the violation was inadvertent, it was promptly reported, there is no evidence of compromise, and it does not suggest a pattern.

#### **Rationale**

Para 33: The intent of the Guideline is to enable assessment of a person's history of handling any information that requires protection, classified in the first instance, but also other kinds of sensitive materials, including the information belonging to organizations outside government that they have determined warrants protection or are under legal mandate to protect. Thus, for example, a person's failures as a bank clerk to protect the account information of the bank's customers would be considered under this Guideline if he or she subsequently required a clearance. The recommended change attempts to make this clear while at the same time trying to remain sufficiently general to be usable.

Para 34: The current list of examples in subpara (c) contains by now obsolete or nearly obsolete technologies; any revised list would almost certainly be out of date in a short time.

Thus it appears best to dispense with any list of examples, the general statement covering any eventuality.

### Guideline L

<u>title current</u>: Outside Activities <u>title proposed</u>: Conflicts of Interest

### **Rationale**

The Guideline does not concern itself with outside activities *per se*, but only with those specific outside activities likely to raise the question of a conflict of interest with a cleared person's national security responsibilities. Hence "Conflicts of Interest" is a more accurate title.

### Guideline M

<u>para 39 current</u>: Noncompliance with rules, procedures, Guidelines or regulations pertaining to information technology systems may raise security concerns about an individual's reliability and trustworthiness, calling into question the willingness or ability to properly protect sensitive systems, networks, and information. Information Technology Systems include all related computer hardware, software, firmware, and data used for the communication, transmission, processing, manipulation, storage, or protection of information.

para 39 proposed: Failure to comply with rules, procedures, Guidelines, or regulations pertaining to information technology systems may raise security concerns about an individual's reliability and trustworthiness, calling into question the willingness or ability to properly protect sensitive systems, networks, and information. For the purposes of this Guideline, an Information Technology System is any computer-based device, including any mobile or wireless device, used to create, store, access, process, manipulate, protect, or move information; this includes any component, whether integrated into a larger system or not, such as hardware, software, or firmware, used to enable or facilitate these operations.

<u>subpara 40(a) current:</u> illegal or unauthorized entry into any information technology system or component thereof;

subpara 40(a) proposed: unauthorized entry into any information technology system;

<u>subpara 40(b) current:</u> illegal or unauthorized modification, destruction, manipulation or denial of access to information, software, firmware, or hardware in an information technology system;

<u>subpara 40(b) proposed:</u> unauthorized modification, destruction, or manipulation of, or denial of access to, an information technology system or any data in such a system;

<u>subpara 40(d) current:</u> downloading, storing, or transmitting classified information on or to any unauthorized software, hardware, or information technology system;

<u>subpara 40(d) proposed:</u> downloading, storing, or transmitting classified or other protected information on or to any unauthorized information technology system;

<u>subpara 40(e) current:</u> unauthorized use of a government or other information technology system;

subpara 40(e) proposed: unauthorized use of any information technology system;

<u>subpara 40(f) current</u>: introduction, removal, or duplication of hardware, firmware, software, or media to or from any information technology system without authorization, when prohibited by rules, procedures, Guidelines or regulations.

<u>subpara 40(f) proposed</u>: introduction, removal, or duplication of hardware, firmware, software, or media to or from any information technology system when prohibited by rules, procedures, Guidelines or regulations or when otherwise not authorized.

### Rationale

The modified definition of *information technology system* permits using the term throughout the Guideline without the need to keep qualifying it. The Guideline remains focused on actual misuse of IT: misuse of government systems (or of those of a non-governmental employer), including attacks from within, are covered by all provisions of the Guideline; attacks from without are covered by in 40(a), (b), and (c); the transmittal of classified or other protected information to unauthorized systems is covered by in 40(d).

### Guideline N

Guideline N is constructed out of language moved from Guideline E, amended as noted. The following reproduces first the complete text of the current Guideline E, then the complete text of the recommended Guideline N.

#### Current Guideline E

### Proposed Guideline N

# Falsification and Other Failure to Cooperate with Security Processes

- 15. The Concern. Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. Of special interest is any failure to provide truthful and candid answers during the security clearance process or any other failure to cooperate with the security clearance process. The following will normally result in an unfavorable clearance action or administrative termination of further processing for clearance eligibility:
- (a) refusal, or failure without reasonable cause, to undergo or cooperate with security processing, including but not limited to meeting with a security investigator for subject interview, completing security forms or releases, and cooperation with medical or psychological evaluation;
- (b) refusal to provide full, frank and truthful answers to lawful questions of investigators, security officials, or other official representatives in connection with a personnel security or trustworthiness determination.
- 16. Conditions that could raise a security concern and may be disqualifying also include:
- (a) deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine security clearance eligibility or trustworthiness,

- 42. The Concern. Any failure to provide truthful and candid answers during security processes or any other failure to cooperate with it raises questions about an individual's reliability, trustworthiness, and willingness to protect classified information. The following will normally result in an unfavorable clearance action or administrative termination of further processing for access eligibility:
- (a) refusal, or failure without reasonable cause, to undergo or cooperate with security processing, including but not limited to meeting with a security investigator for subject interview, completing security forms or releases, and cooperation with medical or psychological evaluation or polygraph examination if authorized and required;
- (b) refusal to provide full, frank and truthful answers to lawful questions of investigators, security officials, or other official representatives in connection with a personnel security or trustworthiness determination.
- 43. Conditions that could raise a security concern and may be disqualifying also include:
- (a) deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine security clearance eligibility or trustworthiness,

#### Current Guideline E

#### Proposed Guideline N

or award fiduciary responsibilities;

- (b) deliberately providing false or misleading information concerning relevant facts to an employer, investigator, security official, competent medical authority, or other official government representative;
- (c) credible adverse information in several adjudicative issue areas that is not sufficient for an adverse determination under any other single Guideline, but which, when considered as a whole, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information;
- (d) credible adverse information that is not explicitly covered under any other Guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available information supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information. This includes but is not limited to consideration of:
- (1) untrustworthy or unreliable behavior to include breach of client confidentiality, release of proprietary information, unauthorized release of sensitive corporate or other government protected information;
- (2) disruptive, violent, or other inappropriate behavior in the workplace;
- (3) a pattern of dishonesty or rule violations;
- (4) evidence of significant misuse of Government or other employer's time or resources;
- (e) personal conduct or concealment of information about one's conduct, that creates a vulnerability to exploitation, manipulation, or duress, such as
  - (1) engaging in activities which, if

or award fiduciary responsibilities;

(b) deliberately providing false or misleading information concerning relevant facts to an employer, investigator, security official, mental health professional involved in making a recommendation relevant to access eligibility, or other official government representative.

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#### Proposed Guideline N

known, may affect the person's personal, professional, or community standing, or

- (2) while in another country, engaging in any activity that is illegal in that country or that is legal in that country but illegal in the United States and may serve as a basis for exploitation or pressure by the foreign security or intelligence service or other group;
- (f) violation of a written or recorded commitment made by the individual to the employer as a condition of employment;
- (g) association with persons involved in criminal activity.
- 17. Conditions that could mitigate security concerns include:
- (a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts:
- (b) the refusal or failure to cooperate, omission, or concealment was caused or significantly contributed to by improper or inadequate advice of authorized personnel or legal counsel advising or instructing the individual specifically concerning the security clearance process. Upon being made aware of the requirement to cooperate or provide the information, the individual cooperated fully and truthfully;
- (c) the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;
- (d) the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that caused untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur;
- (e) the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress;
  - (f) the information was unsubstantiated or

- 44. Conditions that could mitigate security concerns include:
- (a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts:
- (b) the refusal or failure to cooperate, the omission, or the concealment was caused or significantly contributed to by advice of legal counsel or of a person with professional responsibilities for advising or instructing the individual specifically concerning security processes. Upon being made aware of the requirement to cooperate or provide the information, the individual cooperated fully and truthfully.

Current Guideline E	Proposed Guideline N
from a source of questionable reliability;	
(g) association with persons involved in	
criminal activities has ceased or occurs under	
circumstances that do not cast doubt upon the	
individual's reliability, trustworthiness, judgment,	
or willingness to comply with rules and regu-	
lations.	

#### Rationale

The Intelligence Community in 1980 included "obscur[ing] pertinent or significant facts by falsifying data, i.e. on the Personnel History Statement by either omission or false entry" as one example of behavior relevant to what it called "Undesirable Character Traits." In 1992 a separate Guideline was created, "Failure to Cooperate," which addressed instances where a person refused to submit forms or undergo processing. Both falsification and refusal were combined and included as part of "Personal Conduct" in the 1994 revision that served as one basis for the 1997 national Adjudicative Guidelines. However, even by that time it was clear that obstructing the security process in whatever way was not simply one example of some generic problem, but itself an act that struck at the integrity of the personnel security process. Segregating it into a separate Guideline helps underscore its seriousness and make clear its status as a separate issue for which access eligibility can be denied or revoked.

Para 43: The use of "competent medical authority" raises questions that obscure what is sought. There are no physical qualifications for access eligibility; however, an assessment of mental health can be relevant, hence the recommended change. Agencies, of course, may establish physical standards for applicants and even conduct their own examinations, and someone lying about a relevant physical condition would be a concern. But that concern relates to qualifications for employment.

Para 44: When a person initially refuses to cooperate with processing based on advice, a judgment about its quality ("improper or inadequate") or about the person giving it ("authorized") is irrelevant. The mitigator applies regardless.

<sup>&</sup>lt;sup>147</sup> Annex A to DCID 1/14, 19 March 1980, 11.

<sup>&</sup>lt;sup>148</sup> Annex A to DCID 1/14, 12 August 1994, n.p.

### **OPTIONS FOR RESTRUCTURING**

Guidelines are not discrete, they contain overlapping elements, and the presence of these elements raises the question whether the Guidelines might not be parsed differently, in a way that better associates like with like and thus simplifies their use. While thinking of DUIs, for example, we might conclude that Alcohol Consumption should be folded into Criminal Conduct, until recalling that a good deal of what is covered in Alcohol Consumption has nothing to do with crime, that in fact Psychological Conditions might be a better fit, but then recalling that problem drinking is properly a mental health issue only when it approaches or meets certain diagnostic criteria. Yet, even before a diagnosis of alcohol abuse or dependence is appropriate, examining alcohol-related incidents through a psychological filter might prove valuable, so moving Guideline G into Guideline I might make sense after all. Then again, it might not: it all depends on whether doing so better informs personnel security decisionmaking, and "better informs" is a slippery concept.

If any attempt to create an arrangement of Guidelines in such a way that they follow some clear and logical pattern will at best be approximate, there are nonetheless familial relationships among Guidelines that can prove useful, at least under certain circumstances and for certain purposes. As a case in point, to facilitate the literature review and focus groups for this project, we developed clusters of Guidelines: National Conflict (A, B, C, L), Psychosocial Considerations (the part of D dealing with psychosexual disorders, G, H, I), Criminal Behavior (the part of D dealing with sexual crime, J, M), Financial Considerations (F), and Other Considerations (E, K). The organization of this report is a variation on that scheme, chosen with a view to supporting the policy discussions meant to ensue while remaining agnostic on the issue of whether the Guidelines themselves would be better organized that way. Thus the relevant question remains whether such arrangements, however useful for study, would do anything to make them more useful to those who have to work with them every day. The following explores options, several for combining Guidelines and one for rearranging the set as a whole; it makes no recommendations but briefly lays out advantages and disadvantages in a way meant to encourage discussion. Nothing here, if adopted, would affect the substance of any of the recommendations made above.

### **Potential Pairings**

There are several subsets of Guidelines similar enough to warrant exploring whether combining them might prove advantageous.

#### B and C

Both Guidelines B and C address foreign associations: questions of exposure to foreigners and foreign environments, business, and travel in B, questions of status as a person with formal foreign ties in C. Conceptually they could be combined into a single "Foreign Associations" Guideline, creating a single place to look whenever *any* foreign connection arose. If it is difficult to imagine someone who meets any of the criteria of C for whom B is not also relevant, the opposite is not true. Whether or not to preserve separate Guidelines depends on the value of having a separate Guideline to deal with people whose foreign associations cross the line of having an official status in a foreign country.

#### C and L

Both Guidelines C and L deal with circumstances in which individuals have made a decision to identify themselves in some way with a foreign interest. It is more formal and official with C than with L (and it is possible, although unlikely, for the interest *not* to be foreign with L), but in both Guidelines, in most cases, a relationship exists that is voluntary and although problematic in some cases of dual citizenship, as we have seen—severable. It is this element of choice that draws the two Guidelines together.

#### G and H

The misuse of alcohol and the misuse of drugs create the same types of problems, both take the clinical forms of abuse and dependence when they get that far, and their ancillary consequences are part of the same spectrum. Only social convention and legal status distinguish the two. Combining the two into a single Guideline would underscore their similarity, placing them on the same footing, and making it more difficult to justify any tendency to apply different levels of tolerance to similar behaviors. Yet social convention and legal status are not trivial matters and have a place when considering otherwise identical cases. Even the casual user of drugs is committing a crime of the type for which others are in federal penitentiary; no casual user of alcohol is, at least for that reason alone. 149

<sup>149</sup> eSME.	30.		

#### D and I; D and J

Guideline D applies in part to psychosexual disorders (whether or not criminal conduct is involved) and in part to sexual crimes (whether or not a psychosexual disorder is present). Whether to sever these two halves and incorporate them respectively into the Psychological Conditions and Criminal Conduct Guidelines depends on the importance to personnel security decisions of separately identifying problematic sexual behavior irrespective of its type. The Guideline itself evolved out of the long since obsolete practice of excluding homosexuals from access eligibility. Arguing in favor of retaining the Guideline is the ability to call out a few extreme forms of otherwise irrelevant behavior as of concern; arguing against it is its implication that the personnel security system considers itself entitled to examine the sexual life of anyone being considered for access eligibility irrespective of its relevance to the question at hand.

#### K and N

The recommendations call for creating a separate Guideline N, "Falsification and Other Failure to Cooperate with Security Processes" out of material currently contained in Guideline E. An alternative would be instead to add that material to Guideline K, thus placing both violating security rules and creating impediments to security under a single heading. This has the advantage of placing similar things together, but works against one of the perceived advantages of a separate Guideline N, which is to underscore the seriousness of attempts to short-circuit security processes.

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<sup>&</sup>lt;sup>150</sup> Theodore R. Sarbin, *Homosexuality and Personnel Security*, PERSEREC, 1991, 5 and passim.

### **Potential Rearrangement**

The Guidelines as they now exist are arranged in only a rough semblance of order: direct assaults against the U.S. at the front, followed by the at least implicitly related foreign associations (except for the foreign associations in Guideline L, which owes its place to its not having been created until 1986); drugs and alcohol are together—and next to the related psychological conditions—but sex is close to neither of its two components, the rest appear haphazardly placed. While there may be no foolproof arrangement, at least one potential reordering does go some way toward creating a more logical structure. Whether any advantages created by adopting it (or some variant of it) would outweigh the costs of abandoning the by now familiar and comfortable series of alphabetical designators is a separate—but perhaps the decisive—matter. This arrangement establishes eight classes of issues, arranged in rough order of their *direct* relevance to national security matters. Security matters come forward, finances and personal behavior move down. Five of the classes deal with a single Guideline topic: each of these is then its own Guideline. Three, however, contain multiple Guidelines. Crime is placed next to psychosocial issues to acknowledge the criminal aspects of some of the behavior in that class. What is now Guideline L is considered a foreign associations issue.

Table 18 lays out the arrangement.

**Table 18: Guidelines Reordered** 

Class		Guideline					
I	Crimes against the U.S.	Α	Crimes against the U.S.				
		В	Influence				
II	Foreign associations	C	Official activity				
		L	Conflict of interest				
III	Sagurity matters	K	Violations				
111	Security matters	N	Falsification and Noncooperation				
IV	Misuse of IT Systems	M	Misuse of IT Systems				
V	Crime	J	Crime				
		I	Psychological				
VI	Dayahasaaial issuas	G	Alcohol				
V I	Psychosocial issues	Н	Drugs				
		D	Sex				
VII	Finances	F	Finances				
VIII	Personal behavior	Е	Personal behavior				

### APPENDIX A: DETAILED METHODOLOGY

The following describes the methodology undertaken for each of the three componentsthe literature review, the focus groups with experts in domains relevant to the Guidelines but who are not personnel security experts, and focus groups with senior security professionals.

### **Independent Literature Review**

To encourage an independent review of the research literature the ODNI SSD Research Program sought out an external consulting firm to conduct a review of scholarly literature relevant to the Adjudicative Guidelines. The ODNI SSD research program solicited sample reports from several industrial/organizational consulting companies, familiarized themselves with the qualifications and educational background of staff researchers, and reviewed the companies' clientele. When possible, research program staff consulted with other government agencies who had utilized company services. Based on this review, the ODNI Research Program selected a company specializing in organizational consulting with a strong industrial-organizational psychology focus and experienced in translating research literature to operational personnel selection and assessment issues.

The ODNI Research Program provided instruction to the consultant to review the social and behavioral sciences literature, both empirical and conceptual, deemed pertinent to the association of indicators noted in the Adjudicative Guideline (Clusters I-IV) and an individual's ability to safeguard classified national security information. <sup>151</sup> In their review the consultant was asked to further identify any emerging factors not currently considered within the Adjudicative Guidelines but may be associated with security risk. Consistent with the "whole person concept," this included associations between both positive and negative indicators.

Throughout the review the consultant conferred with ODNI SSD Research Program staff to ensure appropriate scope of the literature reviewed. Because of this ongoing and iterative process, the literature search was not constrained to a set number of keyword searches or predetermined databases. In addition to academic research articles, the ODNI SSD Research Program provided a number of Unclassified government reports. <sup>152</sup>

The consultant structured resultant literature into a three—tiered system: Level 1 evidence, which contained resources examining the association of behaviors noted in the Guidelines with specific adverse security acts, ranging from security violations to espionage. Level 2 evidence included resources that examined behaviors noted in the Guidelines and their

<sup>&</sup>lt;sup>151</sup> There was no literature review for Cluster V, Miscellaneous. It was determined that Guideline E is diffuse, and material relevant to its many concerns was likely to surface in other clusters. Further, Guideline K would yield little to inform the security relevance of security violations.

<sup>&</sup>lt;sup>152</sup> To encourage a better understanding of the prevalence of indicators noted in the Guidelines, the ODNI SSD Research Program also provided the consultant with anonymized background investigation data.

association to behaviors analogous with adverse security practices, such as counterproductive work behaviors, workplace deviance, workplace aggression, workplace safety, organizational citizenship, and white collar crime. Level 3 evidence included research examining factors assumed to be *underlying* the behaviors noted in the Guidelines, and their association to analogous adverse security practices. For example, the extent to which a personality attribute predicts counter-productive work behavior.

### **Focus Groups with External Subject Matter Experts**

To identify potential participants ODNI SSD Research Program reviewed the relevant literature, conferred solicited recommendations from colleagues, and when possible contacted candidates directly to learn more about their knowledge base in a particular domain. Candidates were ranked by the ODNI SSD Research Program staff according to demonstrated expertise and the perceived value of contributions (to include representation of diverse viewpoints on major issues). In rank order, candidates were contacted by email with a formal invitation to participate as a subject matter expert in a one-day focus group to contribute to discussions surrounding their area of expertise and its relevance to the policy that governs the way an individual is vetted for a security clearance. Participants were offered reimbursement for travel, lodging, and a *per diem* allowance for food and incidentals. 52 percent of those invited declined participation.<sup>153</sup>

Based on recommendations by the focus group facilitator, groups were constrained to no more than 12 individuals. All participants were provided with the Adjudicative Guidelines and list of discussion questions in preparation for the focus group. A list of those who participated appears in Appendix B.

To encourage impartiality, the ODNI SSD Research Program contracted with an experienced professional facilitator to lead all External Subject Matter Focus Groups. The focus groups were all day-sessions (Cluster II included a half-day follow-up session), led by the facilitator. The ODNI SSD research program reviewed, and if necessary revised the agenda prior to each focus group. During the focus groups the facilitator further consulted with the ODNI SSD Research Program staff to ensure that the discussion adequately covered areas of interest. The ODNI SSD Research Program invited a senior security professional well acquainted with the Adjudicative Guidelines and the adjudications process not affiliated with the ODNI SSD Research Program to chair focus group meetings whose role was to provide context whenever appropriate.

Participants were told that discussions would be recorded by note takers and were instructed to notify the facilitator if they preferred any comment or comments to be recorded without attribution. The focus groups and individual sessions were structured around the three questions posited earlier:

- 1. What should we be aware of or looking at generically in terms of each of the Guidelines while not thwarting other national security interests?
- 2. What are we not thinking about that we should be in this regard?
- 3. What are we thinking about that we should be considering differently?

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<sup>&</sup>lt;sup>153</sup> Focus groups of academic and professional experts were conducted for Clusters I, II, and III; for Cluster IV, we interviewed academics individually who had an interest in the relationship between financial behavior and access eligibility.

At least two note-takers attended each focus group. A minutes document was compiled using these notes and reviewed by ODNI SSD Research Program staff in attendance. Minutes documents were then distributed to participants for revision or clarification.

### **Focus Groups with Personnel Security Professionals**

Email invitations were sent to Personnel Security Directors of intelligence, defense, and nuclear communities, as well as civilian agencies. Based on recommendations by the focus group facilitator, groups were constrained to no more than 12 individuals. All participants were provided with the list of discussion questions in preparation for the focus group. A list of those who participated appears in Appendix C. <sup>154</sup>

Internal focus group sessions addressed all five clusters, with an additional sixth session to consider overarching issues such as sequence and structure: whether to change the order of the Guidelines to facilitate their logical flow, whether to combine some and divide others, whether to move elements of one into another, and so on. The organization of the internal focus groups paralleled that used for the external: the facilitator consulted with the ODNI SSD Research program prior to and during the focus group and the same three questions structured each session. The facilitator for the external groups led the internal ones, and the same senior security professional chaired these groups, providing context whenever appropriate.

All internal focus groups were conducted on a non-attribution basis because their intent was to extract expert opinion through guided discussion, not solicit agency positions. This means that the minutes of the sessions while capturing the points raised, do not record the contributions of individual participants. Similar to the focus groups with external subject matter experts, at least two note-takers attended each focus group. A minutes document was compiled using these notes.

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<sup>&</sup>lt;sup>154</sup> Agencies sending participants: Central Intelligence Agency, Department of Homeland Security, Defense Intelligence Agency, Department of Defense, Department of Energy, Department of Justice, Department of State, Federal Bureau of Investigation, Department of Health and Human Services, National Geospatial-Intelligence Agency, National Reconnaissance Office, National Security Agency, Office of the Director of National Intelligence, Office of the National Counterintelligence Executive, Office of Personnel Management, and Department of the Treasury.

### APPENDICES B, C, D

Appendices B, C, and D appear as separate volumes, as follows:

- Appendix B Literature Review
  - Part 1 Foundations for Literature Review of Adjudicative Guidelines
  - Part 2 The National Conflict Cluster
  - Part 3 The Psychosocial Considerations Cluster
  - Part 4 The Criminal Behavior Cluster
  - Part 5 The Financial Considerations Cluster
  - Part 6 Adjudicative Guidelines Literature Review: Preliminary Recommendations
- Appendix C External Subject Matter Experts
  - Part 1 Focus Group and Interview Session Notes
  - Part 2 Biographical Sketches of Participants

Appendix D – Internal Subject Matter Experts Focus Group Session Notes

**UNCLASSIFIED** 

Office of the Director of National Intelligence

# Examination of the Adjudicative Guidelines

Appendix B Part 1
Foundations for Literature Review of the Adjudicative Guidelines

LEADING INTELLIGENCE INTEGRATION

March 2011

ONCIX Special Security Directorate Research Program

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#### I. PROJECT OBJECTIVES

This project has two overarching purposes. The first is to investigate and provide an evaluative summary of the non-classified research literature about the linkage between the 13 Adjudicative Guidelines used as the bases for security clearance decisions and subsequent security violation behavior (SVB) and security citizenship behavior (SCB). The second is to offer recommendations, based on the evaluative summary of the research literature, about potential improvements in the Guidelines

### Purpose 1: Evaluative Summary of Research Literature

A primary focus of this project is on research literatures in a variety of social science disciplines that provide empirical or conceptual evidence about the relationship between the Guidelines and SVB/SCB. These disciplines include, among others, clinical psychology, industrial-organizational psychology, sociology, criminology, forensics and security industry research. Empirical research and conceptual research are both within the scope of this effort. Empirical research provides evidence showing the extent to which reliance on the 13 Guidelines to inform clearance decisions affects the subsequent behavior of persons with access to classified information. Conceptual evidence evaluates theoretical rationales offered to explain how investigative evidence based on the Guidelines is expected to predict SVB and/or SCB. Both types of evidence have value and are included in the project.

This project is conducted in the context of the policies and practices for the current use of the Guidelines (ADR, 2005). In brief summary, these policies and practices have established that the Guidelines should serve to minimize SVB as well as maximize SCB in the form of the Whole Person Concept. The literature search effort in this project has sought out research relevant to both imperatives. For example, extensive personnel selection research has investigated the personal attributes that lead employees to act as good citizens of their organizations. At the same time, other literatures, such as criminology, have investigated the personal attributes that lead some to commit criminal actions, including betrayals of trust comparable to SVB. Research applicable to both negative SVB and positive SCB is important for the purposes of this project.

### **Purpose 2: Evidence-Based Recommendations**

Based on the evaluative summary of the relevant literatures, recommendations are offered about possible improvements in the definitions and use of the Guidelines. All recommendations are derived from evidence gathered in the literature search process.

All recommendations are based on two primary standards, (a) a linkage to research-based evidence and (b) the potential impact on the adjudication process. The first standard is the straightforward requirement that all recommendations be consistent with a reasonable, professional interpretation of the available, relevant research literature. These recommendations are to be evidence-based. The second standard requires that each recommendation be about an issue of practical importance for the success of the security clearance process. Success maybe driven by a number of factors including the accuracy of clearance decisions (i.e., awarding clearances to people who will demonstrate SCB and denying clearances to people who would have demonstrated SVB), the time/cost of the clearance process, consistency with governing policy and the ease and consistency with which adjudicators make clearance decisions.

### **Scope of Project**

There are practical limitations to the scope of this project. For a variety of reasons, this project does not target investigation processes, adjudicators' decision making processes, or organizational policies and strategies, especially those outside the authority of the DNI SSC organization that sponsored this project. The scope of the project focuses on an evaluative summary of the research literature providing evidence about the linkage between the Guidelines and SVB and SCB.

### II. APPROACH

This project has tailored its approach to the content of the Guidelines and the diversity of relevant research.

#### **Clusters of Similar Guidelines**

This project sought to capitalize on commonalities among the Guidelines. The vast majority of historical research on the Adjudicative Guidelines treats them as 13 relatively separate, distinct factors in adjudicating clearance decisions. Indeed, to a great extent, the Guidelines are operationally defined in the ADR to minimize their overlap. (See the empirical evidence about SSBI issues below.) Nevertheless, there are at least two natural clusters of related Guidelines. This project organized its White Papers around these natural groupings of guidelines in the following manner.

#### White Paper 1

Cluster 1: National Conflict

- A. Allegiance to the US
- B. Foreign Influence
- C. Foreign Preference
- L. Outside Activities

#### White Paper 2

Cluster 2: Risky Behavior

- D. Sexual Behavior (Disorder)
- G. Alcohol Consumption
- H. Drug Involvement
- I. Psychological Conditions

#### White Paper 3

Cluster 3: Financial Behavior

F. Financial Considerations

### White Paper 4

Cluster 4: Criminality

J. Criminal Conduct

D. Sexual Behavior (Criminal)

Cluster 5: IT Abuse

M. Use of IT Systems

No White Paper *Other* 

E. Personal Conduct

K. Handling Protected Information

Except White Paper 3, each White Paper summarizes research and makes recommendations about a group of Guidelines that have common elements. The purpose of this grouping was to take advantage of commonalities across Guidelines. These commonalities mean that certain literatures will be relevant to all Guidelines within a cluster and may lead to recommendations relevant to the whole cluster of Guidelines. For example, literature on the role of psychological disorders in emerging counter-normative behavior is directly relevant to the manner in which all Risky Behavior Guidelines may be predictive of SVB. Similarly, recommendations about the definition and use of Guidelines may be influenced by the similarity in meaning among related Guidelines. While White papers will capitalize on commonalities within a cluster of Guidelines, each White Paper will also summarize the research literature and offer recommendations specific to each Guideline. The White Paper authors are mindful of the reality that the 13 Adjudication Guidelines are, in many respects, managed individually by the supporting organizations.

### **Types of Evidence**

The second major aspect of this project's approach is based on the different levels of evidence that have emerged from the literature search effort. Unlike the Guidelines cluster approach, which was established in the planning stages in concert with the DNI SSC client, the approach based on levels of evidence emerged in the early stages of the project work. Within the first month of the literature search work, the project analysts began to recognize key differences among the various kinds of evidence relevant to the Guidelines. An important distinction was between the characteristics of strong evidence versus weaker, but still relevant, evidence. The "strength" of evidence refers to the persuasiveness with which any particular research study supports the claim that behavioral indicators associated with the Guidelines are predictive of later SVB, SCB or both. (Clearance decisions are similar to employment decisions in that both are based on a prediction assumption that decisions about people today will impact organization outcomes tomorrow only if today's decisions are based on personal attributes that lead to, or are predictive of, tomorrow's behavior. This prediction perspective underlies the majority of the social science research about the behavior of people in organizations or other social contexts.)

For the purposes of this project, evidence relevant to the Guidelines' impact on subsequent security behavior is divided into three "strength" levels. Level 1 is more persuasive than Level 2, which in turn is more persuasive than Level 3. The Levels are distinguished by the extent to which the evidence is directly applicable to the relationship between Guidelines-based behaviors as captured by the investigation processes that produce the applicant's adjudicative evidence record and behavior directly affecting national security for positive or negative. Empirical and conceptual evidence can both be at any Level. While this Level-based approach is designed to distinguish the more persuasive evidence from less persuasive evidence, it is also true that within levels there are differences in the persuasiveness of individual studies.

#### Level 1 Evidence

Level 1 evidence is based on measures of Guidelines-based behavior and national security behavior. It directly captures the two sets of behaviors of interest. It does not require inferences from underlying attributes, constructs or concepts to either set of behaviors of interest. The prototypic empirical example of Level 1 evidence would be a study in which, say, applicants' SSBI issues were scored, tracked and correlated with later SVB and/or SCB behaviors in the classified work context. Unfortunately, to our knowledge no such empirical study has been reported. A more conceptual and somewhat less persuasive form of Level 1 evidence is that reported in the occasional case studies of espionage (Wood & Wiskoff, 1992; Herbig & Wiskoff, 2001; Herbig, 2008). In these case studies, examples of caught spies are analyzed in a number of ways including reviews of past behavior records, interviews, and current and past psychological assessments. For purposes of this project, we treat these case studies as Level 1 evidence because they involve direct assessments of security behavior and the behaviors that would be gathered in clearance investigations. However, because these are postdictive

studies; rely on ad hoc assessments of security behavior and personal histories; and usually do not compare security violators to non-violators, these are not as persuasive of the predictive value of the Guidelines as would be a predictive study with standardized measures of the behaviors of interest.

#### Level 2 Evidence

Level 2 evidence is based on Guidelines-based behaviors, like Level 1, but is not based on national security behavior. Rather, Level 2 evidence demonstrates relationships between Guidelines-based behavior and non-security behavior that is similar to security behavior in important ways. An example of Level 2 evidence is a study in which criminal record or job stability record – both of which would also be gathered in a Guidelines-based investigation – is shown to be predictive of later organization citizenship behavior in an employment context. This evidence is not as persuasive as Level 1 evidence because the organization citizenship behavior, say, volunteering for unpaid service on behalf of the organization, is not the same as security citizenship behavior. An additional inference is required to conclude that, because criminal/job stability behavior is predictive of organization citizenship behavior, it would also be predictive of security citizenship behavior. This may be a plausible inference if it is plausible to assume that organization citizenship behavior is an analog of security behavior and is caused by many of the same underlying person attributes as cause security citizenship behavior. Compared to Level 1 evidence, Level 2 evidence requires at least one additional linking inference, which generally weakens its persuasiveness.

#### Level 3 Evidence

Level 3 evidence measures neither Guidelines-based behavior (predictor) nor national security behavior (criterion). Unlike Level 2 evidence, Level 3 evidence uses predictor measures that are assumed to be underlying predictors of the unmeasured Guidelines behaviors. Like Level 2 evidence, Level 3 evidence measures analogs to the unmeasured security behavior. For example, a typical Level 3 study might measure personal stability using a personality inventory and might investigate the extent to which that measure of personal stability predicts later counterproductive work behavior. In order for this example of Level 3 evidence to be relevant to this project, the personality inventory measure of personal stability must be seen as a personal attribute that is manifested in Guidelines-based behaviors such as job change. Similarly, like Level 2, this example would have been seen as relevant to this project to the extent the outcome measure of counterproductive work behavior was an analog to national security behavior, with both being a function of the same underlying personal attributes.

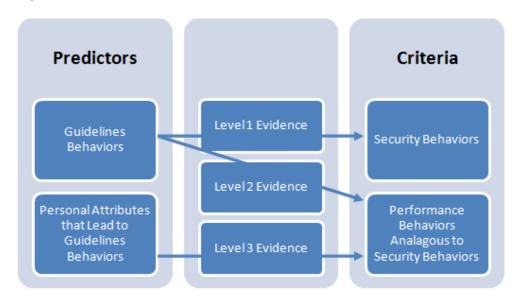
The large majority of empirical research evidence reported in this project is Level 3 evidence that satisfies two requirements. First, there must be a plausible rationale that the predictor measure, personal stability in the above example, is an underlying cause of the types of behaviors measured by Guidelines-based investigations. Second, there must be a plausible

rationale that the criterion measure, counterproductive behavior in the above example, is analogous to national security violations and depends on at least some of the same underlying personal attributes.

These three levels of evidence are schematically represented in the figure below.

Figure 1. Schematic representation of levels of evidence.

Figure 1: Levels of Evidence



### The Prediction Perspective

A prediction perspective underlies this project's definition of the relevance of a Guideline to subsequent security behavior. For the purposes of this project, a Guideline is relevant to security behavior to the extent there is persuasive evidence that Guideline-based behavior predicts later SVB, SCB or both. From this perspective, the intent of Guidelines is to identify personal history behaviors that are antecedents to later security behavior.

At the same time, we are mindful that at least one other rationale can be used to establish a Guideline's relevance to security behavior. Clear, reasonable policies based on accepted national interests may be used to establish the relevance of a Guideline or a specific risk condition. Much as conventional, non-empirical rules of evidence in a court of law are used to establish guilt or innocence, so may compelling, reasonable policies about clearance decisions be used to support the use of a Guideline. For example, a policy that evidence of past violations of national security rules shall disqualify a person from receiving a clearance does not require evidence of prediction to justify the associated Guideline. It is, perhaps, for this very reason that two current Guidelines, Personal Conduct and Security Violations, are not a focus of this research-based project. A strong policy-based argument can be made supporting the use of these two Guidelines. To be sure, the support for all Guidelines would benefit from prediction evidence. But that is especially true for the 11 Guidelines targeted by this project.

### **Empirical Patterns of SSBI Investigation Issues**

An important background for any investigation of and recommendations about the Adjudicative Guidelines is a basic understanding of the empirical relationships among the Guidelines themselves. Do Guidelines overlap empirically? That is, do any two Guidelines tend to identify the same applicants as having serious issues? Or, do any two Guidelines produce unique evidence about applicants such that serious issues on one Guideline do not identify the same applicants as serious issues on the other Guideline? Such empirical relationships between Guidelines based on the behaviors identified among serious issues are important considerations when offering explanations for linking Guidelines to security behavior and when making recommendations about possible modifications to the Guidelines or their use.

Castelda's (2009) analyses of two recent samples of Single Scope Background Investigations (SSBI) provided a starting point. Two samples of SSBI investigative case files were analyzed to determine the frequencies with which SSBI issues were associated with each of the 13 Guidelines. The larger sample, Sample A, consisted of 4,247 clearance applicants whose cases were currently open at three federal agencies and were likely to close within 90 days. The smaller sample, Sample B, consisted of a separate group of 1,437 security applicants with currently open cases expected to close within 90 days. There were two significant differences between Samples A and B. Sample A included issues sourced from electronic data providers, which were not included in Sample B. Conversely, Sample B included issues applicants self-reported during polygraph exams, which were not included in Sample A. Table 1 shows the distributions of all issues in these two samples.

Table 1 also shows the distribution of SSBI issues in a special sample, Sample B-2, provided to EASI•Consult® for additional analyses. Sample B-2 is a subset of Sample B from which security applicants were excluded for whom polygraph information was used in Sample B. Sample B-2 consisted of 1,084 of the 1,437 security applicants in Sample B.

Table 1. The Number and Percentage of SSBI Issues in Samples A, B and B-2

	Carre	Sample A		1. D		Sample B-2			
Guideline		pie A 1,247)		ple B [,437]	All I	ssues	Important <sup>1</sup> Issues		
Guidenne	(11-	r,2 <del>-</del> 77)	(11-1	,,,,,,,	(N=1)	,084)	(N	I=398)	
	N	%	N	%	N	%	N	%	
		1. Nat	ional Cor	ıflict					
A. Allegiance to US	1	0.0%	0	0.0%	0	0.0%	0	0.0%	
B. Foreign Influence	2039	33.1%	425	16.3%	339	16.9%	35	7.6%	
C. Foreign Preference	112	1.8%	24	0.9%	24	1.2%	8	1.7%	
L. Outside Activities	1	0.0%	3	0.1%	3	0.1%	1	0.2%	
		2. Ri	sky Behav	vior					
D. Sexual Behavior	16	0.3%	33	1.3%	9	0.4%	4	0.9%	
G. Alcohol Consump.	478	7.8%	194	7.4%	142	7.1%	54	11.7%	
H. Drug Involvement	833	13.5%	443	17.0%	310	15.4%	36	7.8%	
I. Psych. Conditions	377 6.1% 200		7.7%	182	9.1%	44	9.5%		
3. Financial Behavior									
F. Financial Consider.	846	13.8%	420	16.1%	342	17.0%	113	24.4%	

	Sam	nlo A	Sam	nla P	Sample B-2					
Guideline		ple A 1,247)		ple B 1,437)	All I	All Issues Important <sup>1</sup> Iss				
Guideinie	(11-4	1,247)	(11-1	,437)	(N=1)	,084)	(N	=398)		
	N	%	N	%	N	%	N	%		
	4. Criminal Behavior									
J. Criminal Conduct	707	11.5%	549	21.0%	366	18.2%	95	20.5%		
		5.	IT Abuse	?						
M. Use of IT Systems	19	0.3%	8	0.3%	5	0.2%	2	0.4%		
			Others							
E. Personal Conduct	640	10.4%	294	11.3%	274	13.6%	62	13.4%		
K. Handling Protected Info.	82	1.3%	16	0.6%	12	0.6%	9	1.9%		
Total # Issues	6,151	100%	2,609	100%	2,008	100%	463	100%		

<sup>1.</sup> Important issues include issues with Seriousness ratings of Significant ("3"), Serious ("4") or Highly Serious ("5").

Finally, Table 1 also shows the distribution of important issues for those 398 applicants who had one or more issues rated as either Significant (Rating = 3), Serious (Rating = 4) or Highly Serious (Rating = 5).

Across all samples, the Guidelines consistently yielding the smallest percentage of issues (whether important or not) are: A. Allegiance to the US, L. Outside Activities, M. Use of IT Systems, and K. Handling Protected Information. The Guidelines consistently yielding the largest percentage of issues are: F. Financial Considerations, J. Criminal Conduct and E. Personal Conduct. For some Guidelines, their relative frequency among important issues is noticeably different than among all issues. G. Alcohol Consumption and F. Financial Considerations become relatively more prominent among important issues; B. Foreign Influence and H. Drug Involvement become relatively less prominent among important issues. It is also noteworthy that the average number of issues per applicant is 1.44 in Sample A, 1.81 in Sample B and 1.85 in Sample B-2. The average number of important issues per applicant is 0.43, i.e., 463/1084. These results reflect the fact that SSBI issues, especially important issues, are quite infrequent among the myriad pieces of information that turn up about applicants in SSBI investigations. Similarly, security violations in the form of espionage convictions are rare – perhaps no more than 50 per year among the several million cleared people (Herbig, 2008). In effect, the predictor measures - SSBI issues - and the most available criterion measure espionage convictions – are extremely skewed. Predicting rare instances of espionage from infrequent instances of serious adjudicative issues is analogous to looking for the proverbial needle in a haystack but being able to look through only 3 or 4 small holes in the haystack.

Table 1 reports information about issues associated with each Guideline, independent of other Guidelines. But information about the empirical overlap among the Guidelines is also valuable. Information about the overlap among Guidelines would shed light on possible redundancy and/or uniqueness among the Guidelines. For example, evidence that two Guidelines reveal important issues for the same applicants would suggest that one of the two may not be needed or that both are manifestations of the same underlying person and context attributes and perhaps could be more efficiently managed as a single Guideline.

EASI•Consult® used Sample B-2 to analyze the empirical overlap in issues between all pairs of Guidelines. To properly interpret these analyses, it is important to understand the meaning of empirical overlap in the context of the Adjudicative Guidelines. Empirical overlap does not mean that two Guidelines reveal the same information about an applicant. After all, the ADR's instructions for the investigation of each Guideline go to great lengths to differentiate the types of personal history information targeted by each Guideline. Well managed investigations complying with ADR instructions should, by definition, yield different pieces of information about an applicant.

Empirical overlap among Adjudicative Guidelines refers to the extent to which any two Guidelines produce evidence leading to the same clearance decisions. (This is a purely empirical definition of overlap that is independent of the meaning of the Guidelines. In contrast, the White Papers that follow this Foundations Paper go to great lengths to explore similarities and differences in meaning among the Guidelines as bases for making recommendations about the use of the Guidelines. Nevertheless, recommendations about the use of the Guidelines should give weight to evidence of empirical overlap in addition to the weight given the meaning of the Guidelines.) For example, if Foreign Preference and Foreign Influence always disqualified the same applicants, they would be regarded as empirically overlapping. Sample B-2 was used to investigate evidence about such overlap.

Unfortunately, evidence of overlap is not directly available because, with some exceptions, disqualification decisions are not based on evidence from single Guidelines. Rather a fundamental principle of adjudication is that clearance decisions should be based on the weight of all relevant evidence. As a result, overlap may be analyzed only indirectly by exploring the extent to which applicants who have (important) issues on one Guideline also tend to have (important) issues on another Guideline. Tables 2-4 present results from Sample B-2 of such overlap analyses when considering all issues and when considering only important issues.

Table 2 presents frequencies for all issues, regardless of importance. The left-handmost column of frequencies reports the overall number of issues for each Guideline. In contrast, the frequencies reported in the columns for each Guideline represent the number of applicants (cases) who have one or more issues in both the row Guideline and the column Guideline. These frequencies are referred to as "coincidence" frequencies in this Foundations paper. For example, the 13 in the row for C. Foreign Preference and the column for B. Foreign Influence represents the number of applicants who have one or more issues in both Guidelines, regardless of the number of such coinciding issues.

Table 2. Frequencies in Sample B-2 of all SSBI Investigation Issues (N of Applicants = 1,084)

	Total	#	# Applicants with Issues in Both the Row Guideline and the Column Guideline											
Guidelines	of All	N	National Conflict				Risky Behavior				Cr	IT	Ot	her
	Issues	Α	В	C	L	D	G	Н	I	F	J	M	Е	K
				1. N	ational	Confli	ct							
A. Allegiance to US	0	-	0	0	0	0	0	0	0	0	0	0	0	0
B. Foreign Influence	339	0		13	2	1	28	77	43	84	92	2	64	5
C. Foreign Preference	24	0	13		0	0	3	9	6	6	5	0	4	0
L. Outside Activities	3	0	2	0		0	1	0	0	1	1	0	1	0
				2. 1	Risky B	ehavio	r							
D. Sexual Behavior	142	0	28	3	1	4		57	23	36	47	0	28	2
G. Alcohol Consump.	310	0	77	9	0	2	57		50	46	92	2	56	3
H. Drug Involvement	182	0	43	6	0	1	23	50	-	46	54	0	39	3
I. Psych. Conditions	9	0	1	0	0		4	2	1	1	5	0	1	0
				3. Fin	nancial	Behav	ior							
F. Financial Consider.	342	0	84	6	1	1	36	46	46		113	1	107	5
				4. Cı	iminal	Behavi	ior							
J. Criminal Conduct	366	0	92	5	1	5	47	92	54	113		2	102	4
					5. IT A	buse								
M. Use of IT Systems	5	0	2	0	0	0	0	2	0	1	2		0	0
_	Others													
E. Personal Conduct	274	0	64	4	1	1	28	56	39	107	102	0		4
K. Handling Prot. Info.	12	0	5	0	0	0	2	3	3	5	4	0	4	
Overall	2,008													

It should also be noted that, except for column showing the Total of All SSBI Issues, Table 2 is a symmetric matrix. Both halves of this matrix are shown for convenience.

he first result to note is that, as would be expected, Guidelines with higher numbers of Total Issues also have higher numbers of coincidences. The second, and perhaps most revealing result from Table 2, is that the number of coincidences within the two multi-Guideline clusters is not substantially higher than the number of coincidences between clusters. Indeed, for the four National Conflict Guidelines the average number of within-cluster coincidences, 2.5, is substantially lower than the average number of coincidences between these four Guidelines and the other nine Guidelines, 12.0. For this cluster, the higher number of inter-cluster coincidences is almost entirely a function of B. Foreign Influence. In contrast, for the Risky Behavior cluster the average number of coincidences within the cluster, 22.8, is somewhat higher than the average number of coincidences between the four Risky Behavior Guidelines and the other 9 Guidelines, 17.5. But this difference is not substantial. When considering all SSBI issues recorded in Sample B-2, it appears the manner in which Guidelines have been clustered for this project does not affect the tendency of Guidelines to identify the same applicants for possible disqualification. Table 3 reports the same types of frequencies from Sample B-2 but only for issues rated as 3, 4 or 5. These three Seriousness ratings indicate that an issue is important enough that it could contribute to a disqualification decision. These types of issues are referred to as "important" in this Foundations paper. Of the 1,084 applicants in Sample B-2, 398 had at least one important issue.

Table 3. Frequencies in Sample B-2 of important SSBI investigation issues rated as Significant ("3"), Serious ("4") or Extremely Serious ("5"). (# Applicants = 398.)

	Total	#	Applic	ants w	ith Issu	es in B	oth the	Row (	Guideli	ne and	the Co	lumn G	uidelin	ie
Guidelines	of All	N	ational	Confli	ct	F	Risky Behavior				Cr	IT	Otl	her
	Issues	A	В	C	L	D	G	Н	I	F	J	M	Е	K
				1. N	ational	! Confli	ct							
A. Allegiance to US	0		0	0	0	0	0	0	0	0	0	0	0	0
B. Foreign Influence	35	0		0	0	0	2	1	3	5	3	0	1	0
C. Foreign Preference	8	0	0		0	0	0	0	0	0	0	0	0	0
L. Outside Activities	1	0	0	0		0	0	0	0	0	0	0	0	0
	2. Risky Behavior													
D. Sexual Behavior	4	0	0	0	0		1	0	0	0	1	0	0	0
G. Alcohol Consump.	54	0	2	0	0	1		6	3	5	9	0	3	0
H. Drug Involvement	36	0	1	0	0	0	6		1	2	4	1	0	0
I. Psych. Conditions	44	0	3	0	0	0	3	1		8	4	0	3	3
				3. Fii	nancial	Behav	rior							
F. Financial Consider.	113	0	5	0	0	0	5	2	8		12	0	8	1
				4. Cr	riminal	Behav	ior							
J. Criminal Conduct	95	0	3	0	0	1	9	4	4	12		0	5	0
					5. IT A	buse								
M. Use of IT Systems	2	0	0	0	0	0	0	1	0	0	0		0	0
Others														
E. Personal Conduct	62	0	1	0	0	0	3	0	3	8	5	0		0
K. Handling Prot. Info.	9	0	0	0	0	0	0	0	3	1	0	0	0	
Overall	463													

In Table 3, the overall pattern is that coincidences of important issues between pairs of Guidelines tend to be infrequent. Strikingly, there are no coincidences between Guidelines within the National Conflict cluster. That is, of the 398 applicants who have important issues, none have important issues on more than one of these four Guidelines. Also, there appear to be two types of Guidelines, those with and those without coincidences. Of the 191 coincidences reported in Table 3, only 7 are associated with Guidelines A, C, L, D, M or K. The coincidence between specific pairs of Guidelines is sometimes striking. For example, of the 1,084 applicants in Sample B-2 only 6 have serious issues on both Alcohol Consumption and Drug Involvement. Of the 95 applicants with important issues on Criminal Conduct, only 4 also have important issues on Drug Involvement. Of the 35 with important issues on Foreign Influence, none have important issues on Foreign Preference. Of the 44 cases with important issues on Psychological Conditions, none have important issues on Sexual Behavior and only 3 have important issues on Alcohol Consumption. In several of these cases it is reasonable to expect higher coincidence rates.

Analyses reported in Table 4 provide one other lens into the question of empirical overlap. For each pair of Guidelines, Tables 2 and 3 reported the number of applicants who had issues on both. In contrast, Table 4 reports frequencies reflecting the uniqueness of one Guideline with respect to another. Like Table 3, Table 4 frequencies are based only on important issues among the 398 members of Sample B-2 who have one or more important issues. The results shown in Table 4 are closely related to the results in Tables 2 and 3.

In Table 4, each cell corresponding to a pair of Guidelines contains the number of important issues on the column Guideline among those applicants who have no important issues on the row Guideline. This means the frequency in each cell measures the extent to which the column Guideline is providing important information above and beyond the information provided by the row Guideline. In effect, each cell frequency measures the extent to which the column Guideline provides potentially disqualifying information among those applicants for whom the row Guideline does not.

The frequencies in Table 4 are frequencies of issues, not applicants.

Table 4. Frequencies in Sample B-2 of Important SSBI Issues in Column Guidelines for Applicants Who Have No Important SSBI Issues in Row Guidelines (# Applicants = 398)

	Total	#	# Appl	icants	with I	ssues	in Bot	h the F	Row G	uidelin	e and	the Co	lumn	Guidel	ine
	of All	Na	tional	Confl	ict	R	isky B	ehavio	or	Fi	Cr	IT	Ot	her	Ave. (weighte
Guideline	SSBI	A	В	C	L	D	G	Н	I	F	J	M	E	K	d Impact Ratio)
	Issues	0	35	8	1	4	54	36	44	113	95	2	62	9	0
				1.	Natio	nal Co	onflict								
A. Allegiance to US	0		35	8	1	4	54	36	44	113	95	2	62	9	NA
B. Foreign Influence	35	0		8	1	4	52	35	41	108	92	2	61	9	.04
C. Foreign Preference	8	0	35		1	4	54	36	44	113	95	2	62	9	.00
L. Outside Activities	1	0	35	8		4	54	36	44	113	95	2	62	9	.00
				2	. Risk	y Beha	ivior								
D. Sexual Behavior	4	0	35	8	1		53	36	44	113	94	2	62	9	.00
G. Alcohol Consump.	54	0	33	8	1	3		30	41	108	86	2	59	9	.07
H. Drug Involvement	36	0	34	8	1	4	48	-	43	111	91	1	62	9	.04
I. Psych. Conditions	44	0	32	8	1	4	51	35		105	91	2	59	6	.06
				<i>3</i> . <i>1</i>	Financ	cial Be	havio	r							
F. Financial Consider.	113	0	30	8	1	4	49	34	36		83	2	54	8	.12
				4.	Crimii	ıal Be	havior								
J. Criminal Conduct	95	0	32	8	1	3	45	32	40	101		2	57	9	.10
					5. I'	T Abus	se								
M. Use of IT Systems	2	0	35	8	1	4	54	35	40	113	95		62	9	.00
Others															
E. Personal Conduct	62	0	34	8	1	4	51	36	41	105	90	2		9	.05
K. Handling Prot. Inf.	9	0	35	8	1	4	54	36	41	112	95	2	62		.01
Average (weighted) Uniqueness Ratio	NA	NA	.96	1.0	1.0	.96	.96	.97	.95	.97	.97	.96	.97	.97	

Two measures relating to empirical overlap may be derived from these frequencies, a Uniqueness Ratio for each column Guideline and an Impact Ratio for each row Guideline. The Uniqueness Ratio measures the extent to which a Guideline presents important issues among applicants who have no important issues on some other Guideline. For example, consider the uniqueness of G. Alcohol Consumption with respect to K. Handling Protected Information. The relevant cell is Row K, Column G, in which a frequency of 54 is reported. This 54 indicates that, when all applicants with important issues on K. Handling Protected Information were removed from the sample, the remaining applicants had 54 important issues on G. Alcohol Consumption. But the total number of important issues on G. Alcohol Consumption in the complete sample of 398 was 54. This means that G. Alcohol Consumptions retains all its potentially disqualifying information when applicants with important issues on K. Handling Protected Information are

removed. This Foundations Paper interprets this result to mean that G. Alcohol Consumption is perfectly unique with respect to K. Handling Protected Information. The Uniqueness Ratio is the ratio of the number of important issues retained by the column Guideline to the total number of important issues in the column Guideline. In this case, the Uniqueness Ratio is 54/54, or 1.0.

Consider the example of the uniqueness of G. Alcohol Consumption with respect to J. Criminal Conduct. In this case, 45 of the 54 important alcohol issues are retained when the sample is reduced by eliminating the applicants who have important Criminal Conduct issues. The Uniqueness Ratio for G. Alcohol Consumption with respect to J. Criminal Conduct is 45/54, or .83. The bottom row of Table 4 indicates that G. Alcohol Consumption's average Uniqueness Ratio across all other 12 Guidelines is .96. (Note, each column Guideline's average Uniqueness Ratio is a weighted average.)

Similarly, each row Guideline can be thought of as having an impact on the unique contribution of any column Guideline. In the above examples, G. Alcohol Consumption's contribution was reduced by eliminating important J. Criminal Conduct issues but not by eliminating important K. Handling Protected Information Issues. For each row Guideline, an Impact Ratio can be derived with respect to each column Guideline. The impact of, say, Guideline J on Guideline G is a function of the reduction in number of important G issues, when applicants are removed who have important J issues. In Table 4, the number of important G issues is reduced by 9, from 54 to 45. The Impact Ratio for Guideline J with respect to Guideline G is 9/54, .17. The last column in Table 4 reports the weighted average Impact Ratio for each row Guideline.

The pattern of results in Table 4 is unambiguous. All Guidelines are highly unique with respect to important issues; and, no Guideline substantially overlaps with the contribution of other Guidelines.

The overall conclusion from this analysis of empirical SSBI issues is that the individual Guidelines are not redundant of one another, at least empirically. To a very great extent, important issues raised under one Guideline identify different applicants than important issues raised under other Guidelines. In effect, with regard to SSBI investigative issues, the Guidelines "tag" mutually exclusive groups of applicants. The challenge this finding presents is that, at the same time, the Guidelines are thought to be manifestations of a common set of attributes underlying reliability, trustworthiness, loyalty and sound judgment. The White Papers for each cluster and Guideline will interpret these results and integrate them with research literature findings to help form recommendations.

### **Describing Security Behavior**

In 1932 in the dusty, rural Imperial Valley of California a young grade school teacher, Ms. Bramkamp, sought to understand the antecedents of "school citizenship" among 7th and 8th graders in the local schools. She defined school citizenship as a combination of 19 bipolar traits such as Civic minded – Self centered, Sportsmanship – Unfair, Courteous – Boorish,

Reliable – Unreliable, Co-operative – Self-seeking, Persevering – Unsteady, and Enthusiastic – Indifferent. She administered cognitive ability tests and personality inventories to these farm children. Based on these data, she concluded, "Insofar as citizenship is concerned the best combination of traits seems to be mental ability above average, low emotional affectivity, emotional stability, and introversion." Had she defined school citizenship differently, different attributes would have emerged as the important antecedents. So it is today, 77 years later, that to know whether the Guidelines are antecedents of national security behavior, we must say what that security behavior is.

Broadly stated, the purpose of this project is to advance our understanding of the relationship between the Guidelines and security behavior. As noted above, this project pursues that purpose from a prediction perspective that a Guideline's relationship to security behavior is understood to the extent there is evidence showing measures of Guideline-based behaviors are antecedents to security behavior. In the social sciences, prediction inferences rely as much on an understanding of the behavior being predicted as of the predictor behavior. More specifically, for example, in the personnel selection science the most well-established method for ensuring that selection procedures are predictive of job behavior begins with an investigation of the job behaviors to be predicted (Principles for the Validation and Use of Personnel Selection Procedures, 2003). This typically takes the form of some type of job analysis of work behaviors, tasks or required abilities.

In the closely parallel science of personnel security behavior, a clear understanding of the security behavior to be predicted is necessary to describe the extent to which any Guideline successfully predicts that security behavior. If it's not clear what is being predicted, it can't be clear whether it is being predicted well or not.

Unfortunately, this project has found very little published evidence describing security behavior. The few published studies of national security behavior itself have focused on the many cases of espionage convictions (e.g., Herbig, 2008; Herbig & Wiskoff, 2002; and Wood & Wiskoff, 1992). Although all of these studies have drawn conclusions about antecedents of espionage behavior, none has attempted to develop an integrated description of the major types or dimensions of espionage behavior itself, much less the full range of security behavior.

In spite of this absence of research on security behavior, even an informed speculative model of security behavior would provide considerable value to this project. Findings and recommendations about the relevance of the Guidelines to security behavior must rely to some extent on an organized description of security behavior. For that reason, an attempt is made here to propose a model of security behavior that will, at a minimum, clarify assumptions about security behavior that underlie the project's findings and recommendations. These assumptions will be explicit and will have plausible conceptual foundations but may have little empirical foundation.

### Scope

The first question to be answered in this effort to describe a model of security behavior is one of scope. What is the range of security behavior that is targeted by the Adjudicative Guidelines in clearance decisions? There is some ambiguity about the scope of targeted security behavior. On the one hand, the ADR (2005) clearly communicates the policy of the "whole person concept," which specifies that clearance adjudications should seek to award clearances to applicants who demonstrate reliability, trustworthiness, loyalty and good judgment. On the other hand, the focus of the specific Guidelines and investigations is predominantly on negative evidence with the potential to disqualify applicants. This ambiguity is about the intended relevance of the Guidelines to positive security behavior as well as negative security behavior.

Also, when clearance decisions and employment decisions co-occur, it seems plausible that employment decisions bear primary responsibility for certain domains of personnel security performance behavior relating to applicant "suitability," whereas clearance decisions bear primary responsibility for managing the risk that applicants will violate important security rules. This ambiguity is about the intended relevance of the Guidelines to minor security violations or poor security work performance in contrast to significant violations of security rules.

For purposes of this project, we resolve these ambiguities by assuming the Guidelines are intended to be relevant to the full scope of security behavior including positive and negative, minor and important. This broad scope will require that the security behavior model represent not only espionage but also, intended minor violations, positive security citizenship behavior, passive non-response to observed violations, coerced security violations, volunteered violations, revenge/retribution-based violations, and so on. The implication of this broad scope is that the underlying dimensions of behavior must be relevant to positive security citizenship behavior as well as negative security violation behavior.

### Models of Behavior Similar to Security Behavior

In the absence of research describing the full range of security behavior itself, we reviewed research on behaviors in other work domains similar to behavior in the security domain. Evidence-based descriptions of behavior in analog domains might provide insight into important characteristics of security behavior.

Several behavioral domains were considered as possible analogs to security behavior. To be considered an analog to security behavior for this project, the behavior domain must be (a) in an organization context, (b) counter-normative in its negative form, (c) intentional (voluntary), and (d) directed toward a person or entity for harm or good. Beyond these minimum criteria behavioral domains like police corruption that, in their negative form, represent betrayal of trust are likely to be especially close analogs to security behavior. However, because trust may be a salient feature of behaviors in only a few organizational contexts such as public service and health, betrayal of trust is not a requirement for inclusion in this list of analog domains. The analog behaviors that met these criteria included counterproductive workplace behavior,

workplace deviance, workplace safety, organizational citizenship behavior, workplace aggression, white collar crime and police corruption.

The research in these analog domains has identified a small number of dimensions along which behaviors vary. Conceptual analysis of these dimensions and assumptions about the nature of security behavior may support inferences that one or more of these dimensions also applies to security behavior. For each domain below, a short summary of research is presented describing either the dimensions or categories of behavior that could be suggestive of similar dimensions or categories of security behavior. Because dimensions of behavior tend to be general they are likely to be more applicable to security behavior. Categories of behavior tend to be more specific to the particular domain of behaviors and are less likely to be representative of security behavior. Following these short summaries, a speculative model of security behavior is described based on the short research summaries.

### **Workplace Deviance**

In their integrative work on workplace deviance, Robinson & Bennett (1995) developed a typology of deviant workplace behaviors defined as "voluntary behavior that violates significant organizational norms and in so doing threatens the well-being of an organization, its members, or both" (p. 556). This definition places employee deviance well within the same conceptual framework for national security violation behavior (SVB) in that it is in an organizational context and is voluntary, counter-normative and harmful. Robinson & Bennett built on earlier research by Mangione & Quinn (1974) that identified two types of deviance – purposeful property damage and carelessly poor performance – and by Hollinger & Clark (1982) that identified two clusters of deviance – "property deviance" and "production deviance" – that were similar to Mangione & Quinn.

Robinson & Bennett identified 2 dimensions of employee deviance – seriousness (degree of harmfulness) and target (person or organization). They used these two dimensions to identify four types of deviance behavior. Serious, person-directed deviance was labeled "personal aggression"; serious, organization-directed behavior was labeled "property deviance and captured the cluster identified earlier by Mangione & Quinn and Hollinger & Clark. Minor, person-directed deviance was labeled political deviance; minor, organization-directed deviance was labeled "production deviance" and corresponds to Mangione & Quinn's earlier category.

### Workplace Aggression

Buss's (1961) work on aggression produced perhaps the most widely referenced classification system. This system classified aggression behavior on three dichotomous dimensions, physical – verbal, active – passive, and direct – indirect. While this classification system was designed to represent a broad range of aggression behavior, Neuman & Baron (2005) found a close fit to examples of workplace aggression behavior. We should note here that workplace violence has been identified as a subset of workplace aggression where, in Buss's

taxonomy, the behavior is active, physical and direct. In our judgment, workplace violence does not represent a close analog to SVB largely because direct physical aggression is not likely to be a part of the context of security violations. Security violators may occasionally be violent, but the degree of direct, physical violence is not likely to be important or useful for describing SVBs.

Following Buss's work, two other meaningful dimensions of aggression were identified that may be relevant to security behavior. Baron & Neuman (1998) and Kaukiainen, et al. (2001) demonstrated the importance of the distinction between overt and covert workplace aggression. Overt aggression includes the more visible forms of aggression (e.g., throwing, pounding, slamming, hitting, etc.) where covert aggression includes the less visible, and perhaps more common, forms of workplace aggression (e.g., unreturned calls or messages, clandestine sabotage, intentional tardiness, etc.) Until more evidence about the range of SVBs is developed, it is not clear whether the visibility of SVBs will be an important variable for distinguishing among types of SVBs or, for that matter distinguishing among all types of security behavior. If espionage were the only type of SVB considered, one might expect visibility not to be an important discriminator simply because virtually all espionage is intended to be unseen, at least with respect to the victimized nation or organization.

Geen (1991) and Berkowitz (1998) describe a dimension relating to intent that may prove to be an important characteristic of security behavior, both positive and negative, because it addresses the motivational component of aggression. This dimension distinguishes between proactive, instrumental aggression, sometimes referred to as "cold" aggression, and reactive, hostile, affective aggression or "hot" aggression. In general, proactive aggression is regarded as "means-to-an-end" aggression in which harm to victims may not be the ultimate goal. Indeed, organizational retaliation (Folger & Skarlicki, 2005) and revenge (Bies & Tripp, 2005) motives may even have functional or prosocial instrumental motives and consequences. In contrast, reactive aggression is regarded as affective aggression involving hostile intent toward the victim, caused by some perceived provocation by the victim.

These considerations of proactive and reactive aggression appear to fit conceptually with observations about espionage cases where retaliation, disgruntlement and revenge i.e., "hostile aggression, plays a prominent role in many cases and proactive instrumental aggression also appears to characterize many other cases" (Herbig, 2008). Even a casual reading of the various summaries of espionage cases reveals the centrality of motive. Some spies appear to have instrumental motives, such as ideology, for their violations; others appear to be motivated by their disgruntlement or anger at lack of recognition, disappointments or other provocative events. On its face, this motivation dimension appears to have relevance to security behavior.

### Counterproductive Workplace Behavior

Research has attempted to describe counterproductive workplace behavior (CWB) in two ways. One approach used by Hunt (1996), Gruys (1999) and Spector, Fox, Penney, Bruursema, Goh & Kessler (2006) is to describe mutually exclusive categories or types of CWB that apply to

some CWBs but not others. The other approach (Gruys & Sackett, 2003) is to describe dimensions that are relevant to all CWBs.

In a very large scale study, Hunt (1996) identified five categories of CWB - attendance, off-task behavior, unruliness, theft and drug misuse. However, in an equally comprehensive study using a different methodology, Gruys (1999) identified 11 categories of CWB as shown below. Similarly, Spector et al (2006) developed five categories of CWB, which they applied over a series of studies. To show the pattern of overlap among these three category systems, Table 5 below lists each category for each system.

Table 5. Rational alignment of Gruys, Hunt and Spector et al. CWB categories

Gruys (1999)	Hunt (1996)	Spector et al (2006)
Theft	Theft	Theft
Property Destruction	Unruliness	Sabotage
Information Misuse		Sabotage
Time/Resource Misuse	Off-Task Behavior	Withdrawal (time); Sabotage
Unsafe Behavior	Unruliness	Production Deviance
Poor Attendance	Attendance	Withdrawal
Poor Quality of Work		Production Deviance
Alcohol Use		
Drug Use	Drug Misuse	
Inappropriate Verbal Actions	Unruliness	Abuse against Others
Inappropriate Physical Actions	Unruliness	Abuse against Others

This alignment between categories from different systems is based on a rational analysis of the authors' descriptions of the categories and is not based on any empirical evidence. Based on the rational linking, it can be seen that with only a few exceptions, the differences between categorizations systems is largely a function of the breadth of meaning assigned to the categories. Theft is the only CWB category described by all three systems at the same level. Gruys' system tends toward narrower categories; both Hunt's system and Spector et al's system use broader categories that overlap with more than one Gruys category. The notable exceptions are that Hunt's system does not include poor work quality and neither Hunt nor Spector et al. include alcohol use. Clearly, Gruys' system is the most extensive description of CWBs.

Gruys & Sackett (2003) investigated the dimensions of behavior that differentiate the various categories of CWB as represented by Gruys' (1999) system. In one study, factor analyses of intention ratings by working adults revealed only a single overall CWB dimension, reflecting the substantial positive correlation among the categories. In a second study of the same categories, the same sample of working adults rated the extent to which workers who exhibit one category of CWB would also exhibit another category. Multidimensional scaling analyses reveal two dimensions underlying the judgments about the 11 categories. The first dimension was an "Interpersonal-Organizational" dimension reflecting the extent to which a CWB is directed at an individual or the organization. Robinson & Bennett (1995) found the same dimension among workplace deviance behaviors. The second dimension was a Task Relevance dimension

reflecting the extent to which any CWB category involved task performance. This second dimension is quite different than Robinson & Bennett's (1995) second dimension, "seriousness."

### **Workplace Safety**

Unlike deviance, aggression and counterproductivity, the scope of safety behavior includes both positive and negative behaviors. In a logical analysis of safety behavior Reason, Parker, & Lawton (1998) suggested 4 high-level bipolar dimensions they then used to classify 10 types of safety behavior. The first two of these four dimensions have motivational components. The first three dimensions are characteristics of the safety behavior itself whereas the fourth dimension applies to the local situation. The first dimension, "reward," distinguishes psychologically "rewarding" behavior from "unrewarding" behavior. The critical element of this distinction is that the rewarding quality of the action is based on the individual's internal reference, not external standards. An unsafe risky behavior may be satisfying to a thrill-seeker but uncomfortable to a risk-aversive individual. The second dimension, "adherence," distinguishes violation behavior from compliance behavior. Unlike the person-centered first dimension, the second dimension defines violation and compliance with respect to external or organizational standards or rules. This distinction, itself, is not rooted in motivation. However, within this dimension, Reason, Parker, & Lawton describe three types of violations – routine violations, optimizing violations, and situational violations. Routine violations are minor, common violations that are not sanctioned and are motivated by least effort. Optimizing violations occur when the individual chooses actions that optimize individual goals that conflict with safety. Situational violations occur to accommodate organizational circumstances that incent the individual to violate safety rules.

The third dimension distinguishes between actions based on correct perceptions or incorrect perceptions. Safety behavior based on an accurate perception of actual safety conditions is "correct." Safety behavior is "incorrect" when it is based on an inaccurate perception of the safety conditions. The fourth dimension refers to the appropriateness of the prevailing safety rules, not the person or the action. Prevailing safety rules are appropriate when they apply to the true safety conditions of the local situation; they are inappropriate otherwise. The 10 classes of behavior did not add meaning to this system but only provided labels to the multitude of logical combinations of the four dimensions. For example, the combination of action and situation in which an unrewarding action was compliant with a correctly perceived, appropriate rule was labeled "correct but unrewarding compliance." A potential strength of this dimensionality for its relevance to security behavior is that it includes person and situation elements as well as motivational and perceptual elements.

As noted, this dimensionality was logically derived and might be considered a prescription for classifying safety behavior. In contrast, Neal & Griffins (2006) empirically derived two dimensions of safety behavior from respondents' agreement ratings on a number of behavioral descriptors of safety behavior. The first dimension was "safety compliance," which refers to rule adherence. This is the same as Reason, Parker, & Lawton's second dimension. The

second was "safety participation," the high end of which refers to active promotion of safety in the organization beyond the strict definition of one's job/role.

Burke, Sarpy, Tesluk, & Smith-Crowe (2002) derived four "performance factors" that differentiated safety behaviors in the specific context of a hazardous nuclear waste work environment. These factors are (a) Using Personal Protective Equipment, (b) Engaging in Work Practices to Reduce Risk, (c) Communicating Health and Safety Information, and (d) Exercising Employee Rights and Responsibilities. Because these factors are classes of safety behavior in a specific work context, they do not readily generalize to security behavior in different work contexts. However, factor (b) appears to be the situation-specific manifestation of a general compliance dimension largely consistent with Neal & Griffins' safety compliance dimension and Reason, Parker & Lawton's adherence dimension. Similarly, factor (c) regarding communication overlaps somewhat with Neal & Griffins' safety participation dimension in that it includes behaviors specifically oriented toward co-workers and the organization as a whole. Factor (c) does not overlap entirely with safety participation because the communication behaviors represented by factor (c) are entirely within-role behaviors whereas safety participation includes extra-role behaviors. Factors (a) and (d) appear to be highly specific to hazardous work contexts and have little generalizability to other contexts such as security.

### **Organization Citizenship**

To understand the full range of security behavior it is important to describe its positive manifestations as well as its negative manifestations. Unquestionably, simple good performance in a job requiring the protection of classified information is positive security behavior. Obeying the rules, writing accurate classified documents, routine checking of physical security protections, and careful management of laptops are but a few characteristics of the normal range of good job performance that helps ensure protected, accurate, and accessible classified information. This type of performance is "in-role" in the sense that mere adherence to one's job description positively supports security. But the obligation to protect valuable classified information can be a demanding burden that may frequently require extraordinary, proactive vigilance and response as well as resistance to the temptation of personal gain.

Given such a compelling work context, the full range of positive security behavior may be better understood by comparing it to models of "extra-role" positive work behavior. Organization citizenship behavior (OCB) is perhaps the most common label for such extra-role positive behavior in organization contexts. Notwithstanding Ms. Bramkamp's prescient investigation of school citizenship in 1932, organization citizenship has a 25 year history of systematic, rigorous research. Smith, Organ & Near (1983) identified two major dimensions of OCB, altruism and organization compliance. Subsequently, Organ (1988) added three factors to this list, courtesy, sportsmanship, and civic virtue. In a more methodologically comprehensive analysis, Coleman & Borman (2000) derived a hierarchical model in which a general dimension of Citizenship Performance is supported by three factors, Interpersonal, Organizational and Job/Task. Within each of these three dimensions, subgroups of related citizenship performance

behaviors were identified. Interpersonal Citizenship included helping and cooperating, altruism, and interpersonal conscientiousness. Organizational Citizenship included endorsing, supporting and defending organizational objectives, following rules (compliance), allegiance and loyalty, sportsmanship and civic virtue. Most recently, Hoffman, Blair, Meriac & Woehr (2007) applied the most sophisticated measurement analysis to these same behaviors and determined that from a measurement perspective a single general OCB factor comprised of individual-oriented and organization-oriented facets very similar to those identified by Coleman & Borman.

Like deviance, aggression and counterproductive behaviors, the positive range of citizenship behavior is characterized, in part, by the target of the behavior – person or organization.

#### White Collar Crime

The term "white collar crime" was coined by Sociologist Edwin Sutherland in his 1939 presidential address to the American Sociological Society. Sutherland defined white collar crime as "a crime committed by a person of respectability and high social status in the course of his occupation." He chose this definition to call attention to the notion that crime occurs at all levels of society and is committed by people of diverse socio-economic backgrounds.

Krause (2002) notes that since Sutherland's address, scholars and practitioners have engaged in considerable debate over the proper and inclusive definition of the concept. A major issue is that Sutherland's original definition is vague and has resulted in an over-inclusiveness problem whereby a wide gamut of crimes and deviant acts have been studied as exemplars of white collar crime. Examples of white collar crimes investigated have included fraud, embezzlement, insider trading, antitrust violation, bribery, forgery, and tax evasion.

Coleman's (1989) conceptualization has the most practical relevance to the practice of personal security. Coleman distinguished two types of white collar crime— organizational and occupational crime. The major differentiator between these two types is the nature of the perpetrator. Organizational crimes are committed by groups of individuals and include fraud, such as false advertising, tax evasion, unfair competition practices, price fixing, and bribery and corruption. In contrast, occupational crime is committed by individuals. In this way, occupational crime is similar to the view in this project that security behavior is individual behavior. Coleman (1989) further distinguished occupational crimes according to the target of the act. These include crimes against employers, customers, or the government. Table 6 shows examples of occupational crimes categorized by target.

Table 6. Examples of Occupational Crimes by Target

Target of Occupational Crime	Examples	
Employer	➤ Theft of Goods, Trade Secrets, or Time	
	Computer Crime	
	Embezzlement	
Customer	Shortchanging by Sales Clerks	
	Unrealistic Claims by Salespeople	
	Fraudulent Claims by Stockbrokers	
Government	Election Fraud	
	➤ Tax Evasion	
	Espionage	
	Bribery	

Drawing on Coleman's conceptualization, it is evident that not every form of white collar crime is equally relevant to security behavior. However, the distinction between targets that are persons (i.e., customers and in some cases employers) and organizations (i.e., government and in some cases employers) is very similar to the person-organization dimension of behavior that has been identified in other analog domains. Beyond this person-organization distinction, no research has identified dimensions of occupational crime as the basis for describing differences between white collar crimes.

#### **Police Corruption**

Like white collar crime, the range of behaviors under the mantel of "police corruption" is wide. The list includes behaviors ranging from kickbacks, opportunistic theft from arrestees, crimes of personal gain, manipulating evidence, protection bribes, and so on (Roebuck & Barber, 1974; Punch, 1985). Some forms of corruption stem from a policing culture of tolerance for certain noble causes, others stem from mere opportunity for personal gain. Care must be taken to determine which forms of police corruption are similar enough to security violations to serve as an analog for the purpose of this project. For any example of corrupt police behavior perhaps the most significant consideration in comparing it to security violation is whether that behavior is tolerated or condoned within the organization. Security violations are widely regarded as betrayals of trust that violate accepted organizational norms for information protection. To whatever extent a specific corrupt police behavior does not violate real organizational norms it is unlikely to be an appropriate analog to security violations. There may be other distinctions that are not yet clear but certainly the consideration of local norms is important.

Lists and categories of contemporary police corruption have been proposed for over 30 years (Roebuck & Barker, 1974; Punch, 1985; Punch, 2000). But none sought to identify dimensions of corruption underlying the lists and categories of corrupt behavior. In their analysis of police work, Skogan & Meares (2004) proposed at least two dimensions of corrupt behavior – intention and proactive-reactive, as the bases for classifying behaviors. The intention dimension served to distinguish corrupt behaviors for "personal gain" (e.g., theft from arrestees, kickbacks) from those committed for "organization gain." Organization gain has been described by others as "noble cause" and "dirty means toward legitimate ends." Examples might include manipulation

of evidence and illegal handling of informers for the purpose of getting putative criminals off the street to protect citizens. Certainly "organization gain" forms of corruption are not appropriate models of security violation behaviors targeted by the Adjudicative Guidelines. Both the intention and proactive-reactive dimensions are similar to dimensions that have been empirically derived in other domains, principally CWB and workplace aggression described above.

In the most methodologically rigorous analysis of police corruption behavior, Porter & Warrender (2009) relied on five proposed dimensions of corrupt behavior for the purposes of classifying behavior. Two dimensions were (1) intention and (2) proactive-reactive as described by Skogan & Meares, but with one modification. Porter & Warrender expanded the proactivereactive dimension to include a third condition, situation response, making this in effect a tripolar dimension Similar to the workplace aggression research, they interpreted both proactive behavior and reactive behavior to be person-centric behaviors. They judged that a situationcentric category should be included in this dimension to capture corrupt behavior that is distinctively shaped and incented by local circumstances. Their remaining three dimension were: (3) nature (whether the behavior was in the context of internal relationships, external relationships, or alone); (4) duration (single event or ongoing); and, (5) officer rank (constable or high rank). They used these dimensions to empirically derive three clusters of behaviors they labeled Police Crime, Noble Cause Misconduct and Corruption. Police Crime includes single proactive criminal behaviors by lone officers for personal gain. Nobel Cause Misconduct includes rule-violating behaviors tailored to specific situation, within internal networks, intended to achieve some presumed socially desirable outcome. Corruption includes criminal behavior by higher ranking officers who, over time, seek personal gain in collaboration with external actors. While Nobel Cause Misconduct is clearly not comparable to security violations, both Police Crime and Corruption may be useful analogs to security violation behavior.

#### A Proposed Model of Security Behavior

A model of security behavior is proposed here based primarily on expected commonalities with analog behaviors reviewed above including workplace deviance, workplace aggression, counterproductive work behavior, safety behavior, organizational citizenship behavior, police corruption and white collar crime. This model describes a set of dimensions that represent important distinctions between security behaviors across the full range of such behavior. While the locations of security behaviors on these dimensions can be used to identify clusters of similar security behaviors, the focus of this proposal is to describe plausible dimensions and not speculate about clusters of security behaviors. Such clusters could be empirically identified by research on the proposed model.

This proposed model is also informed by the individual case studies of espionage convictions (e.g., Herbig, 2008). But such case studies make only a limited, albeit important, contribution to the understanding of the full range of security behavior. They are exclusively about negative behavior whereas the model intends to represent both negative and positive security behavior. They are about a subset of espionage cases in which the individuals have been

caught and there has been some form of legal resolution. Finally, the case analyses of these instances have not applied a standard method of description to the espionage behavior to systematically describe the key characteristics. (In contrast, for example, Porter & Warrender (2009) applied a standard method of description to 50 police corruption cases to produce a model of police corruption behavior noted above.)

Based on these sources the following model is proposed.

Similar to models of organizational citizenship behavior and counterproductive work behavior, a hierarchical model is proposed in which there is one general factor and four second order factors.

#### **General Factor**

The general factor represents the full range from positive to negative security behaviors. To propose a general factor means that people who display one type of positive behavior are more likely to display other types of positive security behavior; and, people who display one type of negative security behavior are more likely to display other types of negative security behavior. Because security behavior is represented here as bipolar, ranging from positive to negative, the general factor is likely to account for more variance in security behavior than in either the OCB or CWB domains, which are both unipolar domains.

Underlying the general factor, four subfactors are proposed.

- A. **Compliance.** The safety research and OCB research both identify a Compliance dimension that captures the rule-based approach organizations adopt for managing safety and performance. This rule-based approach is also representative of the Federal government's approach to managing the security of protected information and technology. An important feature of Compliance is that it is with respect to explicit or well understood organizational rules. It does not represent behavioral consistency with informal, implicit or subjective norms. The major question about a Compliance dimension is whether it is sufficiently distinct from the general factor. It is likely that, to a substantial extent, a major distinction between positive security citizenship and negative security violations is the extent to which the behavior is compliant with applicable rules. However, the far ends of positive security citizenship behavior and negative security violations include extra-role behaviors that, in terms of the psychological dynamics, go beyond the prescriptions of organization rules. Extra-role behavior refers to behavior that is not specifically prescribed or best explained by security work rules. Both safety behavior and OCB are characterized by extra-role behaviors on the positive ends of their respective spectrums.
- B. **Referent: Person v. Organization**. The majority of the models of analog behavior domains reviewed above have identified a person-organization dimension representing the distinction between behavior where the primary

referent is one or more persons and behavior focusing on organizations. The analyses of individual espionage cases captures this distinction between cases where the spy is acting primarily against an organization or country and other cases where the spy is acting primarily in response to interpersonal conflicts or relationships. An important question about this proposed dimension is whether countries behave more like organizations or persons with respect to the explanatory variables.

- C. **Intent: Behavior v. Outcome.** This proposed dimension derives from the workplace aggression literature, primarily, and distinguishes between two types of intention related to the "means v. end" distinction. The "outcome" end of this dimension represents security behavior motivated to achieve a particular security related outcome, regardless of the behaviors required to achieve that outcome. For example, if the intention to enable a foreign country to develop new weaponry is the principal objective for security violations, then any number of behaviors may be considered to achieve that outcome. In contrast, if the intention is to carry out specific behaviors to avoid harm or disclosure, the antecedents of that behavior are likely to be different than outcome-driven behavior. This dimension is intended to capture primarily cognitive distinctions between behavioral objectives
- D. Action: Proactive v. Reactive. The role of affect as a motivation factor in security behavior is almost certain to be an important explanatory concept. This concept emerges not only in the workplace aggression research but also in research on the meaning and effects of loyalty, allegiance and nationalism. In describing workplace aggression the key distinction relating to the role of affect is between proactive and reactive behavior. Proactive aggression is often more instrumental, cognitively loaded and "cold." Reactive aggression, in contrast, is "hot," often hostile and more affectively loaded. A major question for future research about security behavior is whether the proposed Intent and Motive dimensions are distinct or overlap enough to be considered one dimension.

Two other factors may also be considered, magnitude of the consequences of the security behavior and the role of situational circumstances. Clearly, both distinguish different security behaviors from one another. And both should be carefully evaluated in future research about models of security behavior. However, both have been excluded from this proposed model. Consequence, which appeared as "seriousness" in Robinson & Bennett's (1995) model of workplace deviance has not consistently appeared in models of other analogs to security behavior. Reasons may be that it is difficult to measure reliably, it is a function of a number of situational factors, and it may be independent of the actor's intent and actual behavior. Given its infrequent appearance in models of analog behavior domains, it was excluded from this proposed model of security behavior.

Situational factors undoubtedly play a significant role in security behavior. Perhaps because situation factors are specific, a "situation" factor has not appeared in any model of analog domains with the exception of the fourth dimension in the safety model proposed by Reason, Parker & Lawton (1998) and as one of three poles in Porter & Warrender's (2009) "Cause" dimension of police corruption. Reason, Parker & Lawton logically derived their model and narrowly defined the situation factor as the appropriateness of the prevailing safety rules, which may generalize in other domains to an organizational context factor representing the extent to which organization factors create competing interests or motives. Porter & Warrender (2009) propose a tri-polar dimension based on a rational analysis of police corruption in which a situation "pole" is distinguished from the proactive and reactive poles, which are viewed as actor-centric forms of behavior. However, because no general situation factor has emerged from empirical research in other analog domains, one is not proposed here. Notwithstanding this decision, it is worth noting that situation "strength" may emerge as a situation factor representing the extent to which any specific set of circumstance influences the antecedents of the security behavior.

Finally, there is the question of unintended security behavior. In considering the full range of security behavior it is certain that some negative security behaviors are unintended. The substantial literature demonstrating the role of conscientiousness in predicting work performance implies that some facets of lower performance are attributable to lack of attention and carelessness. Undoubtedly, some security violations occur because people forget, are distracted, or are unaware of the security implications of their actions. We have chosen to exclude unintended security behavior from this model of security behavior based on our conclusion that the security clearance process should not be designed to minimize unintended security violations. Rather, employment selection procedures are likely to be much more appropriate and effective for the purposes of minimizing unintended security violations. For the purposes of this project that focuses on the role of the security clearance process in optimizing security behavior, we define security behavior to be intentional behavior directed toward U.S. national interests.

Exhibit 1 displays a schematic representation of this model of security behavior. The full range of security behavior from most positive to most negative is represented by the general factor. The likely close relationship between the general factor and Compliance is depicted by showing the range of Compliance levels as a subset within the full range of Security Citizenship. This depiction shows that more positive and more negative security behaviors beyond the range of Compliance are represented as extra-role behaviors in both positive and negative directions. Each row below the headings represents a particular combination of the three remaining factors, Referent: Person – Organization, Intent: Behavior – Outcome, Action: Proactive – Reactive.

**Exhibit 1. A Model of Security Behavior** 

Combination of		Security Behavio	or (General Factor)	
Levels of	Negative			Positive
	Security Violations			ecurity Citizenship
Referent	Negative Extra-	Comp	pliance	Positive Extra-
Intent	Role Behavior	Negative	Positive	Role Behavior
Action		110841110	1 0511110	G:
Person	Spying to			Give own voice
Outcome	igratiate self with			to the cause of
Proactive	others			improving security rules
Person				security rules
Outcome				
Reactive				
Person				
Behavior				
Proactive				
Person	Spying to get		Resist invitation	
Behavior	revenge on a		to violate rules	
Reactive	hated boss		to violate rules	
Organization				
Outcome				
Proactive				
Organization		Acquiescence to		
Outcome		implicit org.		
Reactive		norm to ignore		
		minor rules		
Organization				
Behavior				
Proactive				
Organization	Disgruntled			
Behavior	retaliation			
Reactive				

To exemplify possible content in the cells, speculative descriptions are placed in some cells of this model depicting particular types of security behavior represented by the combination of factors. The espionage domain is represented in the Negative Extra-Role Behavior column. Research on the nature of security behavior would be necessary to confirm/correct the dimensions and accurately label the behavior types in each combination of the dimensions.

A clear description of security behavior will enable clear explanations for security behavior. Different forms of security behavior are expected to have different antecedents to some extent. Reactive violations motivated by strong affect such as disgruntlement or revenge are likely to have different specific drivers than proactive violations intended to improve a foreign country's military strength. Counter-normative violations of all forms are likely to have different causes than pro-normative citizenship behaviors. A well described model of security behavior will enable research to systematically investigate the different antecedents of the different forms of security behavior. Understanding these antecedents will be necessary to ensure the investigative and adjudicative components of the clearance process are targeting the appropriate information.

### III. ISSUES CUTTING ACROSS GUIDELINES

### **Adjudication Decisions: Prediction or Verdict?**

A purpose of this project is to review the social science research evidence and evaluate the extent to which that literature supports the current meaning and use of the 13 Adjudicative Guidelines. The meaning and use of every Guideline rests to a certain extent on assumptions based in social science. This project is intended to assess the support for those assumptions. At the same time, each Guideline, some more than others, also implements the imperative of government policies about who should have access to protected government information. This project is not intended to evaluate these policies. The White Papers will distinguish between policy-based rationales and social science-based rationales for each Guideline. This will be accomplished by listing each ADR condition that raises a concern and indicating whether that condition rests on policy or science or both. The social science evaluation will address those conditions that rely on an assumed rationale grounded in social science.

The distinction between science-based and policy-based rationales is a judgment made by the White Paper authors. There is no "house expert" who knows the correct designation. Indeed, this distinction between science and policy may not have been in the minds of the Guidelines "founding fathers/mothers." We make this distinction because it has become clear that social science evidence is more relevant to some conditions than others. Perhaps the primary standard used to distinguish the two rationales is whether the adjudicator's decision rests on an assumed prediction about the applicant's future behavior or rests on a verdict that the applicant's demonstrated behavior is inconsistent with the policy-defined model of the desired clearance holder.

For example, condition (a) under Guideline A is raised where there is evidence of involvement or support of "any act of sabotage, espionage, treason, terrorism, or sedition against the United States of America." Once the adjudicator confirms that this evidence is currently relevant to the applicant, disqualification is the likely decision. This decision is not a prediction as much as it is a verdict that the applicant has demonstrated the very behavior the adjudication process seeks to eliminate. And on that basis, the applicant is undeserving of a clearance. Condition (a) (1), Guideline C is similar. Active maintenance of a foreign passport is a disqualifying condition because it establishes precisely the divided loyalty the clearance process is designed to avoid.

In contrast, consider condition (d), Guideline B, regarding sharing living quarters with a person who might create a heightened risk of inducement or other conflicts with US interests. The extent to which this evidence weighs toward disqualification rests on the extent to which, and the circumstance under which such arrangements are likely to create too much risk. This is matter of social science, more than policy. For example, social science might find that living arrangements alone generally are not sufficiently influential to outweigh national loyalty or one

self-identity as a person of integrity. Such social science results would likely reduce the weight attached to this condition.

The objective is to apply social science evidence to those conditions that make assumptions based in social science.

#### REFERENCES

- Adjudicator's Desk Reference. (2005).
- Baron, R. A. & Neuman, J. H. (1998). Workplace aggression The iceberg beneath the tip of workplace violence: Evidence on its forms, frequency, and targets. *Public Administration Quarterly*, 21, 446-464.
- Berkowitz, L. (1998). Affective aggression: The role of stress, pain, and negative affect. In R. G. Geen & E. Donnerstein (Eds.), *Human aggression: Theories, research, and implications for social policy* (pp. 49-72). San Diego: Academic Press.
- Bies, R. J. & Tripp, T. M. (2005). The study of revenge in the workplace: Conceptual, ideological, and empirical issues. In S. Fox & P. Spector (Eds.), *Counterproductive workplace behavior: Investigations of actors and targets* (pp 65-82). Washington, DC: APA
- Burke, M. J., Sarpy, S. A., Tesluk, P. E., & Smith-Crowe, K. (2002). *Personnel Psychology*, 55, 429-457.
- Buss, A. H. (1961). *The psychology of aggression*. New York: Wiley.
- Castelda, B., (2009) Analyses of SSBI Issues. Unpublished manuscript.
- Coleman, J.W. (1989). *The Criminal Elite: The Sociology of White Collar Crime*. New York: St. Martin's Press
- Coleman, V. I., & Borman, W. C. (2000). Investigating the underlying structure of the citizenship performance domain. *Human Resource Management Review*, 10, 25-44.
- Folger, R., & Skarlicki, D. P. (2005). Beyond counterproductive work behavior: Moral emotions and deontic retaliation versus reconciliation. In S. Fox & P. Spector (Eds.), *Counterproductive workplace behavior: Investigations of actors and targets* (pp 83-105). Washington, DC: APA
- Geen, R. G. (1991). Human aggression. Pacific Grove, CA: Brooks/Cole.
- Gruys, M. L. (1999). *The dimensionality of deviant employee performance in the workplace*. Unpublished doctoral dissertation, Minneapolis, MN: University of Minnesota
- Gruys, M., & Sackett, P. R. (2003). Investigating the dimensionality of counterproductive work behavior. *International Journal of Selection and Assessment*, 11, 30-42.
- Herbig. K. L., (2008). *Changes in Espionage by Americans: 1947-2007*. Monterey, CA: Defense Personnel Security Research Center.
- Herbig, K., L., & Wiskoff, M. F., (2002). *Espionage Against the United States by American Citizens*. Monterey, CA: Defense Personnel Security Research Center.
- Hoffman, B. J., Blair, C. A., Meriac, J. P., & Woehr, D. J. (2007). Expanding the criterion domain: A quantitative review oft the OCB literature. *Journal of Applied Psychology*, 92, 555-566.
- Hollinger, R. C. & Clark, J. P. (1982). Formal and informal social controls of employee deviance. *Sociological Quarterly*, 23, 333-343.

- Hunt, S. T. (1996). Generic work behavior: An investigation into the dimensions of entry-level, hourly job performance. *Personnel Psychology*, 49, 51-83.
- Kaukiainen, A., Salmivalli, C., Bjorkqvist, K., Osterman, K., Lahtinen, A., Kostamo, A., et al. (2001).
- Krause, M.S. (2002). Contemporary White Collar Crime Research: A Survey of Findings Relevant to Personnel Security Research and Practice. Technical Report. The Personnel Security Managers' Research Program.
- Mangione, T. W. & Quinn, R. P. (1974). Job satisfaction, counterproductive behavior, and drug use at work. *Journal of Applied Psychology*, 1, 114-116.
- Neal, A. & Griffin, M. A. (2006). A study of the lagged relationships among safety climate, safety motivation, safety behavior, and accidents at the individual and group levels, *Journal of Applied Psychology*, 91, 946-953.
- Neuman, J. H. & Baron, R. A. (2005). Aggression in the workplace: A social psychological perspective. In *Counterproductive Work Behavior: Investigations of Actors and Targets*. S. Fox & P. E. Spector (eds.). Washington DC: American Psychological Association.
- Organ, D. W. (1988). Organizational citizenship behavior: The good soldier syndrome. Lexington, MA: Lexington Books.
- Organ, D. W., & Ryan, K. (1995). A meta-analytic review of attitudinal and dispositional predictors of organizational citizenship behavior. *Personnel Psychology*, 48, 775-802.
- Porter, L. E., & Warrender, C., (2009). A multivariate model of police deviance: examining the nature of corruption, crime and misconduct. *Policing and Society*, 19, 79-99.
- Punch, M., (1985). Conduct unbecoming: The social construction of police deviance and control. London: Tavistock.
- Punch, M., (2000). Police corruption and its prevention. *European Journal on Criminal Policy and Research*, 8, 304-324.
- Reason, J., Parker, D., & Lawton, R. (1998). Organizational controls and safety: The varieties of rule-related behavior. *Journal of Occupational and Organizational Psychology*, 71, 289-304.
- Robinson, S. L. & Bennett, R. J. (1995). A Typology of Deviant Workplace Behaviors: A multidimensional scaling study. *Academy of Management Journal*, 38, 555-572.
- Roebuck, J. B. & Barber, T., (1974). A typology of police corruption. *Social Problems*, 21, 423-437.
- Skogan, W. G., & Meares, T. L. (2004). Lawful policing. *The Annals of the American Academy of Political and Social Science*, 593, 66-83.
- Smith, C. A., Organ, D. W., & Near, J. P. (1983). Organizational citizenship behavior: Its nature and antecedents. *Journal of Applied Psychology*, 68, 653-663.
- Society for Industrial and Organizational Psychology. (2003). *Principles for the Validation and Use of Personnel Selection Procedures*. (4th Ed.). Bowling Green, OH: Author.

- Spector, P. E., Fox, S., Penney, L. M., Bruursems, K., Goh, A., & Kessler, S. (2006). The dimensionality of counterproductivity: Are all counterproductive behaviors created equal? *Journal of Vocational Behavior*, 68, 446-460.
- Wood. S., & Wiskoff, M. F, (1992). *Americans who spied against their country since World War II*. Monterey, CA: Defense Personnel Security Research Center.

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# Examination of the Adjudicative Guidelines

Appendix B Part 2
Adjudicative Guidelines Literature Review: the "National Conflict" Cluster

LEADING INTELLIGENCE INTEGRATION

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#### **EXECUTIVE SUMMARY**

### **Purpose**

A review of current social science research was undertaken to provide evidence about the meaning and effectiveness of the Adjudicative Guidelines for making security clearance decisions. This White Paper reviews that evidence for four Guidelines, A. Allegiance to the US, B. Foreign Influence, C. Foreign Preference and L. Outside Activities. These four Guidelines focus on different types of evidence of foreign relationships that may create divided loyalties and opportunities for inducement or coercion.

### **Approach**

The literature review covered a wide range of social science literature including counterproductive work behavior, workplace safety behavior, workplace aggression, police corruption, white collar crime, organizational citizenship behavior, organizational commitment, national allegiance, immigrant assimilation, group identity, social identity, academic cheating, traffic violations, and case studies of espionage. Given the almost complete lack of research on national security behavior itself, the primary strategy of this review was to review research in other work behavior domains similar to security behavior to draw inferences about the Guidelines as measures of antecedents of security behavior.

### **Key Findings**

- Evidence supports the general approach of the national conflict Guidelines to evaluate security risk based on potential conflicts between US and Foreign attachments.
- ♦ Identity-based forms of attachment are likely to be most predictive of security violation behavior.
- Dual citizenship is associated with lower levels of US national identity.
- People can manage multiple identity attachments by shifting from one identity to another based on the situation without experiencing the conflict assumed in the Guidelines' approach.
- The Guidelines' evidence that focuses on indicators of risk for security violations does not capture, with some exceptions, the personal attributes leading to positive security behavior.

### **Key Recommendations**

- Adjudicators may improve risk assessment by focusing on identity-based indicators of strength of attachment and on evidence about the manner by which individuals managed multiple identity attachments in situations of conflict.
- Mitigators currently focus on evidence that discounts risky attachments. Additional mitigators should focus on the ability to manage non-discounted attachments without creating additional security risk.
- A structured Risk Assessment Scale may improve adjudicators' ability to aggregate relevant evidence across multiple Guidelines.
- A new Guideline representing policy-driven "basic qualifications" for clearance may improve the efficiency of the overall clearance process.
- Guidelines B and L may be combined with no loss of effectiveness and possible gains in adjudicator efficiency.

#### THE NATIONAL CONFLICT CLUSTER

- A. Allegiance to the US
- **B.** Foreign Influence
- C. Foreign Preference
- L. Outside Activities

#### Introduction

This paper evaluates the social science research literature relevant to the effectiveness of the four national conflict Adjudicative Guidelines. This evaluation describes the extent to which research evidence provides rationales supporting or questioning the current meaning and use of these Guidelines. In addition, potential modifications and alternatives are described where the research evidence points to such adjustments.

The social science evidence evaluated here focuses on understanding, explaining and predicting individual human behavior relating to US national interests and, more specifically, the protection of classified information. The purpose of this project is to evaluate social science-based evidence about the meaning and use of the Guidelines. The questions being answered by this project are (a) "Does current social science evidence support the meaning and use of the Adjudicative Guidelines?" and (b) "What changes does the evidence suggest to improve the meaning and use of the Guidelines?"

This project is not intended to evaluate support for the Guidelines based on policy considerations. This is an especially important point for the national conflict Guidelines because strong arguments supporting many facets of these particular four Guidelines can be made on a policy basis alone. For example, much like the rules of evidence in the US legal system, evidence that an individual has acted illegally directly against US national interests might, itself, be a sufficient basis for disqualification. The policy-based justification of such a Guideline may have no need for social science evidence about the predictive value of previous illegal actions against US interests for future security violations. Nevertheless, this White Paper will take note where apparent rationales for the Guidelines are grounded in policy considerations and where social science evidence is also relevant.

#### The National Conflict Guidelines

The four Guidelines clustered in this white paper are referred to as the national conflict cluster for the purposes of this project. This label stems from the commonality among these four Guidelines that all address evidence about individuals' potential conflicts with US national interests. These conflicts may take several forms as differentiated by the four Guidelines. These include conflicting attitudes or beliefs manifested in direct action against US national interests as referenced in Guideline A. Guidelines B, C, and L all address potentially conflicting attachments to foreign countries and other personal interests such as financial, business, or professional interests that may be sources of conflict with US interests. Social science evidence is directly relevant to the weight given to such evidence of conflicts because, except for Guideline A, the personal history evidence covered by these Guidelines is not typically a direct manifestation of conflict with or action against US national interests. Rather, this personal history evidence is better viewed as signs of underlying beliefs, motives, attitudes, preferences, social identities, etc. that may be predictive of future security violation behavior if the individual is granted or retains access to protected information. Relevant social science evidence provides the best information about the prediction value such evidence has for future security risk.

In an effort to capture the extent to which social science evidence is relevant to each of these national conflict Guidelines, a table is presented below for each national conflict Guideline. Each table lists the conditions (evidence) within that Guideline that could raise security concerns. The conditions are taken from the Adjudicative Guidelines for Determining Eligibility for Access to Classified Information (2005). For each condition, the table also indicates whether the presumed supporting rationale for that condition rests primarily on social science evidence or primarily on an apparent underlying policy position or both. The judgment about the supporting rationale was made by the author based on a review of the social science evidence and the nature of the condition. These judgments were not made by national security clearance officials or experts.

Table 1. Supporting Rationales for Guideline A. Allegiance to the United States

Condition triggering sequeity concern	Important Supporting Rationale		
Condition triggering security concern	Evidence- based	Policy-based	
(a) Involvement in, support of,any act of sabotage, espionage, treason, terrorism, or sedition against the US	1	X	
(b) association or sympathy with persons who are attempting to commit, or who are committing, (a) above	X	X	
(c) association or sympathy with persons or organizations that advocate, threaten, or use any illegal or unconstitutional means, in an effort to:	X	X	
1. overthrow or influence the government of the US	X	X	
2. prevent Federal, state or local government personnel from performing their duties	X	X	
3. gain retribution for perceived wrongs caused by Federal, state or local governments	X	X	
4. prevent others from exercising their rights under the Constitution or laws of the US or of any state	X	X	

In each of these tables, a policy-based supporting rationale is judged to be important where the personal history event constitutes an illegal act or support of an illegal act directed against US national interests, or where the action is comparable in intent and severity to security violation behavior. Other events such as deception or noncompliance in the clearance process may be policy-based reasons for disqualification. Such conditions carry great weight by virtue of their direct comparability to security violation behavior regardless of social science evidence that such acts predict future security violations.

In contrast, many conditions imply risk for security violation behavior on the assumption that the psychological and/or situational factors that gave rise to the condition will also increase the likelihood of security violations. The weight given to such conditions should depend to a great extent on the social science evidence supporting the assumed relationships between psychological and situations factors and security violation behavior. These conditions are the primary focus of this project.

It should also be noted that policy and evidence-based rationales are not mutually exclusive. The weight given to some conditions may be influenced by both the policy rationale as well as the social science evidence rationale.

Table 1 shows that all the potentially disqualifying conditions associated with Guideline A. Allegiance to the US, may be supported by a policy rationale. However, conditions (b) and (c) also depend on an important social science rationale. In these conditions, the investigative evidence is that the individual supported or sympathized with the actors, but did not take the action himself. In this case, the presence of social science showing that such support or sympathy is predictive of later security violation behavior, or similar behavior, should increase the weight given to conditions (b) and (c).

Table 2. Important Supporting Rationales for Guideline B. Foreign Influence

Condition triggaring sequeity concern	Important Supporting Rationale	
Condition triggering security concern	Evidence- based	Policy-based
(a) contact with a foreign family member,, or other person who is a citizen or resident in a foreign country if that contact creates a heightened risk of foreign exploitation,, or coercion	X	
(b) connections to a foreign person, or country that create a potential conflict of interest between the individual's obligation to protect sensitive information or technology and the individual's desire to help a foreign person,, or country by providing that information	X	
(c) counterintelligence informationindicates that the individual's access to protected information may involve unacceptable risk to national security		X
(d) Sharing living quarters with a person(s), regardless of citizenship status, if that relationship creates a heightened risk of foreign inducement, manipulation, pressure, or coercion	X	
(e) a substantial business, financial or property interest in a foreign country, or in any foreign-owned or foreign-operated business, which could subject the individual to heightened risk of foreign influence or exploitation	X	
(f) failure to report, when required, association with a foreign national		X
(g) unauthorized association with a suspected or known agent, associate, or employee of a foreign intelligence service		X
(h) indications that representatives or nationals from a foreign country are acting to increase the vulnerability of the individual to future exploitation	X	X
(i) conductwhich may make the individual vulnerable to exploitation, pressure, or coercion by a foreign person, group, government, or country	X	

Table 2 shows that 6 of the 9 conditions of concern for Guideline B. Foreign Influence, depend on assumed psychological/situational factors that require social science evidence to be confirmed. For example, condition (e) refers to personal monetary interests in foreign entities which could increase risk of foreign influence. The foreign monetary interests are typically not illegal nor are they typically directed against US national interests. The degree to which such indicators predict future security violations depends on certain personal attributes and situational factors, whether the gathered evidence accurately represents these factors, and the predictive link between these factors and subsequent security violation behavior or similar behavior. Social science evidence is important for this condition to judge its relevance and weight for each individual.

Table 3 shows that 6 of the 10 distinct conditions for Guideline C. Foreign Preference should be informed by social science evidence. The core, underlying consideration common to all Foreign Preference conditions is strength of the individual's allegiance to a foreign country relative to his US allegiance. On their face, conditions (a) 2, (a) 6, (c) and (d) show direct evidence of a dominant allegiance to the foreign country and are fully supported by a policy that clearances are not awarded to or retained by individuals whose allegiance to the US is or becomes subordinate to that of any other country, regardless of country. The six conditions for which the indication of dominant allegiance is unclear should be informed by the social science

of dual citizenship, patriotism and nationalism to assist the investigators and adjudicators with placing appropriate weight on the evidence.

Table 3. Important supporting Rationales for Guideline C. Foreign Preference

Condition triggaring cooperity concern	Important Supporting Rationale	
Condition triggering security concern	Evidence- based	Policy-based
(a) exercise of any right, privilege, or obligation of foreign citizenship after		
becoming a US citizen or through the foreign citizenship of a family member.		
This includes but is not limited to:		
1. possession of a current passport	X	X
2. military service or a willingness to bear arms for a foreign country		X
3. accepting educational,, social welfare, or other such benefits from a	X	
foreign country	Λ	
4. residence in a foreign country to meet citizenship requirements	X	X
5. using foreign citizenship to protect financial or business interests in	X	
another country	Λ	
6. seeking or holding political office in a foreign country		X
7. voting in a foreign election	X	X
(b) action to acquire or obtain recognition of a foreign citizenship by an American citizen	X	X
(c) performing or attempting to perform duties, or otherwise acting, so as to serve the interests of a foreign person,, or government in conflict with the (US) national security interest		X
(d) any statement or action that shows allegiance to a country other than the US; for example, declaration of intent to renounce US citizenship; renunciation of US citizenship		X

Table 4 shows that 3 of the 5 concerning conditions for Guideline L. Outside Activities are of the sort that should be informed by social science evidence. Condition (a) 1 and condition (b) are sufficient, on their face, to be given great weight as a matter of policy alone. Condition (a) 1 is an unambiguous indication of dominant allegiance to a foreign country. For purposes of this project, we regard deliberate deception on the individual's part with respect to potential conflicts of interest, such as condition (b), to be sufficient grounds for disqualification as a matter of policy.

Table 4. Important Supporting Rrationales for Guideline L. Outside Activities

	Important Supporting Rationale	
Condition triggering security concern	Evidence- based	Policy-based
(a) any employment or service, whether compensated or volunteer, with:		
1. the government of a foreign country		X
2. any foreign national, organization, or other entity	X	
3. a representative of any foreign interest	X	
4. any foreign, domestic, or international organization or person engaged in analysis, discussion, or publication of material on intelligence, defense, foreign affairs, or protected technology	X	
(b) failure to report or fully disclose an outside activity when this is required		X

The supporting rationales are reviewed in detail to identify the specific rationales that will be informed by this evaluation of the relevant social science evidence.

### Positive and Negative Security Behavior

Although the national conflict Guidelines focus attention almost exclusively on negative indicators of potentially disqualifying conditions, the "whole person concept" applies to these four Guidelines in the same way it applies to all other Guidelines. Adjudicators are expected to use all available evidence to evaluate not only the degree of risk for future violations but also the degree to which each individual satisfies the whole person standard of being reliable, trustworthy, and able to protect classified information. The social science evidence evaluated for this project will be examined for its implications for the adjudicator's positive imperative to affirm reliability, trustworthiness and ability to protect classified information as well as the negative imperative to avoid unacceptable risk.

# Theory of Planned Behavior: An Explanatory Framework for National Conflict Guidelines

The national conflict Guidelines are designed and used to discover and interpret personal history evidence that an individual may have conflicts with US interests. These may be conflicts of attitude and beliefs manifested in harmful behavior (Guideline A), conflicts grounded in competing national attachments (Guidelines B and C), and/or conflicts based on business or personal interests that compete with US national interests (Guideline L). ADR (2005), although not a policy document, provides adjudicators a basic reference resource to help them determine whether the evidence is persuasive that such conflicts exist. Where evidence is persuasive that such conflicts exist, these four Guidelines weigh against granting or retaining a clearance.

The ADR relies on assumptions about the strength of the conflicts, the individual's allegiance to the US, and the manner in which the individual, when cleared, would resolve any possible conflicts. We review research from a variety of different social science research domains relevant to these assumptions including social identity, national attachment, dual citizenship/loyalty, ethnic/cultural differences, social norms, and risky behavior such as academic cheating, drinking and traffic violations, among others.

Each of these possible types of explanatory variables is reviewed here because it is potentially relevant to the social psychological mechanisms that explain how people would behave in the presence of potential conflict relating to US national interests. We will use the Theory of Planned Behavior to organize and clarify the way in which these attributes may influence security behavior. This theory is a general theory of behavior grounded in social cognition which is designed to explain how attitudes, self-identities, social norms, beliefs, dispositions and past behavior combine to cause future behavior. This theory is not specific to any one behavior domain. But by considering personal attributes that are specifically relevant to the domain of national security behavior, we will be able to apply this theory to the types of behavior considered by the clearance adjudication. By fitting the many attributes relevant to security into this general theoretical framework, we will be able to derive conclusions and recommendations about the Guidelines' meaning and use. Ultimately, the primary purpose for introducing this framework is not to advance a theoretical understanding of security behavior but to clarify the way in which the reviewed research literatures lead to the conclusions and recommendations we offer about the meaning and use of the Guidelines.

#### Theory of Planned Behavior

Since Ajzen (1991) proposed the Theory of Planned Behavior (TPB) and presented supporting evidence, scores of studies have demonstrated TPB's ability to predict a wide range of human behavior especially including risky, counter-normative behaviors such as academic cheating, speeding, marijuana use, and heavy episodic drinking. Although these risky behaviors are not close analogs to security behavior because they lack the organizational context of security behavior, they do share important features of security violation behavior such as being risky,

stimulating, illegal/counter-normative, and potentially harmful to self and others. A particularly valuable aspect of TPB is that it provides an explanation for the link between past behavior and future behavior, which is at the center of Guideline A. A close examination of the relevance of TPB to Guideline A can provide insight about the manner in which the investigation and adjudication of Guideline A are supported and might be optimized. Similarly, TPB provides a framework for capturing the effects of various facets of foreign attachment, which are central to Guidelines B, C and, partly, L.

TPB is grounded in social cognition and offers an explanation for intentional behavior. It describes behavior as a direct function of the intention to behave and the actor's perception of his ability to perform the behavior. In addition, the actor's attitudes toward the behavior and the actor's perception of the social pressure to perform or not perform the behavior have a direct influence on the intention to act. This theory is schematically represented in Exhibit 1.

In Ajzen's TPB, each component has a specific meaning relating to the target behavior. The behavior itself can either be a specific behavior in a specific context or a more generalized behavior aggregated across times and contexts. This latter, broader behavior type is likely more typical of the behaviors targeted by the Allegiance Guideline. Intention is considered to be the immediate antecedent of the behavior and is defined as the actor's readiness to perform the behavior. Perceived behavioral control represents the actor's perception of his ability to perform the target behavior. In most cases, this perceived control is the aggregation of the actor's perceptions about multiple factors that may inhibit or facilitate performance of the behavior. In those cases where perceived control is an accurate perception of actual control, perceived control can have a direct influence on the target behavior. Subjective norm is the perceived social pressure to engage or not engage in the target behavior. It is not simply the imperative associated with the actor's social or moral identity. Rather, it is a combination of the actor's beliefs about normative expectations held by people important to the actor with regard to the actor's behavior and the actor's own motivation to comply with that perceived social norm. Social/moral identities influence the actor's motivation to adhere to the expectation. Attitude toward the behavior represents the aggregated positive or negative value the actor attaches to the behavior.

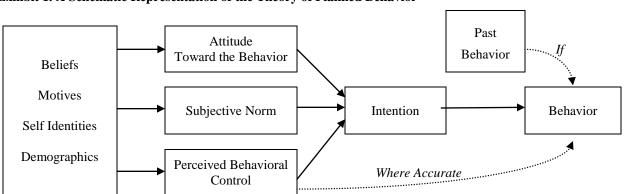


Exhibit 1. A Schematic Representation of the Theory of Planned Behavior

In summary, TPB hypothesizes two key sets of predictions. First, behavior is predicted directly from intentions and perceived control, if the perception of control is accurate. Second, the influence of attitudes and subjective norms on behavior is by way of their direct influence on intentions. They do not directly affect behavior.

Of particular interest in TPB is the role of past behavior. In general, TPB does not represent past behavior as a predictor of future behavior except in two conditions. First, where past behavior has become a behavior of habit and occurs relatively automatically then past behavior is likely to be a direct predictor of future behavior. Second, if the internal and external circumstances are unchanged from the past occasion to the future occasion, then past behavior is likely to be a predictor of future behavior. This form of prediction is generally viewed merely as the stability of behavior and is uninteresting from an explanatory perspective. In effect, TPB asserts that past behavior is the best predictor of future behavior only when nothing has changed. If internal perceptions, beliefs, motives or external conditions have changed then intention, not past behavior, is the best predictor of future behavior.

# **Grouping the Guidelines for Purposes of Literature Review and Evaluation**

The literature review itself will be organized around two subgroups of national conflict Guidelines, where Guideline A comprises one subgroup and Guidelines B, C, and L comprise the second subgroup. These subgroups are based on two considerations, (1) what distinguishes Guideline A from the others, and (2) what Guidelines B, C, and L have in common. Both considerations are important because they relate to the research literatures reviewed and evaluated here. Guideline A is different from the other three in that it focuses on evidence of behavior, or support/sympathy for such behavior, explicitly directed against US national interests. Guideline A evidence is about behavior antagonistic toward the US. In contrast, the different types of evidence gathered for Guidelines B, C and L all focus on behavior that, for the most part, is not itself antagonistic toward the US but may reflect attachments or interests in foreign countries, persons or entities that may result in conflicts with US interests that could lead to security violation behavior. Research evidence about factors that influence the strength of national attachments is relevant to Guidelines B, C and L in similar ways.

# EVIDENCE FOR GUIDELINE A: ALLEGIANCE TO THE UNITED STATES

Guideline A includes evidence of behavior/support/sympathy for harm directed at US national interests. Such behaviors/support/sympathy represent evidence of behavior that is precisely the same as or very similar to the harmful behavior the security clearance process is designed to minimize. In effect, Guideline A appears based on the assumption that the best predictor of future behavior is past behavior. By looking for historical evidence that the individual has engaged in or supported/sympathized with action directed against US national interests, adjudication based on Guideline A seeks to disqualify all those who would be likely to repeat similar behavior once given access to protected information. As might be expected, very few important issues are found, at least in the 1084 SSBI investigations summarized in the Foundations Paper, Table 4. Indeed no significant Guideline A issues were reported for that sample.

As Table 1 describes, a policy-based rationale supports the Guideline's reliance on all potentially disqualifying conditions. The close similarity between the evidence of national harm gathered in Guideline A and the targeted security violations justifies the implied policy to disqualify individuals who have provided support to or sympathized with others who have acted to harm US national interests. This policy-based rationale is especially persuasive for Condition (a) which refers to direct personal involvement in or support of actions against the US.

The remaining conditions are more removed from the targeted behavior than Condition (a). Conditions (b) and (c) (1-4) all refer to associations or sympathy with other persons who intend through illegal means to harm US national interests. Because Conditions (b) and (c) (1-4) are not about the individual's own behavior directed at harming US interests, the persuasiveness of the policy-based rationale for these conditions could be strengthened by social science evidence. Such evidence would demonstrate that association or sympathy with others who intend harm is predictive of the individual's own likelihood of violating US security standards.

The Levels 1, 2 and 3 evidence described in the Foundations Paper will be reviewed to examine whether any social science evidence currently is available that strengthens the policy-based support for Guideline A.

#### Level 1 Evidence

Level 1 evidence can be empirical or conceptual and provides information about the predictive relationship between the types of behaviors gathered in the Guideline A investigation process and the security behavior targeted by the Allegiance consideration. This is the form or research evidence that is most directly relevant to security behavior context. The only true Level 1 evidence for Guideline A is the various analyses of espionage case studies. These studies constitute Level 1 evidence because they include behavior of the type gathered by clearance investigations for Guideline A and they include national espionage, which is a focus of Guideline A.

#### **Individual Case Studies of Espionage**

In the past two decades, several systematic case study analyses have been reported about known cases of national espionage (e.g., Wood & Wiskoff, 1992; Herbig & Wiskoff, 2001; Herbig, 2008). The analyses cited here have been conducted using scientific methods unlike the myriad of news reports and non-scientific case analyses that are available in the popular media. The scientific methods include tabulating demographic information using standard categories, structured interviews and comparisons of results across time periods.

Nevertheless, these analyses provide little persuasive evidence that Allegiance evidence predicts later security violation behavior. While there would seem to be little doubt that Allegiance evidence predicts later security violation behavior given their virtually identical meaning, the espionage case studies provide more information about profiles of spies and espionage behavior than information about the predictive relationship between Allegiance evidence and later espionage. Consider one example of the type of evidence reported in these analyses. In the most recent update of case studies of US spies caught since 1947, Herbig (2008) reports in Table 11 (p. 40) that the percentage of spies who have exhibited Allegiance issues regarding a "separate country or cause" has increased from 21% prior to 1990 to 46% from 1990 - 2007. While this information is extremely helpful for understanding the behavioral and attitudinal characteristics of spies, it does not provide information about the extent to which Allegiance evidence helps to distinguish those applicants who will not spy from those who will. The short reason for this lack of prediction information is that no comparable information about Allegiance conditions is provided for a control group of demographically comparable people in similar roles who have not spied. (The only known example of a research study comparing caught spies to matched non-spies is Thompson (2003). In this dissertation Thompson investigated differences between spies and non-spies on issues associated with illegal drug use, financial responsibility, criminal activity, alcohol use and emotional issues as well as selected other psychological conditions. Spies were not compared to non-spies on factors related to the national conflict Guidelines.)

Although these reports provide little information about the effectiveness of Guideline A, it is nevertheless quite plausible that the rate of Allegiance conditions among spies is higher than

it is among demographically comparable non-spies. After all, espionage itself would certainly constitute Condition (a) behavior in an Allegiance investigation. Herbig's (2008) evidence that 46% of the 37 spies caught from 1990-2007 displayed allegiance to a country or cause different from the US is in stark contrast to analyses of recent SSBI issues reported in the Foundations Paper. Not one of the 1,084 screened applicants yielded a significant condition on Guideline A. Such a large discrepancy between spies and applicants suggests but does not demonstrate that spies have higher rates of Allegiance conditions than do comparable non-spies. From a research standpoint, a critical issue is what the rate of Allegiance issues was for spies at the time they were adjudicated for their clearance. This rate is not known from any of the analyses of espionage cases. It is unclear from Herbig's (2008) analysis whether the Allegiance conditions reported for spies were conditions known at the time of the spies' clearance investigations or came to be known later. In sum, for all the value such analyses of espionage case studies have, they do not provide discriminating evidence of the effectiveness of Guideline A.

One closely related implication of the espionage case studies is important. Overall, Herbig reports that spies have relatively high rates of Allegiance issues, among other Cluster 1 issues. The clear implication is that Allegiance investigations applied in re-evaluations of clearances could have resulted in the removal of clearances from as many as 46% of these spies. This measure is certainly one index of the *potential* effectiveness of Guideline A. It is a measure of the "true positive" rate with which an Allegiance investigation could identify ongoing espionage behavior. But this index is only a partial measure of the value of Guideline A for withdrawal of existing clearances. It would also be important to estimate the "false positive" rate that would simultaneously result from Allegiance-based re-evaluations. The "false positive" rate is a percentage of people who are not engaged in espionage but reveal serious Allegiance issues. A high "false positive" rate could reduce the assessment of Guideline A's overall effectiveness in re-evaluation processes. It is important to note that this application of Guideline A to re-evaluations of clearances does not rely on prediction evidence. Rather, it is in effect a verdict as to whether the person has directed action against the US national interests.

# **Empirical Analyses of the Relationship Between Allegiance Evidence and Security Behavior**

No research evidence has been found that reports empirical analyses showing the extent to which Allegiance evidence predicts later security violation behavior. It should be noted that the converse is also true. No empirical evidence has been reported showing the extent to which the absence of Allegiance issues predicts security citizenship behavior.

#### Level 2 Evidence

Level 2 evidence can be empirical or conceptual and provides information about the predictive relationship between the types of behaviors gathered in the Guideline A investigation process and psychological attributes underlying the security behavior targeted by the Allegiance consideration. It is assumed that the Allegiance Guideline targets anti-US security violations occurring in the context of sabotage, espionage, treason, terrorism, or sedition. Examples of psychological attributes underlying security violations in these hostile anti-US contexts include anti-US nationalism/patriotism, intolerance, extremism and revenge. No research was found describing the influence of actions harmful to US security or use of force or violence against citizen rights on such underlying variables of involvement in, or support/sympathy for those who are involved in, illegal hostile acts directed against US national interests. A likely reason is the lack of access to people displaying Guideline A conditions who would be the participants in research producing Level 2 evidence.

This lack of Level 2 evidence about underlying explanatory variables may not call into question the rationale for Guideline A. Guideline A appears to rely, in effect, on the principle that past behavior is the best predictor of future behavior. Adjudicators have relatively few assumptions to make about the operation of underlying attributes and circumstances. When Allegiance issues are in evidence, the primary goal of the adjudicator is to confirm through mitigator evidence that the individual intended the behavior and that the past behavior is still indicative of the individual's intent (ADR, 2005). If the past behavior was intended and is still indicative of current intent, the adjudicator is likely to make the straightforward inference that the individual is a significant risk to repeat such behavior when given access to protected information. The adjudicator is not required to develop hypotheses about the underlying explanations for the individual's intended, relevant past behavior. Because it is highly similar to, if not the same as, the undesired security violation behavior, the adjudicator draws the conclusion that the individual's past behavior creates a substantial risk of similar future behavior.

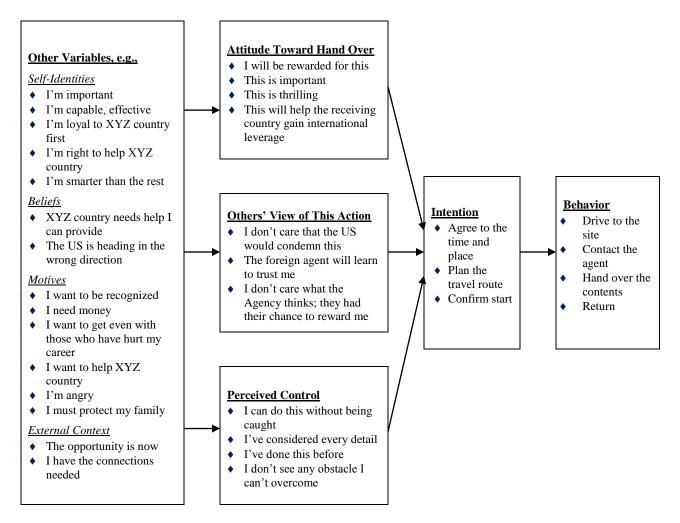
Considerable research has been done, however, on a general theory of intentional behavior that provides a social psychological rationale generally supportive of the manner in which Guideline A is adjudicated and its likely effectiveness. This theory and supporting evidence is best described as Level 3 evidence.

#### Level 3 Evidence

Ajzen (1991) described the Theory of Planned Behavior (TPB) and presented evidence in support of its key propositions about intentional human behavior. Since then scores of studies have demonstrated TPB's ability to predict a wide range of human behavior especially including risky, counter-normative behaviors such as academic cheating, speeding, marijuana use, and heavy episodic drinking. Although these risky behaviors are not considered close analogs to security behavior because they lack the organizational context of security behavior, they do share important features of security violation behavior such as risky, stimulating, illegal/counternormative, and potentially harmful to self and others. A particularly valuable aspect of TPB is that it provides an explanation for the link between past behavior and future behavior that hinges on intention, which is at the center of Guideline A. A close examination of the relevance of TPB to Guideline A can provide insight about the manner in which the investigation and adjudication of Guideline A are supported and might be optimized.

Consider an example of a behavior representing a Guideline A-oriented security violation such as the transfer of US nuclear weaponry plans to a foreign intelligence agent. The behavior in question is a clear and consequential act directed against US national interests. In TPB terms, the intention leading to this behavior is the readiness to deliver the material, which is the culmination of some number of planning steps. Assuming the target behavior is not so frequent and routine as to be habitual and that it is unique to the current local circumstances, TPB views past behavior as having little explanatory value. Exhibit 2 populates the TPB schematic model with examples of attitudes, norms and perceptions that might be expected to lead to such an act of espionage.

Exhibit 2. Speculative TPB Model of a Security Violation Behavior



This speculative example demonstrates the role of various personal attributes relating to national security. For example, attachment and loyalty to the US and other countries operate to influence the actor's attitudes toward the behavior that is good or bad. Motivations such as revenge, money and power influence the actor's motive to comply with perceived social norms regarding the behavior. The actor's skills, experience, self-efficacy, etc. combine to create the perceived control over performing the behavior successfully.

To be sure, TPB is not intended to apply to all behavior. Unintended behavior such as inadvertent security violations are not modeled by TPB. This limitation is not critical to this evaluation because, for the purposes of this project, the security behavior domain of interest to the clearance process only consists of intentional behavior. Potentially more important, TPB does not apply to emotionally reactive behavior triggered by some critical event or experience. As noted above, TPB is a model of behavior grounded in social cognition. The question for future research about security violation behavior is whether important types of such behavior are best explained as emotionally reactive behavior. For example, in the domain of workplace aggression Geen (1991) and Berkowitz (1998) distinguish between proactive, instrumental, "cold"

aggression and reactive, hostile, "hot" aggression. To the extent that the latter form of aggression is short-lived, directed at a person to do harm and automatic, it would not be well explained by TPB. However, even reactive aggression can have more significant cognitive components to the extent it is planful, deliberate, and not automatic or spontaneous. Such planful reactive aggression may be well captured by TPB. The question for security behavior is whether important security violations have taken the form of spontaneously reactive, automatic, emotional attempts to harm. If such types of security behavior are important, a different theoretical framework from TPB will be needed. While we do not propose a single, coherent theory of such spontaneously reactive behavior, such a theory would presumably emphasize automatic, emotional, non-cognitive components of behavior associated with deeper psychological dynamics associated with anger, aggression, fear and harm-avoidance.

#### Evidence Linking TPB to Guideline A

In the section above, a conceptual rationale was provided for using the TPB theoretical framework to support the use of Guideline A. In addition, considerable empirical evidence has accumulated showing that TPB successfully predicts a variety of risky, counter-normative and potentially harmful behaviors as well as preventative behaviors in the health domain. While none of these behaviors are analogs to security behavior because they don't take place in an organizational context, this evidence demonstrates the effectiveness of TPB in predicting counter-normative, risky behaviors that bear some relationship to security behaviors.

#### Academic Cheating

Among the behavior domains in which TPB has been empirically tested, academic cheating is perhaps the domain most directly related to security behavior. Three studies (Beck & Ajzen, 1991), Whitely (1998) and Harding, Mayhew, Finelli & Carpenter (2007)) provide the most direct test of TPB as a predictor of academic cheating. Beck & Ajzen (1991) tested whether TPB predictions account for academic cheating, academic lying (to get out of exams/papers) and shoplifting. They found that both intention and perceived control predicted dishonest behavior, r = .52 and .44, respectively, although perceived control did not add predictive value above intention. Further, they reported that attitude toward the dishonest behavior, subjective norms about such dishonesty and perceived control all predicted intention to behave dishonestly as hypothesized by TPB. Interestingly, subjective norms were correlated with both attitudes and perceived control such that the independent contribution of subjective norms was near zero.

Whitely (1998) meta-analyzed data from 107 studies of academic cheating to test key TPB hypotheses about the relationship between cheating behavior and (a) attitudes about cheating, (b) subjective norms about cheating, and (c) perceived control over cheating behavior. Consistent with TPB, all three predictors were positively related to cheating behavior. Students were more likely to cheat who had favorable attitudes toward cheating, perceived that social norms permitted cheating, and saw themselves as more effective cheaters. Because the 107

studies were not designed specifically to test TPB, Whitely was not able to test TPB's predictions about intention mediating the effects of attitudes, subjective norms and perceived control on cheating behavior.

Like Beck & Ajzen, Harding et al. (2007) conducted a study of academic cheating specifically to test the relationships hypothesized by TPB. Their results were similar to Beck & Ajzen. Intention to cheat was significantly related to cheating behavior but perceived control was not. Similarly, attitudes toward cheating and subjective norms about cheating were significantly related to intention to cheat but, unlike Beck & Ajzen, perceived control was not related to intention to cheat. Overall, Harding et al. found perceived control over cheating to be unrelated either to intent or behavior.

Of special relevance to Guideline A, both Beck & Ajzen and Harding et al. also tested the influence of moral identity (moral obligation to avoid cheating) on cheating above and beyond the predictions of TPB. Both found that students who expressed a moral obligation to avoid cheating were less likely to intend to cheat above and beyond the effects of attitudes, subjective norms, and perceived control. Bennett, Aquino, Reed & Thau (2005) argue for the importance of moral identity as a self-regulating mechanism that influences people's organizational behavior, including workplace deviance. The TPB research on academic cheating supports their assertion by showing an influence of moral identity on cheating intentions. Given that Guideline A addresses harmful, counter-normative (deviant) behavior almost exclusively, it is likely that the relationship between Guideline A investigative issues and subsequent security violations depends in some part on the role of moral identity in addition to the influences of national attitudes, subjective norms, and perceived efficacy in carrying out the violation behavior.

#### Heavy Drinking

Schlegel et al. (1990) tested a theory of reasoned action, which was a precursor to TPB absent the perceived control variable. However, Schlegel et al. included a measure of perceived control, which allowed them to test the core predictions of TPB. Their results provided support for all key components of TPB by showing that heavy drinking intentions predicted heavy drinking behavior and that attitude, subjective norms and perceived control with respect to heavy drinking each added uniquely to the prediction of intention to drink.

Collins & Carey (2007) specifically tested TPB as a model of heavy episodic drinking. Attitudes and perceived control predicted intention to drink but, unlike most other TPB studies, subjective norms did not predict intention. Intention to drink also predicted future heavy drinking.

#### Traffic Violations

Two studies in the UK tested TPB as a predictor of traffic violation behavior (Parker et al. (1992) and Elliott, Armitage & Baughan (2003)). Between the two studies, 5 behavior domains were used to test TPB. Elliott, Armitage & Baughan examined speeding and Parker et

al. examined speeding, drinking and driving, close following, and passing in risky circumstances. Empirical evidence from all five domains provided consistent support for TPB. All domains showed that intention toward risky driving influenced driving behavior and that attitudes toward risky driving, subjective norms and perceived control all influenced intention. Parker et al. found the atypical result that subjective norms had a larger influence on intention than is typically found in TPB studies where subjective norms tend to have the smallest effect on intention. Parker et al. explain this result by noting that risky driving behavior clearly has consequences for others so the actor's assessment of others' normative expectations carries more weight than if the behavior had relatively little consequence for others.

#### The Role of Past Behavior as a Predictor of Future Behavior

The influence of past behavior on future behavior is central to the assumed rationale supporting Guideline A. TPB provides a theoretical framework in which this relationship may be assessed. However, as noted in the Level 1 section, no studies in the security domain have been found that examine the predictive influence of past security behavior on future security behavior, whether using the TPB framework or not. At this point, then, the best evidence-based opportunity to evaluate the role of past behavior is to examine the TPB research that has analyzed the link between past and future behavior. After several initial TPB studies had accumulated, Ajzen (1991) summarized the role of past behavior as a predictor of future behavior. The basic question of interest is whether the TPB model predicts future behavior better where past behavior is one of the predictors. Ajzen summarized the findings as indicating the inclusion of past behavior usually improved the prediction of future behavior. However, this increase in prediction was of modest magnitude that was probably explained by shared method variance. (Past behavior and future behavior are often measured in the same way - by asking study participants to report their past behavior and current behavior.) But studies continue to reach different conclusions about the role of past behavior. For example, Elliott, Armitage & Baughan (2003) reported that past behavior modestly improved the prediction of future speeding behavior and Harding et al. reported the same result for academic cheating behavior. Both of these results were consistent with the modest magnitude Ajzen previously noted. In contrast, Collins & Carey (2007) reported that past behavior harmed the prediction of future drinking behavior. In a study of healthy eating behavior, Conner, Norman & Bell (2002) reported that as intentions became more stable over time, past behavior became a weaker predictor of future behavior.

It is likely that the different results across different studies are not merely the effects of sampling error or other random effects. Past behavior is likely to improve intention's prediction of future behavior to the extent (a) internal and external conditions have not changed between occasions, (b) the behavior in question is habitual, automatic, repetitive or frequent, and (c) intention is relatively unstable over time in the target behavior domain.

### TPB's Support for Guideline A

#### Is TPB Relevant to Guideline A?

A basic question for this evaluation is "Does the accumulated evidence for TPB in non-security domains provide support for the meaning and use of Guideline A?" Guideline A is, in effect, an atheoretical process of gathering information about an individual's anti-US behaviors, confirming that those past behaviors still represent the individual, then making a decision on the assumption that future behavior will be like past behavior. But this assumption that future behavior is predicted by past behavior is the critical link between Guideline A evidence and its role in adjudications decisions. TPB is a theoretical framework that, through empirical research, provides an explanation for the relationship between past behavior and future behavior. This explanation identifies factors that can be used to understand when future behavior is best predicted by past behavior or by other underlying personal attributes. This is TPB's relevance to Guideline A. It provides a theoretical framework for not only testing the assumed rationale for Guideline A but also for identifying what information is likely to be most predictive of future behavior.

#### Does TPB Evidence Support Guideline A's Assumed Rationale?

Although TPB has not been tested in the domain of security behavior, sufficiently consistent results have been obtained in a variety of other domains of risky, counter-normative behavior to conclude that an individuals' past behavior is an effective predictor of future behavior but in many cases not likely to be as effective a predictor of future security violation behavior as either (a) intentions with regard to anti-US behavior or, less likely, (b) perceptions about the individual's control over the anti-US behavior in question. TPB supports Guideline A's reliance on past behavior but suggests that additional information about intent and relevant self-efficacy are likely to improve prediction of future security behavior.

### Guideline A and Positive Security Behavior

The "whole person" concept establishes as standard for clearance adjudications that persons with clearances should be reliable, trustworthy, loyal and possessing good judgment. The Foundations paper in this series of White Papers proposes a model of security behavior that includes the full range of positive and negative behavior. In developing the proposed model of security behavior, research in other similar domains of behavior such as counterproductive work behavior and workplace citizenship behavior was considered.

A major conclusion from that research is that positive and negative security behaviors are not likely to be functions of the same underlying personal and a situational attributes. For example, Dalal (2005) and Miles, Borman, Spector & Fox (2002) showed that counterproductive work behavior (an analog to security violation behavior) and organization citizenship behavior (an analog to positive security behavior) have somewhat different relationships to antecedents and that situational factors such as workload and interpersonal conflicts in the workplace may have different effects on negative and positive workplace behavior. Similarly, Lee & Allen (2002) showed that workplace deviance and organizational citizenship behavior are different functions of affect and cognition. Sackett (2002) and Viswesvaran & Ones, (2000) suggest that counterproductive (negative) work behaviors and citizenship behaviors (positive) represent separate sets of behavior with somewhat different antecedents and contextual factors; they do not appear to be merely opposite ends of a single spectrum. In effect, the same people can predictably demonstrate positive and negative behaviors depending on personal attributes and local circumstances.

This conclusion has direct implications for Guideline A's likely effectiveness in clearing reliable, trustworthy, loyal people who have good judgment. When considering Guideline A, the adjudicator focuses virtually exclusively on evidence of behavior antagonistic toward US interests. Did such behavior take place? Did the individual show support or sympathy for others engaged in such behavior? When did it take place? Did it end? And so on. Guideline A influences the clearance decision by evaluating the overall weight that should be attached to evidence of anti-US behavior or sympathies. Guideline A does not weigh evidence of pro-US behavior such as voting and volunteering for civic service work. Such evidence of pro-US behavior is not referenced in either the conditions or mitigator guidance. In effect, the absence of negative evidence relating to anti-US behavior, a "not guilty" verdict if you will, is supportive of a decision to grant a clearance. However, the research has shown that the absence of negative work behavior does not strongly imply the presence of positive work behavior. In effect, there is no evidence that individuals will be any more likely to be reliable, trustworthy, loyal and of good judgment merely because they have not been antagonistic toward the US.

The type of evidence most relevant to reliability, trustworthiness and good judgment is likely to be more closely associated with other Guidelines relating to general personal attributes underlying psychological conditions, addictive behavior or other risky behavior. The narrow

context of Guideline A is unlikely to provide strong evidence about the positive side of the "whole person" with the exception of loyalty.

### EVIDENCE-BASED CONCLUSIONS REGARDING GUIDELINE A

The aggregate of Level 1 and 3 evidence about Guideline A leads to the following conclusions.

- 1. **Policy v. Empirical Rationale.** Empirical evidence confirming the assumed rationale supporting Guideline A is largely absent. The implication is that the policy rationale supporting Guideline A is stronger than any empirically supported rationale.
- 2. **Empirically Supported Theoretical Rationale**. The Theory of Planned Behavior (TPB) provides an empirically supported, general framework for identifying those characteristics relating to intended harm that are likely to be most predictive of subsequent security violations. Previous tests of this framework provide strong evidence that attitudes toward harmful behavior, subjective norms about harmful behavior, and an accurate perception of self-efficacy with regard to harmful behavior are likely to provide the strongest prediction of later harmful behavior directed toward US interests.
  - a. Contextual Information About Individual's Past Behavior. TPB suggests that information about an individual's past harmful behavior or support for same should be supplemented with information about the individual's context in which that behavior/support took place. This contextual information would include information about intent, planning and attitudes toward the US, as well as information about the individual's normative reference group at that time.
- 3. **Re-Evaluation Effectiveness**. Empirical evidence about caught spies strongly suggests that many spies have foreign allegiances. To the extent that these allegiances are manifested in actions directed against the US or, more likely, sympathy or support for others engaged in such actions, the implication is that Guideline A should be effective in re-evaluations at detecting cleared individuals who are engaged in or intending actions against US interests.
- 4. "Whole Person" and Guideline A. Guidelines A's current use does not support the "Whole Person" concept because individuals who are judged to be low/no risk under Guideline A standards cannot be assumed, therefore, to demonstrate positive reliability, trustworthiness, loyalty or good judgment. Evidence indicates that reliability, trustworthiness, and good judgment are likely to be separate categories from security violation behavior, not just opposite ends of the same spectrum. Even loyalty may not be merely the opposite end of the same spectrum from security violation behavior.
- 5. Additional Consideration of the Individual's Norm Groups and Planning. Evidence from the Theory of Planned Behavior provides indirect support that additional mitigator considerations focused on *current* social norm groups and

planfulness around US behavior would have value in judging the weight of past behavior.

# EVIDENCE FOR GUIDELINES B, C AND L: FOREIGN INFLUENCE, FOREIGN PREFERENCE, OUTSIDE ACTIVITIES

Guidelines B, C and L share a focus on attachments to foreign entities that may conflict with US national interests. Each Guideline emphasizes a specific domain within the range of foreign attachments. Guideline B focuses on one's degree of engagement with individuals, groups, or organizations affiliated with a foreign country, while Guideline C focuses on an individual's involvement with roles, benefits and obligations associated with citizenship in a foreign country. Guideline L focuses more narrowly on employment and service relationships with foreign entities. (Separately, in condition (a) (4) Guideline L also focuses on personal/professional interests in the business of national security information, which may be a source of conflict whether or not there is a foreign entity involved.) The underlying assumption common to these three Guidelines is that the potential for conflict with US national interests increases as the strength of attachment to foreign entities increases. Each of these three Guidelines examines somewhat different domains of evidence about the strength of attachment to foreign entities.

Level 1 evidence addresses research demonstrating a linkage between the evidence gathered for any of these three Guidelines and security violation behavior. Level 2 evidence addresses research demonstrating a link between evidence gathered for the Guidelines and personal attributes such as strength of foreign attachment assumed to be antecedents to security violation behavior. Finally, Level 3 evidence addresses research about personal attributes such as assimilation and social identity that provide explanations for the relationship between Guidelines evidence and security violation behavior. For these Guidelines we also review research that does not satisfy the definition of Level 3 evidence, but does provide relevant information about relationships among variables associated with national attachment.

As noted above and in the Foundations Paper, the scope of this project includes positive security behavior as well as negative security behavior. However, in the review of the three levels of evidence the focus will be on negative behavior of security violations because that is the primary focus of the adjudicator's decision making process. Within each Guideline, the specified "conditions" are about evidence leading to disqualification and mitigators are factors that may increase or decrease the weight attached to conditions. So, in the review of research relating to the Guidelines' meaning and use, it is clearer to retain the same focus as in the Guidelines. The implications of the reviewed research for the prediction of security citizenship behavior will be summarized separately following the three sections on levels of evidence. The Theory of Planned Behavior will provide the common framework for explaining the prediction of positive and negative security behavior.

#### Level 1 Evidence

Level 1 evidence can be empirical or conceptual and provides information about the predictive relationship between the types of behaviors gathered in the investigation processes for Guidelines B, C and L. and the security behavior targeted by these three Guidelines. This is the form or research evidence that is most directly relevant to security behavior context. The only true Level 1 evidence for Guidelines B and C is the various analyses of espionage case studies (Herbig, 2008). Herbig's analysis does not address Guideline L, however. The primary link between Guideline L and espionage cases is the Samuel Morison case in which Morison disclosed secret information to a prospective employer whose favor he was seeking.

### **Individual Case Studies of Espionage**

In the past two decades, several systematic cases study analyses have been reported about known cases of national espionage (e.g., Wood & Wiskoff, 1992; Herbig & Wiskoff, 2001; Herbig, 2008). The analyses cited here have been conducted using scientific methods unlike the myriad of news reports and non-scientific case analyses that are available in the popular media. The scientific methods include tabulating demographic information using standard categories, structured interviews and comparisons of results across time periods. However, even these structured approaches do not rise to the level of experimental or even quasi-experimental evidence from which one might conclude that conflicting attachments lead to security violations.

The case study data reported by Herbig (2008) make a compelling case that conflicting national attachments play a role in a significant proportion of espionage cases. Herbig reported that among the 37 caught spies from 1990-2007, 51% had foreign connections (business or professional), 49% had foreign cultural ties and 58% had foreign attachments (relatives or close friends.) (Note, Herbig reported the 58% result for foreign attachments in Table 2 (p. 40) but in Table 11 reported the percentage of foreign attachments in the same sample to be 41%.) All these percentages represent a substantial increase over the previous decade. More importantly, from a research perspective, these three percentages are substantially higher than the percentages of individuals who yield important issues for Guidelines B and C. In the SSBI sample of individuals analyzed and reported in the Foundations Paper, only 7.6% of individuals showed important issues on B. Foreign Influence and only 16.9% showed any issues on B. Foreign Influence. Fewer than 2% of the individuals showed any issues on C. Foreign Preference. The rate of foreign relationships among caught spies is substantially larger than the rates of Foreign Influence issues or Foreign Preference issues among persons under consideration for a clearance.

These results could be discounted if one assumes that the work context these spies were in created foreign relationships that were not present at the time these individuals were adjudicated for their clearances. (Herbig's (2008) analyses do not clearly indicate whether these foreign relationships existed prior to the clearance or accumulated following the clearance.) But even if these results should be discounted, 22% (N=8) of these 37 spies reported "divided loyalties" as their sole motive. An additional 57% (N=21) reported divided loyalties as one of

multiple motives for their espionage. In total, 78% (N=29) reported that divided loyalties was a factor in their motivation to commit espionage. Although even these results cannot be used to draw the causal conclusions that foreign attachments lead to espionage, it is quite clear that foreign attachments played a role in decisions to betray the US trust, where such decisions were made. However, the complication is that a vastly larger number of individuals with foreign attachments appear not to be engaged in espionage. Herbig (2008) estimated the number of spies from 1950 - 2007 to be less than 50 in any one year. Yet we speculate that in any one year the number of individuals with clearances who have foreign attachments is likely to number in the many thousands. If this plausible speculation is even approximately true, espionage is a rare event even among individuals who have foreign attachments.

Since 1990, 35% of spies were foreign-born, up from approximately 20% prior to then. Of the 1/3 who engaged in espionage after being recruited, only 1 was recruited by a family member. Eight were recruited by a foreign intelligence service, and four by acquaintances. Family members do not appear to be a primary source of recruitment.

# Empirical Analyses of the Relationship Between Guidelines B, C or L Behavior and Security Violations

As with Guideline A, no research evidence has been found regarding the extent to which an individual's manifestation of foreign relationships is predictive of later security violations.

#### Level 2 Evidence

The social science evidence reported here addresses the links between the personal histories relating to foreign attachments and strength of foreign and US allegiance. The core question for Guidelines B, C and L in the security clearance process is, "What patterns of foreign attachments lead to a strength of foreign allegiance that may outweigh US national interests when the person is faced with a conflict between the two?" The short answer is no clearly describable patterns have emerged that reliably predict dominant allegiance to a foreign country. Considerable evidence has accumulated about the types of behaviors and activities that are associated with the strength of one's foreign attachment (e.g., Berry, et al. 2006; Phinney, & Ong, 2007) and the various types of foreign attachment. But the emerging picture is that multiple and diverse attachments may be both strong and simultaneous.

The only Level 2 research relating Guidelines evidence to strength of national attachment is about dual citizenship. All other research relevant to Guidelines B, C, and L is Level 3. Broadly speaking, dual citizenship is one manifestation of the duality of interests and attachments that are at the core of these Guidelines. The fundamental assumption is that dual attachments where one set of attachments is US-centric may represent conflict between US interests and the interests in the other entity. The assumption built into the adjudication guidance is that conflict involving US interests increases the risk of security violations.

Before describing and summarizing the literature on dual citizenship, we will describe research findings about the meaning and measurement of national attachment. This concept of national attachment is fundamental to the meaning of all Guidelines and fundamental to the practical decisions embedded in the Guidelines about what evidence to investigate and what mitigators to consider. So, even though the research on the meaning and measurement of national attachment is not, itself, Level 2 evidence, it is important to the understanding of the Level 2 and Level 3 research.

### The Meaning and Measurement of National Attachment

This report uses "national attachment" as the broad, general term referring to a variety of labels used to describe one's affective, identity and instrumental connections to a nation. These terms include national identity, national pride, nationalism, patriotism, constructive patriotism, and symbolic patriotism, among others.

Perhaps no concept is more central to the national conflict Guidelines than national attachment. The investigative processes gather evidence about indicators of national attachment to foreign countries and the US. Potential conflicts between US attachment and other national attachments are at the heart of the adjudicator's decision making process. These decisions make assumptions about the influence of national attachment – both positive and negative – in resolving future conflicts relating to US national interests. Similarly, it is important to understand how specific types of evidence including dual citizenship are reflections of one or another of the various facets of national attachment. For these reasons, it is important to describe the meanings

of the various facets of national attachment and any available evidence about their likely impact on future behavior relating to national security.

The distinction between nationalism and patriotism was perhaps the first to arise in the effort to parse national attachment into its parts (Kosterman & Feshback 1989). Patriotism is generally regarded as a deep affective attachment to the nation. Nationalism includes not only an affective attachment but the additional element that one believes in the superiority and dominance of their own country over other countries (Sidanius, Feshbach, Levin & Pratto, 1997). As methods of measuring nationalism and patriotism were developed, concerns were raised that measures of patriotism in particular were grounded in ideological differences roughly along the conservative – liberal spectrum (Schatz & Staub, 1997). The concern was that a measure of patriotism that emphasized conservative beliefs such as, "I believe US policies are almost always the morally correct ones," would tend to blur the distinction between patriotism and political ideology.

The effort that followed to define measures of patriotism less dependent on an ideological perspective and that measured distinct facets of patriotism has led to more precisely defined forms of patriotism. Huddy & Khatib (2007) provided the most comprehensive analysis of the differences in meaning between several measures of patriotism that had accumulated in the preceding 20 years. Including nationalism, they investigated the four major facets of national attachment that had emerged – nationalism (or blind/uncritical patriotism), national identity, constructive patriotism, and symbolic patriotism (or national pride) as defined below.

#### Nationalism

Nationalism is described as belief in the idealized rightness and superiority of the nation and its dominance over other nations. Expressions such as "my country, right or wrong" and an unwillingness to criticize one's country or accept criticism of it are characteristic of nationalism. Many consider nationalism to be synonymous with uncritical or blind patriotism.

#### National Identity

National identity is a subjective (internalized) sense of belonging or attachment to the nation. This feeling of belonging involves conformance to prescriptive country norms ("All good Americans should vote.") rather than descriptive norms ("Many Americans don't vote."). National identity is grounded in social identity theory rather than any ideology about national attachment.

#### Constructive Patriotism

Constructive patriotism is a love of country characterized by a desire for positive change and improvement through constructive criticism and loyalty.

#### Symbolic Patriotism (National Pride)

Symbolic patriotism is pride in one's country and its symbols such as the flag and the anthem.

Huddy & Khatib (2007) used survey data from student samples and a national sample to evaluate whether these four facets of national attachment measure distinctly different components and what the relationships are among them. The items used in the surveys to measure these attributes are shown in Exhibit 3 below to provide a more explicit understanding of the meaning associated with each.

Exhibit 3. Survey Items Used to Measure Facets of National Attachment in Huddy & Khatib (2007)

Facet of National Attachment	Survey Items Measuring the Facet
Nationalism	<ul> <li>I support my country's leaders even if I disagree with their actions.</li> <li>People who do not wholeheartedly support America should live elsewhere.</li> <li>For the most part, people who protest and demonstrate against US policy are good, understanding and intelligent people.</li> <li>The United States is virtually always right.</li> <li>I support US policies for the very reason that they are the policies of my country.</li> <li>There is too much criticism of the US in the world, and we as citizens should not criticize it (US).</li> <li>I believe US policies are almost always the morally correct ones.</li> <li>America is a better country than most others.</li> <li>The world would be better if more people from other countries were like Americans.</li> </ul>
National Identity	<ul> <li>How important is being American to you?</li> <li>To what extent do you see yourself as a typical American?</li> <li>How well does the term American describe you?</li> <li>When talking about Americans how often do you say "we" instead of "they"?</li> <li>Regarding your neighborhood, town, city or county, how close do you feel to America?</li> <li>How important is it to you to feel American?</li> </ul>
Constructive Patriotism	<ul> <li>People should work hard to move this country in a positive direction.</li> <li>If I criticize the United States, I do so out of love of country.</li> <li>I oppose some US policies because I care about my country and want to improve it.</li> <li>I express my attachments to America by supporting efforts of positive change.</li> </ul>
Symbolic Patriotism	<ul> <li>How good does it make you feel when you see the American flag flying?</li> <li>How good does it feel when you hear the national anthem?</li> <li>Are you proud of the way democracy works here?</li> <li>Are you proud of economic achievements here?</li> <li>Are you proud of your country's science and technology achievements?</li> <li>Are you proud of your country's history?</li> <li>Are you proud of your country's fair and equitable treatment of all groups in society?</li> <li>Are you proud of your country's achievements in art and literature?</li> <li>Are you proud of your countries social security system?</li> </ul>

Their results showed that each of these four facets had distinctly different meanings and that these differences in meaning led to different relationships with other measures of interest to the national conflict Guidelines. Of particular interest, national identity was unrelated to ideology whereas nationalism and symbolic patriotism were related to conservatism. Conversely national

identity was positively related to voting and political participation while nationalism was negatively related to both. In general, national identity was the only facet of national attachment that positively predicted political and civic involvement. Presumably this is a function of the prescriptive normative element of national identity.

Earlier, Schatz, Staub & Levine (1999) demonstrated a very similar result that blind patriotism (nationalism) was associated with political disengagement.

These findings regarding political and civic engagement are significant for the evidence about dual citizenship reported below. The dual citizenship research reports that, compared to sole naturalized US citizenship, dual citizenship is associated with lower national identity and less political and civic engagement. If one assumes that national identity and political engagement are indicating of stronger attachment to the US, the implication is that dual citizenship represents greater risk than sole citizenship for future behavior that is not in US national interests.

### **Dual Citizenship/Nationality**

A central question relating to multiple attachments and identities, especially for Guideline C, is whether dual citizenship, or dual nationality, is an indicator of multiple non-dominant national attachments or of one dominant and one subordinate national attachment. Political philosophers distinguish between traditional, transnational, and postnational models of citizenship (e.g., Brubaker, 1992; Basch, Glick Schiller, & Szanton Blanc, 1994; Geyer, 1996; Huntington, 2004; Renshon, 2000; Schuck, 1998).

Brubaker (1992) describes the traditionalist view that citizenship is, among other things, national, unique and socially consequential. The traditionalist view is that nations exert sovereignty within their geographic borders and that immigrants' assimilation culminates in citizenship. The traditionalist expectation is that citizenship in a new country implies loss of attachment to the origin country. This view predicts less dual citizenship and more assimilation into single, naturalized citizenship in the new country. The traditionalist view is an "either/or" model. In contrast, the transnational view is a cross-border view of citizenship (Basch, et al. 1994). Citizens retain original ethnic attachments and are able to sustain dual national identities. This functional dualism is maintained without any necessity for gradual evolution to a single national identity. Transnationalism predicts growth in dual citizenship for the instrumental and social advantages it provides and a reduction in the marginalization of outgroups. Postnationalism proposes that the traditional state legitimacy grounded in sovereignty and national self-determination gives way, especially in Europe and North America to international human rights. A national citizen's human rights are not a function of nationhood but of crossnational consensus. Postnationalism predicts the irrelevance of national citizenship and so, expects initial levels of dual citizenship to be followed by decreasing levels

As a practical matter, the domain of national security is located squarely within the traditionalist context. National security is, after all, about the protection of national assets where interests of other countries compete or conflict with US national interests. Empirical evidence

that dual citizenship is taking on different meaning associated with transnationalism or postnationalism would reduce the current implication of traditional dual citizenship that it is an indicator of the individual's competing interests and/or identities that may increase the risk of choices and actions against US national interests.

Bloemraad (2004) and Staton, Jackson & Canache (2007) independently examined data about dual citizens in Canada and the US, respectively, to determine whether characteristics of dual citizens fit with a traditional model of citizenship or fit better with either emerging model. In general, evidence supporting the traditional model would support the current Guidelines approach to regard dual citizenship as a serious potential disqualifier. These two large-sample studies found virtually the same pattern of results showing more support for the traditionalist model.

In general, both studies showed that frequent indicators of national identity are *negatively* associated with dual citizenship. Using national census data on over two million Canadian residents over a 25-year period, Bloemraad showed that Canadian dual citizens are more likely *not* to speak English/French in the home. They are more likely not to be married, and are more likely to be internationally mobile. Also, her data showed that the longer foreign nationals had been in Canada, the *less* likely they were to seek dual citizenship. Except for education, which was positively associated with dual citizenship, most socio-economic and demographic factors were unrelated to foreign nationals' decision to seek dual citizenship. These results may be interpreted to mean that dual citizenship is *not* a sign of stronger national attachment to the host country.

Staton, Jackson & Canache (2007) used results from two national surveys in 1999 (N=4.614) and 2002 (N=4,213) of first-generation Latinos' who were naturalized US citizens. The analyses compared two groups – those who were sole US citizens and those who were dual citizens. The survey focused on behavior and attitudes toward US participation and citizenship. They focused on US national attachment differences between sole US citizens and dual US citizens. Like Bloemraad (2004), they evaluated these differences to test whether the characteristics of dual citizens reflected a more traditionalist model of national citizenship or a transnational model of multinational citizenship. Staton, et al. did not evaluate a postnational model.

The results were clear. Compared to single nationals, dual nationals were:

- ♦ Less likely to have high English proficiency;
- ♦ Less likely to self-identify as Americans;
- ♦ Less likely to consider the US as their homeland;
- ♦ Less likely to express high levels of civic duty; and
- ♦ Less likely to have registered to vote or to have voted.

Similar to Bloemraad's Canadian sample, dual citizen Latino's in the US were less assimilated – as indicated by English proficiency and American and Homeland self-identity.

Similarly, they were less engaged in US political processes. A reasonable overall conclusion from these separate studies is that foreign-born dual citizens show less strong attachment to the host country than those who are single citizens of the host country. The implication of both studies for the national conflict Guidelines is that dual citizenship is an indicator of weaker affective or identity-based attachment to the host country, unless mitigated by direct evidence of strong national identity.

Both studies investigated the magnitude of the differences between dual and sole citizens. In general, Bloemraad's census-based study across all groups showed smaller differences between dual and sole citizens than Staton et al's survey-based study of 1<sup>st</sup> generation Latinos. The largest differences in Bloemraad's study were based on country of origin, home language, education, international mobility and length of Canadian residence. The probability of being a dual citizen was .28 among those who did not speak English / French in the home compared to .19 among those who did speak English / French in the home. Similarly, college degreed people were nearly 50% more likely to be dual citizens than high-school only people, .30 and .19, respectively. People who lived abroad during the prior year were nearly 1/3 more likely to be dual citizens than people who lived only in Canada in the prior year, .28 and .21, respectively. Ten-year residents were near 20% more likely to be dual citizens than were 20-year residents, .25 and .21, respectively. The probability of being a dual citizen based on country of origin ranged from a high of .37 among French and .27 among Lebanese to a low of .13, .15 and .15 among Trinidadians, Guyanans and Jamaicans, respectively. Other differences due to age, sex, and employment status were negligible.

Within the narrower range of the Staton et al. Latino sample, differences between dual and sole citizens tended to be more consistently large. Sole citizens were more likely than dual citizens to: (a) have high English proficiency, .62 to .44; (b) self-identify as Americans, .73 to .60; (c) demonstrate high civic duty, .76 to .62; (d) be registered to vote, .88 to .80; and (e) to have actually voted, .86 to .73.

Both studies of dual citizenship concluded that the pattern of citizenship relationships continues to reflect a largely traditional view of country citizenship with some indications of increasing transnational relationships. There is little indication that citizens are adopting postnational views of their relationships with their home or host countries.

#### Level 3 Evidence

Guidelines B, C, and L focus on the potential for social influences (other nations or foreign employers) to result in security violations. As described in the Guidelines, these social influences may either be internal or external to the individual. Internally, a person can be at risk for violating security behavior because their cognitions, feelings or resources are linked to a foreign entity and thus they feel motivated or obligated to voluntarily act on behalf of that foreign entity.

In contrast to these internal motivations, coercion represents a social influence that is external to the person. In other words, it is not that one's attachments intrinsically motivate one's actions on behalf of foreign entities, but rather an external force extrinsically motivates (coerces) a person to engage in security violation behavior by exploiting their connections or attachments to foreign entities. Unlike above, the coerced person is not voluntarily engaging in security violation behavior based on personal attachments to foreign entities so much as those are being used against them to compel such behavior. The focus of this review of Level 3 evidence for Guidelines B, C, and L is on the psychological construct underlying *intrinsic* motivations to act on behalf of a particular foreign entity: psychological attachment. Although these psychological attachments may be one factor that influences the degree to which a person is susceptible to coercion (e.g., one's emotional investment in a foreign country may be exploited by a foreign agent), the focus of this review is on the Level 3 evidence supporting the role of psychological attachments in predicting *voluntary* behavior.

### **Psychological Attachments**

Broadly speaking, Guidelines B, C, and L are related to a psychological attachment to a foreign entity with conflicting interests to the United States. Each of these Guidelines relates the individual to social influences that are driven by cognitive, affective or instrumental attachments to foreign interests. Adjudicators are instructed to pursue evidence related to all three types of attachments: evidence that shows that a foreign influence serves to define who I am (cognitive attachment), how important that influence is to me and what I value (affective attachment), and what I get in exchange for that attachment (instrumental). The implicit assumption of these Guidelines is that foreign attachments (1) exist and motivate behavior toward those entities to which an individual is attached and (2) create potential conflicts of attachment which the individual may resolve through security violation behavior.

### **Social Identity Attachments**

At a fundamental level, individuals' connections to social groups are meant to satisfy important needs and values, including self-esteem, security and belongingness (Pratt, 1998; Tajfel, 1978; Baumeister & Leary, 1995). Being a part of a social group helps to define one's self-concept as it relates to his/her social environment. More specifically, the literature on social

identity theory (SIT) (Tajfel & Turner, 1986) posits that individuals derive part of their self-concept from their membership in a particular social group together with the value and emotional significance attached to that membership (p. 255). In other words, one's social identity describes two types of attachment to a social group: a cognitive attachment (I categorize/define myself as a member of group X) and an affective attachment (being a member of group X is important to me and what I value). This second element represents the degree or *strength* of identification, and is particularly relevant to personal motivation and, by extension, individual and behavior.

The SIT literature suggests consequences of social identity which are relevant to loyalty behavior. Namely, individuals tend to choose activities congruent with salient aspects of their identities, and they also support the values and institutions embodying those identities (e.g., Stryker & Serpe, 1982; Mael, 1988). Group identification is associated with loyalty to, and pride in, the in-group as well as value congruence and attitude similarity within its membership. In the organizational loyalty literature, for example, identification with an organization enhances support for and commitment to that organization (Riketta & Van Dick, 2005). In sum, social identification serves as a motivator for behavior, namely behavior in favor of the in-group. Social identity as a motivator of behavior is relevant to Guidelines B, C, and L because it serves as a distal predictor of loyalty.

Social identity research provides insights into loyalty behavior through the concept of ingroup favoritism. A large body of literature on in-group favoritism (for review see Ellemers, Spears, & Doosje, 2002) consistently illustrates that individuals think and behave in accordance with the interests of their own group (and often contrary to the interests of out-groups). Perhaps more importantly for the purposes of applying social identity to the adjudication of the Guidelines is the fact that the *strength* of social identification influences the *likelihood* that one will act in the interest of their own identity in-group (e.g., Hogg & Williams, 2000). Group membership, especially when it is very important to a person's self-concept (i.e., strong identification), motivates behaviors that benefit the in-group or are in line with the values of the group.

The question of concern in personnel security is not as much about a specific identity category, but rather the presence of an identity other than an "American" identity. That identity (and the psychological attachments it represents) is concerning to the degree that the identity ingroup represents interests which seem incompatible with those of the United States. Generally speaking, the Guidelines instruct adjudicators to pursue evidence indicating (1) a potential conflict of identity in individuals and (2) that individuals would act in favor of another in-group (against the US) when confronted with this conflict.

First we will describe a specific identity which has been implicated by the Guidelines as being a potential source of conflict with national loyalty, namely, ethnic identity. In describing that conflict, we will relate ethnic identity to national identity, and use the acculturation literature to present social science evidence with regard to the ethnic identity-national identity conflict. Then, we will introduce organizational identity as a viable analog to foreign attachment, drawing links between its underlying *cognitive and affective* attachments and loyalty. In the context of

this organizational identity analog, we will then present evidence linking its underlying *instrumental* or exchange-based attachment to loyalty as exemplified by Guideline L. Outside Activities (and, to a lesser extent, Guideline B. Foreign Influence). Finally, we will describe how individuals' identity conflicts are managed or resolved drawing examples from both the ethnic and organizational identity literatures.

### **Ethnic Identity**

Clearly, there are as many possible social identities as there are potential groups or categories of human beings. However, we chose ethnicity-based social identity as a particularly relevant identity categorization because the foreign influence and preference Guidelines seem to imply that ethnic identity is form of psychological attachment that is especially relevant to the potential for security violation behavior. One's attachment to his/her ethnic identity may, therefore, be thought of as a psychological analog to attachment to the nation. Moreover, ethnic identity may pose a risk to national loyalty to the extent that it conflicts with one's national identity

First, it will be useful to define what is meant by ethnic identity. Unfortunately, there is substantial inconsistency and debate surrounding this particular term (in both research and colloquial language). Ethnicity is sometimes confused with nationality, race and/or religion, but for the purposes of this paper, ethnicity is defined as one's "objective group membership as determined by ancestral ethnic heritage" (Phinney, 1992, p.158). Like any social identity category (e.g., Tajfel & Turner, 1986), ethnic identity involves both a self-categorization as a member of an ethnic group and a strength or personal importance of that identification to one's sense of self. In other words, checking a box on a survey in response to the "what is your ethnicity?" only indicates self-identification and does not capture the entirety of this construct. The strength of identification or the degree of personal relevance of a certain group membership is the more important aspect of this construct as it relates to motivation and behavior (Ashmore et al., 2004; Ellemers, Spears, & Doosje, 1999; Phinney, & Ong, 2007; Roberts, et al., 1999). An identity must be personally consequential in order to be relevant to motivation and behavior. The potential security risk posed by ethnic identification may be enhanced or diluted by identity strength, depending on the personal importance one places upon in-group membership.

With respect to the adjudication of the Guidelines, this begs the question, how can an outside observer infer one's (1) ethnic self-categorization and/or (2) strength of ethnic identity? Aside from simply asking people to self-report these two facets of ethnic identity, the acculturation literature suggests that outside observers might infer ethnic identification through "ethnic behaviors." These types of behaviors represent two dimensions: (1) involvement in social activities with one's group and (2) participation in cultural traditions (Phinney, 1990). It is not clear in the literature whether a tally or summation of these behaviors would indicate strength of identification, although it has been suggested that certain behavioral indicators may be stronger or more important indicators than others (i.e., language use/preference; Phinney & Ong, 2007). It should be noted, that while ethnic behaviors are generally correlated with other aspects of ethnic

identity, ethnic identity is an internal structure that can exist without behavior. Below is a collection of "ethnic behaviors" that have been used in prior research to indicate one's ethnic identification:

- ♦ Ethnic language proficiency.
- Ethnic language use.
- Endogamy (marrying within one's own ethnic group).
- ◆ Social Network Structure (number of ethnic peer contacts; centrality of ethic contacts in social networks, frequency of contact with ethnic in-group members).
- ♦ Religious affiliation and practice (church membership, attendance of religious ceremonies, and enrolment in parochial education).
- ◆ Participation in structured ethnic social groups (ethnic clubs, societies, or organizations).
- ◆ Political activity (involvement in political activities on behalf of one's ethnic group).
- ♦ Area of residence (geographical region or number/proportion of in-group members in one's neighborhood).
- ♦ Miscellaneous ethnic/cultural indicators: ethnic music, songs, dances, and dress; newspapers, periodicals, books, and literature; food or cooking; entertainment (movies, radio, TV plays, sports, etc.); traditional celebrations; visits to and continued interest in the homeland; knowledge about ethnic culture or history.

Since it is not clear how (or if) these behaviors can be used to capture (or compare) strength of ethnic identity, the centrality of an ethnic identity to one's self-concept is typically measured in the psychological literature using self-report survey measures. Such measures ask respondents to report the degree to which they agree with various statements relating to their ethnic identity (strongly agree to strongly disagree). A total ethnic identity score is then computed taking the average of those responses. In addition to an open ended question on ethnic identity self-categorization ("what is your ethnicity?"), ethnic identity measures typically capture the following components in order to infer strength of attachment.

- ♦ **Exploration** (seeking information and experiences relevant to one's ethnicity).
- ♦ Commitment (perceived sense of belonging; or affective commitment to one's ethnic group).
- ♦ **Positive attitudes** toward the ethnic in-group.
- ◆ Values/beliefs (agreement with values/beliefs specific to a particular group; e.g., Felix-Ortiz et al., 1994).

With respect to the application of ethnic identity research to the adjudication of the Guidelines, it is important to note that research has indicated that there are intergroup differences

in both behavioral expressions of ethnic identity as well as strength of ethnic identification. For instance, differences in language preference (use) behaviors do not necessarily indicate ethnic identification to the same degree for all ethnic groups. In fact, language preference is not a relevant marker of ethnic identity for groups whose official or "unofficial" native language is English (e.g., Canadian immigrants, Swiss immigrants). Also, there appears to be differential rates of intermarriage among nonwhite racial groups with significantly higher rates of intermarriage among Asians and Latinos (Lee & Bean, 2004). This suggests, again, that racial/ethnic identity behaviors differ across groups.

Likewise, strength of identification may be manifested at different levels for different ethnic groups. Research illustrates that some ethnic groups consistently exhibit higher or lower levels of ethnic identity than other groups. For instance, ethnic minority individuals report higher levels of ethnic identity than White Americans (Phinney, Cantu, & Kurtz, 1997; St. Louis & Liem, 2005). More specific studies have found African American subjects score higher on measures of ethnic identity than do Whites (Phinney & Alipuria, 1990; Phinney & Tarver, 1988). These results imply that ethnicity may be differentially important to entire groups, not just individuals. As such, the motivational and behavioral outcomes associated with ethnic identity may not generalize across groups. With respect to the adjudication of Guidelines B and C, it may be that not all ethnic identification or foreign attachments are equal, and one must take into account the potential for this unequal influence. To use a concrete yet hypothetical example, it may be that Israelis are more affected (motivated) by their attachment to their ethnic group than are Indians, although both may score comparably on a given measure of ethnic identity (e.g., Phinney, 1992 Multigroup Ethnic Identity Measure).

#### **National Identity**

The relationship between ethnic identity and Foreign Influence and Foreign Preference Guidelines hinges upon the assumption that these Guidelines are, at their core, intended to capture a conflict between foreign attachments and national attachments (and thus foreign loyalty and national loyalty). Through the lens of social identity theory, it is clear that the Guidelines assume that one's foreign (ethnic) identity would constitute a threat to one's national identity, and therefore, one's attachment and loyalty to the US. However, the Guidelines focus namely on evidence for competing or conflicting identities without explicitly addressing the strength of one's national identity as a predictor of loyalty behavior. If social identity motivates behavior, then a strong national identify should mean that one is more likely to be loyal to the US.

Measures of national identity are often confused with other indicators of national attachment like patriotism and nationalism. From a social identity standpoint, however, national identity also involves both self-categorization (as an American) and the personal importance of that group membership to an individual. National identity has been assessed with measures of national affirmation and the importance of one's national identity, similar to the ethnic identity measurement strategy proposed by Phinney (1992). National identification ostensibly indicates that one is cognitively and affectively attached to the nation, motivated to behave in the interests

of the nation, and less likely to engage in security violation behavior. When national identity conflicts with ethnic identity, it poses an increased security risk.

### Ethnic vs. National Identity

With respect to the adjudication of the Guidelines, social science evidence does not necessarily indicate that there is an inherent conflict between ethnic and national identity as the Guidelines imply. In fact, there is no empirical research suggesting that the absence of a substantial conflict between foreign attachments (ethnic identities) is necessary (or sufficient) for predicting national loyalty.

The relationship between ethnic and American (or more generally, national) identity has been debated for decades (see Berry, 2003, for a review). For instance some acculturation literature argues that identification with a national culture often comes at the cost of the customs and values related to one's ethnic identity suggesting a negative relationship between national and ethnic identity (e.g., Verkuyten & Yildiz, 2007). Other studies illustrate that the relationship between ethnic identity and national identity is not necessarily negative, but it depends on which ethnic group is being referenced. More specifically, ethnic groups that have been traditionally oppressed or that frequently experience ethnicity-based discrimination tend to report weaker national identification.

For example, there is evidence for a negative relationship between black ethnic identity and national identity, suggesting that they conflict. Research on social dominance offers an explanation for this apparent moderating effect of ethnicity in the ethnic identity-national identity relationship. The literature on social dominance (Sidainus, 1993) suggests that members of traditionally oppressed or disadvantaged minority groups in a given society are less likely to report positive attachments to the social system (i.e., the nation) within which they are imbedded (and subjugated). Social dominance research has found that the level of national attachment and the relationship between ethnic attachment and national attachment is asymmetrical across ethnic groups. For instance members of dominant groups (e.g., Caucasians) identify more strongly with the nation than members of subordinate groups (e.g., African Americans) (Peña & Sidanius, 2002; Sidanius, Feshback, Levin & Pratto, 1997) and social dominance theory suggests that this is because the social system serves the former groups' interest more than the latter groups'.

Related research on the relationship between experiences of ethnicity-based discrimination and national attachment shows a similar pattern. For instance, the experience of ethnic/cultural discrimination has been shown to cause 2<sup>nd</sup> generation immigrants to reactively identify more strongly with their parents' ethnic or national origins (Portes & Rumbaut, 2001). In more local circumstances, Huo & Molina, (2006) showed that African American and Latina immigrants in the US demonstrated more loyalty toward the US when they believed their own race/ethnic group was perceived more positively by others. Taken together, this evidence suggests that the negative correlation between ethnic identity and national identity assumed by the Guidelines does appear to hold true for some ethnic groups. Other recent studies, however, have found that ethnic and national identity may be unrelated or even positively related with

each other. A large international study of over 5,000 immigrant adolescents (ages 13–18 years) from 26 cultural backgrounds in 13 immigrant-receiving countries (United States, Canada, Australia, New Zealand, 8 countries in Europe, and Israel) independently assessed ethnic identity and national identity (Berry et al., 2006). The results showed that, across the countries of settlement, correlations between the two identities ranged widely (from .32 to -.28) with many near 0. The results showed that (a) strong ethnic identity does not necessarily imply a weak national identity and vice versa and (b) ethnic and national identity interact, implying that the effects of ethnic identity on behavior may vary depending on individuals' identification with their country of residence. Other research has shown that the relationship between ethnic and national identities also differs across ethnic groups. Some research has shown that members of different ethnic groups exhibit varying degrees of national attachment. For instance for African Americans ethnic identity is negatively correlated with national attachment but the same is not true for Latinos (Sidanius, Feshback, Levin, & Pratto, 1997). In fact, a study on Mexican Americans and showed that Latino ethnic identity predicted higher levels of national attachment (De la Garza, Falcon & Garcia, 1996).

Voluntariness of immigration is one additional consideration regarding the relationship between ethnic and national identities. Some groups have entered into the acculturation process voluntarily while others experience acculturation without having necessarily sought it out (e.g. refugees, indigenous peoples). Reasons for migrating have long been studied using the concepts of push-pull motivations and expectations. For instance, Richmond (1993) has proposed that a reactive-proactive continuum of migration motivation in which push motives (including involuntary or forced migration, and negative expectations) characterize the reactive end of the dimension, while pull motives (including voluntary migration and positive expectations) cluster at the proactive end. Such a single dimension allows for more concise conceptualization and ease of empirical analysis. This research proposes that those who are motivated to migrate by "pull" or proactive motivations acculturate more successfully and adapt better psychologically than those who are pushed or forced to migrate. Interestingly, Kim (1988) found that both those with high "push" motivation had psychological adaptation problems (those with high "push" motivations had more problems but those with high "pull" motivations had almost as great a number of problems). Kim (1988) found that reactive immigrants (those who are pushed) are more at risk for poor acculturation/adaptation in their host country, but so too are those who are highly proactive. Kim proposed that these latter migrants may have had extremely intense or excessively high (even unrealistic) expectations about their life in the new society, which were not met, leading to greater stress and poorer psychological adjustment. Unfortunately, this line of research confounds motivation and expectations. For instance, one might feel "forced" to immigrate but still have positive expectations the United States (as might be the case, for example, with a Kurdish Iraqi immigrant).

Experiences of discrimination have been repeatedly shown to increase identification with one's ethnic group (e.g., Berr et al 2006), and decrease identification with the nation or society within which one is subjugated (e.g. Ward, 2008). Individuals such as Kurdish Iraqis who are

discriminated against or persecuted in their home nation probably have much lower level attachments to Iraq as compared to members of the majority/dominant ethnic group. However, the lack of identification with a home nation does not necessarily indicate the presence of an attachment to one's host nation. In addition, experiencing discrimination in the host nation is likely to be detrimental to Kurdish Iraqis' identification with the host nation and to enhance the strength of their identification with their own ethnic group. Social identity theory predicts that identification with a particular social group motivates people to act in the interests of that group and support causes and institutions whose goals align with the goals of the ingroup (Tajfel & Turner, 1986). It seems likely, then, that Kurdish Iraqis would be more likely to positively identify with the United States if the US was supporting the goals of their ingroup.

In conclusion, it seems that some ethnic groups (especially those that have been traditionally disadvantaged or discriminated against) attribute less personal importance to their national identity than their ethnic identity. However, this research does not prove that minorities must relinquish their ethnic identity to feel positively toward the state. In further support of these findings, a recent study by Elkins and Sides, (2007) across 51 multi-ethnic states, showed that strength of ethnic/cultural identity was not significantly related to state attachment (pride or identification). Taken together, empirical evidence illustrates that, contrary to the assumptions in the Guidelines, individuals can seemingly maintain their ancestral culture without inducing an ostensible conflict between foreign and national attachments. A full discussion of how individuals manage multiple identities and how such identity management applies to national loyalty will be provided below in the Identity Management section (p. 41.)

### **Organizational Commitment**

There is a significant body of research that parallels the ethnic/national identity research in the Industrial and Organizational Psychology literature on organizational identity. In this vein, we will first introduce the criterion construct of organizational commitment as a relevant analog to the construct of national loyalty. Then, we will describe how research on *organizational identity* provides evidence linking psychological attachments to commitment and loyalty. It is through this link that the literature on organizational commitment provides relevant insights into motivations and behaviors related to national loyalty.

Generally speaking, loyalty and allegiance can be defined as an attachment to a country, leader, cause, group, or organization that causes people to behave in a manner consistent with their commitments, obligations and desire to help ensure the well being of that entity. Several authors have illustrated that the construct of organizational commitment (also referred to as organizational loyalty; cf. Hirschman, 1970; Morrow & McElroy, 1993) is a relevant analog to the national commitment and loyalty that the security clearance Guidelines are intended to predict (Krause, 2002; Gonzalez & Timm, 2007). More specifically, there is a large body of literature which illustrates that organizational commitment is positively related to behaviors intended to help the organization and its interests (organizational citizenship behaviors) but is

negatively related to behaviors intended to harm the organization or its interests (counterproductive workplace behavior) (see Dalal, 2005).

Insights into the factors that influence organizational commitment and subsequent behaviors should also provide analogous insights into the factors that influence commitment to the nation (and subsequent loyalty behaviors). Like ethnic identification, the factors underlying loyalty or commitment to a given entity rest in three forms of attachment: cognitive, affective, and instrumental attachments. The organizational commitment literature adds to our understanding of cognitive and affective attachment via its link to the social identity literature (i.e., organizational identity). It also adds to our understanding of the instrumental or exchangebased attachments underlying Guideline L and to a lesser extent, Guideline B. In fact, this literature is especially relevant since Guideline L is distinguishable from the social influences underlying Guidelines B and C through its focus on the organizational context and employment attachments. This is not to say that organizational commitment does not involve cognitive or affective attachments, but rather that it is especially applicable to this Outside Activities Guideline due to the inclusion of instrumental attachments explored in organizational employment and service contexts. In the paragraphs below we will present evidence on psychological attachments from the perspective of the organizational commitment literature and discuss the implications for the Adjudicative Guidelines and national loyalty.

### **Cognitive & Affective Attachment**

Early research on organizational commitment generally suggested that having a social identity based in the organization was a precursor to becoming committed (as reviewed in Meyer, Becker, & Van Dick, 2006). Incidentally, the early literature on immigration made a similar suggestion that an affective attachment to the nation was a precursor to national loyalty (e.g., Gordon, 1964), although that position is now debated. Regardless, both literatures converge on the idea that identification yields positive affective commitment due to the emotional bond created through one's experiences and feelings of belongingness (e.g., Ashforth & Mael, 1989; DeLamater, Katz, & Kelman, 1969; Druckman, 1994).

The application of social identity theory to organizational commitment research, however, suggests that it is not just affective attachment, but also the incorporation of the ingroup into one's self-concept (cognitive attachment) which promotes loyalty in a group (Becker, 1992; Johnson & Chang, 2006). In other words the affective and cognitive attachments embodied by social identity can act as social glue that promotes loyalty and keeps a group together (Van Vugt & Hart, 2004). Along these lines, the organizational literature defines the construct of "organizational identity" as the extent to which organizational membership is central to one's identity (e.g., Hogg & Terry, 2000; van Knippenberg, van Knippenberg, Monden, & de Lima, 2002).

Similar to social identification ethnic groups, this definition suggests that the attachments represented by identification with an organization are grounded in (1) self-categorization as a group member and (2) the personal importance of group membership with the latter being the

more critical component. Implicit in this definition is the critical role of *strength* of identification in identity's effects on motivational tendencies, and ultimately behavior. Accumulated evidence in the organizational identity literature shows that the degree of personal importance accorded to one's identity as an employee at an organization is related to positive motivations and behaviors directed toward the organization and its members. For instance, stronger organizational identification reduces employees' intentions to quit their jobs (Abrams et al, 1998; Tyler & Blader, 2000). Likewise, loyalty toward one's organization promotes positive and constructive workplace behavior (e.g., Mathieu & Zajac, 1990). Through the lens of social identity theory, these findings suggest that cognitive and affective attachment to one's organization make employees more likely to behave in ways that favor the organizational in-group. Such findings support the idea presented above (see pp. 32-33 and 41) that national identification is likely to make citizens more likely to behave in the interests of the nation.

#### **Instrumental Attachment**

In addition to cognitive and affective attachments to one's organization, the organizational commitment literature incorporates the idea of instrumental or exchange-based attachment whereby individuals form commitments to their organizations based on shared expectations of what each party (the organization and the individual) will receive as a benefit of this loyal relationship (Gellatly, Meyer, & Luchak, 2006; Meyer, Becker, & Van Dick, 2006). Like affective and cognitive attachments, instrumental attachments are significant influences on behavior. In contrast to identity-based attachments, though, instrumental attachments are based on exchange-type relationships (rather than emotions or preferences) whereby one party is motivated by the prospect of receiving something in return (e.g., money, power, prestige).

In Guidelines B and L, adjudicators are instructed to pursue information indicating the potential for conflicting instrumental attachments which undermine national loyalty. Guideline L focuses on professional relationships (employment/service relationships with foreign organizations) which create instrumental value for individuals and raise the possibility of a "conflict of interest," whereas Guideline B includes questions about foreign business connections or financial investments which may do the same. Both Guidelines seek to predict whether conflicting instrumental attachments exist, although they do not appear to be concerned with the strength of such attachments.

The "strength" so to speak of exchange-based attachments may be measured by the degree of importance or the value that one places on the outcome he/she wishes to receive from behavior. In other words, an instrumental attachment's motivational effect on behavior varies according to what one expects to get in return. Research on the motivational effects of the subjective value of a behavior (e.g., Ajzen, 1991) or a desired outcome (e.g., Vroom, 1964) supports this contention. Since this valence or value of an outcome is subjective (varies between and even within individuals) it is typically only directly measured by self-report (e.g., asking people how important something is to them). But, as has been suggested in the previous section on Guideline A, the Theory of Planned Behavior (TBP) suggests that the importance of a given

outcome may be best predicted by an individuals' past behavior directed toward achieving that outcome (Ajzen, 1991). Applied to the Adjudicative Guidelines, indications of instrumental attachments may be best captured by prior behaviors which reflect the value placed on outcomes of such instrumental attachments.

It should be noted that the organizational commitment literature also posits that there may be inherent differences in strength across types of attachments. In fact, Meyer et al. (2006) suggest that exchange-based commitments (instrumental attachments) may indicate more transitory, context-dependent commitments whereas more stable, meaningful attachments (commitments) are grounded in cognitions and affect (i.e., organizational identities). Therefore, it may be that social identification with a foreign entity is a more powerful/relevant predictor of security violation behavior than is instrumental or an exchange-based relationship. In fact, research comparing the motivations of past spies seems to support this contention. In past espionage cases, spies (especially in the more recent cases) were more likely to have been motivated by ideology than money (Herbig, 2008). The application of this idea to the Adjudicative Guidelines will be expounded upon in later sections (see p. 63 for Risk Assessment Framework).

### **Identity Management**

In our discussion above, we have outlined the ways in which psychological attachments impact behavior, specifically behavior favoring groups to which one is cognitively, affectively or instrumentally attached. In our illustration of the relationship between ethnic and national identities we have provided the reader an initial look at the relationships, and ostensible conflicts, between multiple identities. In the section that follows, we will draw on the acculturation (e.g., Berry, 1997) and social identity complexity (e.g., Roccas & Brewer, 2002) literatures in order to answer the following two questions, (1) How do individuals construct their social identities in relation to non-convergent in-group membership? (2) How do people behave in response to this identity construction? It is these two questions that are at the core of the adjudication of Guideline B. Foreign Influence, Guideline C. Foreign Preference, and Guideline L. Outside Activities. The Guidelines imply that foreign influences, preferences, and outside activities are problematic to the extent that they (1) do not overlap with US interests representing a "conflict of interest" and (2) result in behavioral manifestations (security violations) which resolve that conflict in an undesired direction (in favor of foreign attachments).

An important characteristic of social identification (and psychological attachments more broadly) is that it is a relatively dynamic process that can change with the choice of a referent group. Evidence from the psychological literature shows that individuals appear capable of simultaneously, and even holistically, defining themselves in terms of multiple identities (Postmes & Jetten, 2006). Studies of US immigrants, for example, show that people can and do sustain multiple identities that, from an external point of view, appear to conflict (Deaux, 2008; Wiley & Deaux, 2008). The social identities people hold fall under 5 general categories (personal relationship identities, vocational/advocational identities, political affiliation, stigmatized groups,

and ethnic or religious group identities) and all social identities are not the same across individuals (Deaux, et al. 1995). Moreover, people vary widely in how they mentally construct multiple social identities (Hopkins & Kahani-Hopkins, 2004) and social science research illustrates that there are many ways in which individuals can cope with or manage potentially conflicting identities (e.g., Ashforth & Mael, 1989; Breakwell, 1986; Kreiner, Hollensbe, et al., 2006; Pratt & Doucet, 2000; cf. Collinson, 2003; Kondo, 1990; Kunda, 1992).

In line with what seems to be the basis for Guidelines B and C, the psychological literature has, in fact, suggested that immigrants from foreign countries often experience conflict between the demands of home and host cultures. For instance, they often feel torn between the influence of American culture and that of their home culture. This conflict not only creates negative psychological and social consequences (Marsella & Perdersen, 2004; Pierce, 2007), but it is assumed in the Guidelines to be a potential threat to one's national allegiance or loyalty. Of particular relevance to the discussion of social identity with respect to the Guidelines is the question of how a member of an immigrant group or ethnic enclave deals with the potential demands of competing identities (country of residence vs. ethnic-national group membership). Brewer and colleagues (Roccas & Brewer, 2002; Brewer & Pierce, 2005) have proposed (and illustrated empirically), that there are four alternative strategies for managing multiple identities: intersection, dominance, compartmentalization, and merger. In the following paragraphs, we will delineate these management strategies, linking them where appropriate to the literature on acculturation (e.g., the four forms of acculturation proposed by Berry, 1997: assimilation, integration, separation and marginalization), and illustrating the implications for loyalty behavior.

#### Intersection of Identities

The first way that an individual can manage conflicting social identities is by defining the in-group as an intersection of multiple group members. This strategy results in a blended form of bicultural identity, exemplified by a hyphenated identification (e.g., African-American, Korean-American). Intersection is similar to a form of differentiation or dissonance described in the cognitive psychology literature where the compatible elements of two cognitions are separated out from the inconsistent ones. From the actor's internal point of view this intersection or blending may be used to take "some of this and some of that" to create a functional hybrid that incorporates two identities while minimizing conflict (Wiley & Deaux, 2008). The behavioral implications of this type of identity management strategy are not clear, but some research shows that this configuration is associated with heightened ethnic consciousness (Sellers, et al., 1998), and a tendency to favor those who share this particular hyphenated identity (e.g., other Korean-Americans). Since this blended category simply appears to represent a more restricted (i.e., less inclusive) social identity, there are no discernable implications of this identity management configuration for security clearance decisions over and above those already discussed for social/ethnic identity.

Many researchers have tried to identify ways in which we can assess or quantify the relations between two cultures within one individual (Noels, 1992, 2004; Phinney, 1990, 2007; Hong, 2000, 2007; Benet-Martínez, 2002, 2005, Ward, 2008 submitted). For instance Benet-Martínez, Leu, Lee and Morris (2002) put forward the idea that shifting between the two cultures is moderated by the perceived compatibility or opposition between the two cultural perspectives. To our knowledge, Benet-Martínez and Haritatos (2005) developed the only published instrument assessing bicultural identity (bicultural identity integration or BII). According to their model, BII is composed of two separate dimensions: perceptions of distance (perceiving the two cultures as separate and dissociated versus overlapping) and perceptions of conflict (feeling torn between the two cultural identities versus a feeling of harmony between the two cultures). Empirical studies using the BII scale illustrate that, in accordance with the Benet-Martinez's proposed model, the distance scale is predicted by variables such as age, years spent in country of origin/host country, proficiency in language of origin, bicultural competence, and openness. It should be noted, however that the validity of the conflict scale seems to be somewhat questionable; in the 2005 study the conflict items only correlated with indicators of stress (e.g. intercultural relation, discrimination and isolation) and in the 2006 study the conflict scale was dropped from the analysis of results due to unacceptably low reliability ( $\alpha$ = .45).

Other researchers have also created scales assessing the notion of conflict between the two ethnic identities, but to date, their scales have not yet been published. For instance, Ward (2008) suggests that ethno-cultural identity conflict is a function of the cultural distance between the two ethnic groups, meaning that people who originate from a country whose language, culture and ethnic composition are significantly different from the host group will experience more conflict. Ward (2008) developed and validated the Ethno-cultural Identity Conflict (EIC) scale and illustrated that individuals who are integrated (according to Berry's 1997 model) will experience less conflict, as opposed to assimilated, marginalized and separated ones. The scale also correlated significantly with measures of depression, and social difficulty, indicating its predictive value for the well-being of bicultural individuals. Recently, integrating prior theoretical propositions and building on these previous research findings Comănaru (2009) identified five interrelated dimensions of experiences of biculturalism and developed and validated a new instrument to measure these experiences, the Bicultural Identity Orientation Scale. The five dimensions of this unpublished BIO scale are: conflict (a perceived discord between the two cultures), monocultural orientation (the desire to be part of only one of the two cultures), flexibility (the alternation of behaviors and attitudes depending on the context), compatibility (perceived congruence between the two cultures) and hybridity (the blend of the two cultures to create one). The development of such scales assessing bicultural identity (conflict) offer a clear indication that individuals have a wide range of experiences due to their belonging to two (or more) cultural groups. Although two of the three scales described above are still unpublished, such attempts at quantifying the extent to which intraindividual identities are compatible point to not only the existence of dual identities but also illustrate the potential for

cognitive, affective and behavioral reactions resulting from perceptions of conflict or incompatibility between identities.

#### **Dominance of Identities**

The dominance mode of identity management is indicated when individuals adopt one primary group identification to which all other potential group identities are subordinated. This approach to managing multiple identities is exemplified by the traditional view of nationalism. Conceptually, ethnic/cultural identities may come into conflict with national identities. In this view, homogeneity in the core facets of the nation (commonly held language, beliefs, values, and political engagement skills) is more nation-supporting than heterogeneity which threatens the commonly held meaning of the nation (Renshon, 2005). Nationhood rests on the dominance of commonly held identities. This perspective harbors the view that simultaneously held multiple identities must be in some dominance order, and may also be thought of as "hierarchical ordering" of social identification (Brewer, Ho, Lee & Miller, 1987). In other words, the dominance mode predicts that a Chinese immigrant's simultaneous identification with "Asian" and "American" cannot be sustained; one identity must dominate the other. Illustrations of this in the acculturation literature (e.g., Berry, 1997; Berry, Phinney, Sam, & Vedder, 2006) point to two extremes: identification with the host culture at the expense of ethnic/cultural identity (i.e., assimilation) or exclusive investment in one's ethnic/cultural identity and alienation from the host culture (i.e., separation). In terms of consequences for national loyalty behavior, it is clear that the former is much more desirable than the latter when it comes to security clearance decisions. The separation form of acculturation represents a rejection of another culture or a refusal to adapt and learn about a second culture (in this case, that of the United States). Persons seeking a security clearance who reject American culture are clearly not likely to be attached to the US or motivated to be loyal to its interests, and therefore, as a matter of policy will be denied a clearance. However, the implications of a domination of a "national" identity (over an "ethnic" identity) may be more complicated. We now turn to the literature on the "assimilation" form of acculturation which illustrates some of the behavioral manifestations the dominance strategy of "resolving" identity conflict.

#### **Assimilation Acculturation**

Assimilation involves own-culture shedding or the loss/replacement of behaviors (Berry, 1992) that allow the individual to better "fit" with the host society. The underlying assumption of assimilation models of acculturation is that a person cannot simultaneously maintain the culture of the home country and that of the new country. In other words, members of other cultures must lose or shed their original cultural identities as they acquire a new identity in a second culture (Ward, 2007). In the assimilation process, immigrants lose their ethnic distinctiveness, become ever more indistinguishable from the host society, and eventually adopt an American identity (Gordon, 1964). The foreign preference and influence Adjudicative Guidelines (C and B

respectively) assume that assimilated individuals (those who "lose" their old culture and adopt that of the US) obviously prefer the US over their country/culture of origin and therefore are less likely to commit security violations as a result of divided loyalties.

Some evidence supports this contention that as individuals abandon their ethnic attachment they will exhibit greater loyalty toward the United States. For instance Dowley and Silver (2000) found that strength of ethnic attachment is negatively related to feelings of national attachment (Dowley & Silver, 2000). Other empirical evidence, however, links assimilation models of acculturation to less positive attitudes toward the US as well as to more negative (risky or deviant) behavior. For instance, Wenzel (2006) observed that assimilation correlated with less positive attitudes toward the United States government. He explained these findings by suggesting that the process of assimilation erodes the idealized patriotism of recent immigrants and replaces it with cynicism. However, it is unclear in the literature as to whether this erosion of idealized patriotism represents a "normalizing" or "Americanizing" of immigrants' patriotism or whether this erosion of patriotism is due to perception of unfulfilled promises or even betrayal by the nation. For instance, research on political attitudes of immigrants show that as immigrants become more attuned to American cultural traits and practices, there is a corresponding shift in their attitudes to mirror those of the dominant group Anglo-citizens (Binder, Polinard & Wrinkle, 1997; Branton, 2007; de la Garza et al. 1996). In contrast, research on psychological contract breach indicates that when newcomers' expectations do not match their experiences, they feel betrayed and are less likely to be loyal and committed to the group (Zhao, Wayne, Glibkowski & Bravo, 2007). Clearly the psychological contract breach explanation for the documented decline in patriotism has more threatening implications for national loyalty. Immigrants who feel like the United States has betrayed or abandoned them will pose greater risks to nation security than those who are simply adopting the cynical "American" attitude toward government. Only when the underlying cause of this phenomenon is determined will its relevance to national loyalty and security behavior be apparent.

It is clear, however, that assuming that identification (e.g., assimilation) progresses in a linear fashion (toward more American) may be flawed. In fact, ethnic self-identities can vary in a reactive fashion over time, indicating a return to and/or a valorization of ethnic identities (Rumbaut, 1997). In other words, it is not the case that ethnic attachments necessarily diminish over time.

Moreover, risky or deviant behavior of immigrant adolescents (e.g., violence, substance abuse) seems to increase as they become more assimilated in the US. For instance, Harris (1999) found that second generation immigrant adolescents are more prone to engage in risk behavior than foreign-born (and assumingly less assimilated) youth. This research illustrates that the assumption that assimilation leads to more stable, reliable or trustworthy behavior could be deficient. However, the results of this second study (Harris, 1999) should also be taken with a grain of salt, especially given that adolescents were its sample population. It may be that risky or deviant behavior is a "cultural norm" for American adolescents and the positive relationship between assimilation and risky behavior can be explained by the fact that assimilated adolescents

are just behaving like the Americans. In this case, an increased propensity for risky behavior would not reflect an increased security risk but rather a simple "normalizing" of behavior toward more Americanized. Taken together, research findings highlight the fact that our understanding of the effects of assimilation on the underlying *causes* of national attachment are limited, and it is precisely those undetermined causes which pose potential threats to national security.

### Compartmentalization of Identities

Also referred to as "alternating biculturalism" or "frame switching," this mode of identity management indicates switching between identities based on contextual cues. Social identity and self-categorization theories point to a context dependency whereby individuals' social identification depends on the relevance and salience of an identity group in a particular context. This pattern is exemplified by children of immigrant parents who alternate between the ethnic language used at home and the national language used in the community (e.g., Harris, 1999; Hong, Morris, Chiu & Benet-Martinez, 2000). In frame switching, situational factors can activate a relevant identity which subsequently impacts values and attitudes depending on context. For example, Hong and colleagues (2000) showed that attributions made by Westernized Chinese students differ when in the context of Chinese culture than in the context of American culture. Similarly, Verkuyten & Pouliasi (2006) showed that bicultural Greek nationals living in the Netherlands reported different values associated with personal traits, family and friendships when the context shifted from Greek to Dutch. Extending these findings, it may be that the activation or switch from one identity to another not only "switches" attitudes and values, but also propensity for certain types of behaviors.

It is this identity management strategy that is the most potentially problematic for the adjudication of security clearance decisions. The compartmentalization strategy implies that different (incompatible) identities are experienced in a situation specific manner, making it difficult to capture attachments and loyalty tendencies which is the main purpose of these national conflict Guidelines (A, B, C and L). In other words, a threat to national security could arise when one "switches" attachments or loyalties (away from the US) based on certain contextual factors. In fact, research on espionage (Herbig, 2008) reports that in approximately 1/3 of the espionage cases some critical event, often a negative work event, appears to have triggered a transition toward espionage. Taken together, social identity and espionage research results imply that previously compliant (loyal, trustworthy) individuals may have reactively shifted facets of their moral and/or national identities in a manner that either changed their attitudes about espionage behavior or changed the importance they attached to different subjective norm groups. Since goal of the Adjudicative Guidelines is to gather evidence about individual characteristics which predict loyalty across situations, an inherent challenge arises when the dynamic nature of social identities is acknowledged. One of the reasons that espionage behavior is difficult to predict may be the reactive and dynamic nature of self-identities central to the decision to engage in espionage.

Research generally indicates that contextual factors which increase the salience or relevance of one social identity over another typically include cues that increase the perceptions of threat to that social identity (e.g., intergroup competition or conflict like diplomatic issues or ethnic tensions). Although context is clearly an important factor in the dynamics of social attachments, there is one relatively stable or chronic influence that may predict the variance in behavioral manifestations of compartmentalized attachments above and beyond contextual factors: strength of social identification.

An individual's *strength of identification* with a particular identity may make "switching" between attachments or loyalties more or less likely. In the framework of security decisions this suggests that compartmentalized identities (i.e., dual loyalties) are sustainable during times of peace and cooperation between the U.S. and the homeland, but identity strength becomes important when the context primes a switch in identity. For example, the likelihood of maintaining national loyalty in the context of increasing hostilities and incompatible national agendas will be reduced among individuals who maintain *strong* attachments to their homeland.

In sum, the Guidelines seem to assume that social identity is a relatively stable individual characteristic, and by extension, attachments and loyalties are also relatively stable within individuals. Compartmentalization (and the social identity theory research that supports it) emphasizes the role of situational determinants of identification, and by extension, the contextual influences on attachment and loyalty. Although such instability of identification (and loyalties) indicated by the literature seems problematic when considering the relevance of the information gathered through the adjudication of the Guidelines, these challenges may be resolved by turning back to *strength* of attachments to particular entities.

In the face of changing contexts, the stability of social identity when a person utilizes the compartmentalization strategy may be best predicted by strength of identification for each of the compartments. Moreover, behavioral evidence that a person has consistently chosen to switch to or identify with one identity over another (e.g., American over Chinese) would serve as potential indicators of stability, attachment, and loyalty (see above tables of behaviors associated with ethnic p. 34, and national p. 35 identification). Unfortunately, social science evidence does not seem to offer any concrete recommendations for the possibility of comparing "strengths" across identities. In other words, it is unclear as to whether (1) behavioral indicators of strength of attachment should be measured in terms of quantity (additive frequency of behaviors) or quality (strong versus weak indicators) of association with a particular in-group; (2) measures of identity strength represent the same level psychological attachment(s) across different identity groups (e.g., does the same score on a Muslim and an American identity strength measure mean the same thing?); and (3) whether comparing "strength" of identification even makes sense theoretically or empirically. Insights into these questions would add value to the Guidelines to the extent that "strength of identification" is found to be quantifiable and comparable. Thus, information gathered by the adjudicators could be directed toward identifying a chronic switch or preference for one identity over another, which would indicate a propensity for loyalty toward the United States.

### Merging of Identities

In the "merger" mode of identity management, one's social identity is the sum of his/her combined group identifications, and is necessarily highly inclusive and diverse. This form acknowledges multiple cultural identities simultaneously, combining and integrating membership, values, and norms of both groups (Oyserman, Sakamoto & Lauffer, 1998), ultimately resulting in a global identity and making the individual a "citizen of the world" (p. 398). In the cognitive psychology literature, merger is analogous to "transcendence" or the introduction of some superordinate principle that makes the inconsistent cognitions compatible. By merging identities, individuals maintain and manage multiple, perhaps conflicting, attachments.

In terms of security clearance decisions, the "merger" mode of identity management raises questions as to whether evidence about cultural, ethnic and even national identities can be assumed to have fixed meaning and application. A possible implication for these Guidelines is that information about how the individual applies multiple identities or attachments in specific contexts relevant to national security may improve the accuracy of adjudicators' inferences about the security risk posed by the individual. The "integration" form of acculturation (described below) provides some insights into this idea of "merged" identities, but the research on this superordinate form of identity is still emerging just as globalization is now emerging as a popular topic of inquiry in the social science literature.

The existing literature on integration acculturation supports this merger mode of identity management, indicating that people can simultaneously maintain their cultural heritage (they do not have to reject their home culture) while also participating in, and becoming attached to, their host country (the dominant cultural group) (e.g., Berry et al., 2006). Furthermore, it may be that those who subscribe to a global identity are not motivated by attachments to particular identities (nations or ethnic groups) but rather by a "humanist ideology" (Sellers, et al. 1998) and thus more global moral norms. As described above (in the Level 2 section for Guidelines B, C and L), the post-modern view of nationalism (post-nationalism) view supports this notion of fading national/identity boundaries and suggests that one effect of globalization is that global moral norms, rather than laws of the state, direct attitudes and behavior. Individuals whose identity structures are merged, therefore, will behave in the interests of the United States so long as they coincide with these global moral norms to which they subscribe. To the degree that these persons perceive US interests to be counter to global moral norms, however, they may present a greater risk to national security.

#### Integration Acculturation

According to Berry (Berry 1997; Berry, et al. 2006), integration results when individuals both maintain their original culture and participate in their new culture. The complex nature of social identities is especially well illustrated by the integration models of acculturation. In fact, integration seems to be the preferred strategy for identity management. Integration has been

consistently found to be the most frequently reported acculturation strategy for immigrants, refugees, and indigenous peoples (e.g., Berry, 1997; Berry et al. 2006; Berry, Kim, Power, Young, & Bujaki, 1989), and is associated with the most adaptive outcomes, including intellectual adjustment (Peal & Lambert 1962, Portes & Hao 2002) as well as psychological and socio-cultural adaptation (e.g., Sam & Berry, 1995; Ward & Kennedy, 1994). Such results imply that individuals who integrate their former culture into their American cultural identity may be more reliable, trustworthy, and loyal than those who assimilate or "lose" their former culture in deference to "Americanizing." However, more research is needed to explore the extent to which this integration strategy actually overlaps with the "global" identity proposed by Roccas and Brewer (2002). In conclusion, it seems that merging or integrating identities is the most adaptive, but our understanding of the nature of this identity management strategy is limited by a lack of empirical research. More research is needed to explore how, when, and why "merging" is possible without creating inherent internal conflict as social identity complexity and acculturation theories seem to suggest.

#### Managing Attachments in Organizations

In addition to the social psychology and acculturation literatures, the existing literature on organizational commitment may also provide additional clues as to the compatibility of multiple commitments. In organizational research literature, studies of individuals' dual organizationally-relevant identities illustrate that such attachments can be relatively compatible or positively correlated. For example, several studies have indicated that dual attachments to organizations and other entities (e.g., union, profession/occupation, work-group, local subsidiary company, etc.) all show evidence of compatibility (c.f. Ashforth, Harrison & Corley, 2008; Pratt & Forman, 2000; Mathieu & Zajac, 1990; Read, 2001). However, other studies indicate the opposite.

In response to these conflicting findings, organizational researchers have investigated moderators of these dual attachments and found that the nature of the relationship between the two entities is a critical factor in the compatibility of attachment. For instance, competing identities in an organizational context may be more compatible to the degree that they are nested within each other (e.g., work-group identification is nested within the entire organization identity) ( Pratt & Forman, 2000). Likewise, dual attachments are more compatible when the entities to which one is dually attached have a cooperative (as opposed to adversarial) relationship. Gordon and Ladd (1990) observed that cooperative union-management relations may be responsible for producing the apparent findings that dual commitments are sustainable, whereas Lee (2004) found that adversarial relations produced incompatible attachments to both.

In a meta-analytic investigation designed to test the moderating role of between group relations (union-organization), Reed, Young and McHugh (1994) confirmed that when intergroup relations were cooperative, individuals could maintain dual loyalties, but when these relationships were adversarial, people perceived these two loyalties to be incompatible, forcing them to "choose a side." Likewise, other studies have shown that dual commitments to a

profession and an organization are not inherently incompatible, but that when conflict between these commitments are present, people's job dissatisfaction and turnover intentions increase (Angle and Perry, 1986; Aranya and Ferris, 1983). Taken together, these findings imply that the relationship between two entities to which one is attached will impact the sustainability of dual commitments that intergroup conflict introduces. Adversarial relationships between two entities with which one simultaneously identifies introduces a perception of incompatibility where there may not have been done before, forcing people to choose between two loyalties. Applied to national loyalties, such findings imply that one must take into consideration the nature of the relationship between entities (e.g., nations) in order to understand the underlying threat to national security posed by dual (national) attachments.

The organizational identity literature (based in social identity theory) supports the general observation that conflicting identities (cognitive/affective attachments) can be psychologically maintained, although that maintenance becomes more problematic in the face of adversarial relationships between in-groups. Unfortunately, most of the organizational research provides no new insights into the psychological factors associated with one's *preference for* or *strength* of commitment to a particular entities' interest with respect to managing conflicting attachments. However, from the organizational loyalty literature, two things are clear with respect to the management of conflicting interests: (1) the propensity to behave in favor one entity over another is based on cognitive, affective and instrumental psychological attachments; and (2) more research is needed in order to elucidate relationship between certain behavioral outcomes of different identity or commitment management strategies with respect to those attachments.

Although the social identity management strategies presented from the social psychology/acculturation perspective may apply in organizations, the closest the organizational literature comes to furthering our understanding of behavioral outcomes of managing multiple identities comes from the role conflict literature. Findings regarding individuals' experiences of role conflict within organizations suggest that competing demands at work may be resolved in a variety of ways. For instance, one may manage competing demands by (a) enacting behaviors sequentially so that an individual responds to the needs of the moment, (b) deferring to the role or attachment that is the most important or instrumentally valuable, or (c) compromising and fulfilling behavioral demands of each in a perfunctory manner (e.g., Ellemers & Rink, 2005). The implications of these organizational findings echo those of social identity management strategies for behavior, showing that people can sustain conflicting attachments. Moreover, multiple attachments can be managed by domination of one over the other (e.g., enacting behaviors sequentially, deferring to the more important role) or integrated (fulfilling the demands of attachments in a perfunctory manner). In the context of security decisions, the organizational literature again illustrates that it is the pattern of attachment management strategies which is the most relevant to predicting security risk, as opposed to the mere presence of conflicting attachments.

#### Guidelines B, C and L and Positive Security Behavior

Unlike Guideline A, the identification and attachment variables underlying the psychology of Guidelines B, C and L are somewhat closer to the types of attributes thought to explain positive work behavior. The Foundations paper described organization citizenship behavior (OCB) as an analog to security citizenship behavior. We can compare the known antecedents of positive citizenship behavior to the variables assessed by Guidelines B, C and L evidence of affective, instrumental, cognitive, and identity-based connections to a country or ethnic group. OCB has been shown to be a function of job affect (e.g., liking), job cognitions (e.g., justice, pay satisfaction), and organizational loyalty/allegiance variables as well as other dispositional variables such as conscientiousness (Lee & Allen, 2002; Miles, et al., 2002; Dalal, 2005). In general, some of these OCB antecedents could be described as facets of job attachment with similar meanings to the instrumental, affective, identity and cognitive components of country/group/organization attachment used to explain security risk behavior. The implication is that OCB is explained, in part, by one's attachment to the organization just as security violations are explained, in part, by one's attachment to country, group and/or instrumental outcomes.

This overlap in explanatory variables, however, does not mean that security violation behavior and security citizenship behavior are at opposite ends of the same spectrum. Lee & Allen (2002), Miles, et al. (2002) and Dala (2005) have all shown that these variables combine differently with situational factors to predict citizenship than to predict counterproductive or deviant behavior. This means that even though the Guidelines' national attachment variables conceptually overlap to some degree with organization and job attachment variables, the Guidelines' context of negative security behavior limits the effectiveness with which clearance decisions would predict positive security citizenship behavior.

The same question can be asked about the positive security behavior captured by the Whole Person concept. Do the nation-oriented attachment measures emerging from adjudication investigations of national conflict Guidelines overlap with the likely antecedents of reliability, trustworthiness, loyalty and good judgment? With the exception of loyalty, which is nation-oriented, the others' attributes are general attributes of work behavior that are not necessarily specific to one's national attachment. These qualities of work behavior are known to be predicted by general dispositions such as conscientiousness, agreeableness, and in some cases emotional stability. The Guidelines' assessments of nation-oriented attachment are not measures of such general psychological dispositions. It is unlikely that clearance decisions are based on attributes that have predictive value for the Whole Person qualities.

However, even if the Guidelines' assessment of nation-oriented attachment predicted positive security behavior such as security citizenship or reliability, trustworthiness and good judgment, the overall impact would be very small because only a small percentage of clearance decisions are negative. Virtually the full range of national attachment levels will be cleared. The very high clearance rate means that there will be very little benefit to positive behavior.

The overall conclusion is that in spite of the partial overlap in attributes considered by Guidelines B, C and L and attributes known to be relevant to citizenship behavior; the current use of these Guidelines is unlikely to have any notable effect on positive security behavior.

#### Relevance of the Theory of Planned Behavior

The Theory of Planned Behavior provides a theoretical framework for explaining the link between various social identities and security behavior. The role of subjective norms and attitudes toward the behavior in question are the primary vehicles by which TPB describes the psychological mechanism linking social identities to behavior. This is the theoretical expression of the assumption underlying Guidelines B, C and L that multiple attachments are predictive of later security behavior.

As exemplified in Exhibit 2, the subjective norms an individual relies on for moral or normative guidance derive from groups that are important to the individual. This is a critical requirement for group identity that the individual not only recognize group membership but also attach importance to adherence group norms. One implication of TPB is that the prediction of future security behavior requires an understanding of the group identity the individual will judge to be most relevant to the behavior in question.

Separately, other forms of attachment will reflect specific beliefs and attitudes that will form the individual's attitudes toward the target behavior. Such formative attitudes and beliefs may be a function of instrumental attachments, identity attachments, emotional attachments as well as other experiences, education/training, and personal relationships.

As with Guideline A, TPB provides a theoretical framework to build an understanding of the link between foreign attachments and security behavior. The research reviewed above provides information about the specific attributes relevant to this context of national security behavior. TPB provides the explanatory shell which can be populated by these context-specific attributes such as national identity, identity management and instrumental attachment to organizations. Once populated with the right attributes, the TPB model can be used to test the Guidelines' assumptions about the manner in which security behavior is most effectively predicted.

#### EVIDENCE-BASED CONCLUSIONS ABOUT GUIDELINES B, C AND L

Guidelines B, C and L all rely on the same basic adjudicative strategy. Where evidence indicates potential conflict between some form of foreign attachment – personal relationships for Guideline B, citizenship for Guideline C, and employment/service relationships for Guideline L – and US national interests, the adjudicator uses mitigator evidence and informed judgment to assess the degree of risk posed by the evidence. The conflict may arise directly from the multiple attachments themselves or those attachments may be brought into conflict by persons, circumstances or events external to individual. The adjudicator's assessment of risk is based largely on conclusions about the strength of attachment when all the evidence is considered. A core assumption is that stronger attachments will outweigh weaker attachments. A second assumption is that the attachments are relatively unchanged by the occasion of conflict.

The research evidence supports the importance of identity-based attachment and the concept of strength of attachment as a predictor of behavior. At the same time, the evidence also indicates that attachments are more dynamic, may be perceived as less conflicting by the actor than by observers, and may be relevant to the resolution of any conflict based not only on strength but also on appropriateness and other contextual factors. The conclusions below follow from this research evidence.

- 1. Attachment Evidence Supports the Guidelines. The overall conclusion from this review of evidence about attachments to nations, groups and organizations is that such attachments influence behavior directed at those entities. This supports Guidelines B, C and L's overall focus on national and foreign attachment. While this evidence supports the Guideline's focus on considerations of foreign attachments, it does *not* provide direct evidence that clearance determinations reduce negative security behavior. The research necessary for such direct conclusions has not been undertaken. Rather, the social science research reviewed here supports the indirect but plausible conclusion that adjudications decisions based on considerations of foreign attachment are useful for identifying individuals who are most likely to act against US national interests due, in part, to their stronger identification with some other entity.
  - a. **The Distinctions Between Guidelines.** No evidence directly addresses the question of whether the differences between the Guidelines are important for predicting violation behavior. However, the available evidence implies that the differences between forms of attachment captured by Guidelines B, C and L are not as important as the differences between identity-based attachment and other forms of attachment such as instrumental (exchange) or ideology-based attachment.

- 2. **Foreign Attachments Matter**. From the non-experimental espionage literature it is clear that spies' foreign attachments and loyalty are factors in their decisions to spy.
  - a. National Attachment has Several Forms. National attachment has several facets including national identity, national pride, nationalism and constructive patriotism. These different forms do not have the same meaning and lead to different outcomes.
- 3. **Dual Citizenship**. Dual citizenship is associated with weaker national identity, compared to naturalized sole US citizenship.
- 4. **National Identity May Be Most Consequential.** National identity has been shown to be less ideological and more predictive of civic participation than any other facet of national attachment. This suggests it may be a stronger predictor of eventual security behavior.
- 5. **Ethnic Identity v. National Identity**. Multiple identities that observers may see in conflict may not be experienced as conflicting or incompatible and may be managed by the individual to fit with the context as appropriate.
  - a. **Relevant to Counter Intelligence Perspective.** The ability of individuals to adaptively manage multiple identities without experiencing them as conflicting suggests that the primary role of Guidelines B, C and L may be to assess a counter intelligence risk where a conflict is externally imposed on the individual rather than a loyalty risk that emerges from the individual's experience of conflict. The presence of ostensibly conflicting identities does not necessarily imply a security concern in and of itself.
- 6. **Identity Management Strategies**. Multiple identity individuals may use a variety of management strategies to guide behavior in specific situations. Evidence about an individual's history of identity management is likely to add to the predictive value of information about the identities themselves.
- 7. **Ethnic Identity**. The meaning and strength of ethnic identity are different for different groups as a function of ethnicity, group experience in the host country, and other factors.
- 8. **Organization Context**. The strength of instrumental attachment depends on the value of the outcome or reward. This may cause strength of instrumental attachment to be more context dependent and transitory compared to the strength of identity (affective + cognitive) attachment, which depends on the importance of group membership.
- 9. **Imposed Conflicts**. The conclusions described above are based on the social science relating primarily to types of national and ethnic attachments and the manner in which people manage these attachments across the circumstances of their own life experience. A question can be raised about applicability of these conclusions in specific circumstances. For example, do the conclusions about identity management apply when multiple identities are placed in conflict with one another by some the actions of some individual or set of events. One answer to this question is that the

social science research reviewed above collectively sampled individuals from across a wide range of life circumstances. So these conclusions are expected to have broad applicability across the ordinary range of life experiences. However, none of the studies reviewed here deliberately included individuals who were in a security work context requiring a clearance. Two limitations apply, then, to these conclusions. First, it may be that the circumstances of security work are unique in ways that change the manner in which people manage their multiple identities. For example, the workbased obligation to protect classified information that may have value for one's country or origin may lead cleared individuals to adopt a dominance management strategy they would not have used otherwise. Second, it may be that the circumstances in which some cleared people work are extreme or compelling in ways that simply trump the ordinary range of attachment factors. To choose an extreme example, an individual whose life is at stake over the disclosure of classified technology may make decisions about information/technology security based on survival considerations that may easily trump attachment factors. Attachment considerations are not the only factors and in some cases may be far less important to the individual's decisions than in other cases. In any case, the research has not been conducted to assess the extent to which attachment factors operate differently in the special circumstances of work requiring security clearances.

10. **Self-Selection.** Are people who choose to work in the special environments requiring security clearances different in systematic ways from others who do not? Do these conclusions apply to people who seek out work in national intelligence contexts? First, we have found no research that directly addresses these questions. Second, the research on ethnic and national attachments has not investigated the roles of individual differences such as personality, intelligence, and interests to offer empirically-based insight into these questions. Certainly, it seems reasonable to assume that relationships to one's country are important to people who work in nation-oriented contexts in which they have obligations to protect the security of national information and technology. But importance alone does not appear to be a factor that would lead people to systematically manage their nation relationships differently than has been reported in the research on attachments. After all, this research is about the manner in which people managed the importance and roles of multiple attachments. Given the nature of the research findings about national and ethnic attachments, the most plausible operating assumption would be that the findings about the psychology of attachments applies to people who seek out nationoriented work requiring clearances. But this is an assumption.

#### RECOMMENDATIONS

The following recommendations are based on two considerations, (a) the evidence reviewed above, and (b) the practical benefit for the adjudication process. A small number of major themes from the evidence influence several of these recommendations. These themes are:

- 1. Security behavior is likely to be influenced by the attachments themselves and also by the manner in which individuals manage multiple attachments in the face of conflict and in other situations.
- 2. Identity-based attachment is likely to be the most consequential form of attachment for security behavior.
- 3. The roles of multiple attachments can change with circumstances.

While the scope of this project did not include an assessment of investigative processes or the decision making processes used by adjudicators, certain key observations about the adjudicative process influenced some recommendations.

- 1. Historically, new security contexts have led to additional Guidelines, which increase the complexity of the adjudication process.
- 2. Some adjudicator decisions are largely fact-based. Most require judgment about the weight of multiple sources of evidence.
- 3. A primary demand on adjudicators is to combine multiple sources and multiple types of evidence into a single assessment of the risk of security violation.

The recommendations are organized into three groups: Across Guidelines, Individual Guidelines including mitigators, and Research.

#### A. Across Guideline Recommendations

Recommendation A1: Increase Focus on Identity-Based Attachment.

The adjudicative investigation and decision making processes should increase and sharpen their focus on evidence of *identity*-based attachments to the US, ethnic/social groups, foreign countries and other entities relevant to the particular Guideline. Investigators and interviewers should be taught to seek out attachment information that reflects identity attachment over other forms of attachment. Evidence reflecting identity attachment is described above and includes:

- Formal and informal group membership.
- ♦ Importance of group values and norms.
- Participation in group activities.
- ♦ Conformance to group rituals and rules.
- Group language use.
- ♦ In-group contacts.
- Group-specific civic/political/social participation.
- ♦ In-group marriage.
- Dominance of group identity in situations of conflict and stress.
- Circumstances/situations in which group identity is prominent.
- Managing multiple attachments such that group identity is sustained over time.

Adjudicators should be taught to give primary weight to the implications of identity attachment over other forms of attachment such as instrumental/exchange attachment, ideological attachment, and political attachment.

*Recommendation A2. Explicitly Evaluate Strength of Attachment.* 

Adjudicators should be trained to evaluate, estimate and rely on "strength of attachment" for US attachment and other significant attachments. The evaluation of "strength of attachment" should take into consideration the number of indicators of attachment and the "strength-level" associated with each indicator. Strength level of an indicator may be an informed judgment based on scaled examples. For example, for ethnic group attachment a leadership role in regular group rituals is likely to be an indicator of stronger identity attachment than frequency of contact with family members. For national attachment, holding public office is likely to be a stronger indicator of national identity than registering to vote.

Some amount of research would be required to develop instructions and exemplars/anchors necessary to systematically evaluate "strength of attachment."

Recommendation A3: Where There is Evidence of Significant Multiple Attachments, Gather and Evaluate Indicators of Individual's Strategy for Managing Potential Conflict.

Research shows people often successfully manage multiple attachments. Where multiple attachments are in evidence, adjudicators should assess the individual's perceived success in managing the attachments in those occasions or events that pose potential conflicts, especially where those potential conflicts are nation-oriented. This assessment should focus on the manner in which the individual applies the multiple attachments to the particular circumstances of the occasion or event.

Recommendation A4: Where There is Evidence of Change in an Attachment, Investigate and Evaluate the Factors Leading to the Change.

Investigators and adjudicators should gather and evaluate evidence describing the factors that led the individual to significantly increase or reduce, or alter or eliminate a previously significant attachment. The focus should be on the extent to which the change factors bear any relevance to security risk.

Recommendation A5. Integrate Evidence of Risk Across Guidelines Using a Risk Assessment Scale.

All national conflict Guidelines provide evidence relating to the individual's risk for future security violations. A cognitively challenging task for the adjudicator is to aggregate all evidence from the four Guidelines into a single overall assessment of the risk posed by the individual. Adjudicators should use a structured overall Risk Assessment Scale as the mechanism by which they systematically aggregate diverse information about the individual's risk for future violations.

A "working" Risk Assessment Scale and accompanying explanatory information are provided in Appendix A. The Scale itself is shown here.

#### LEVEL OF RISK Key Dimension: Lowes Highest Mixed with Mixed with Mixed with Mixed with Identity American American Alternative Alternative Alternative Alternative American Alternative American Alternative Leaning Leaning Leaning American Values-Exchange Values-Exchange-Values-Values-Exchange Based Exchange-Exchange-Value-Based Alternative: Alternative Alternative Alternative Based Exchange-Values-Exchange-Values-Relationship N/A N/A Congenial Congenial Adversarial Adversarial Congenial Congenial Adversarial Adversarial with US

**Overall Risk Assessment Scale** 

The design of this Risk Scale captures the operational implications of the literature review on the influence of national and foreign attachments of the individual's likelihood of future security violations. The overall risk assessment is based on three considerations: (1) the sources of one's important identities, (2) the strength of attachment associated with each attachment, and (3) an overall assessment of the individual's relationships with the US government. Each of these three factors would be judged by the adjudicator based on attachment evidence from across the Guidelines. These three factor-level judgments would then be aggregated into an overall assessment of risk based on the standards expressed in the model. While this Risk Assessment Scale was designed to capture the implications of the relevant research, it may well be that additional planning, design and research would result in modifications to this approach.

It is worth noting that this proposed Risk Assessment Scale does not change the fundamental complexity of the adjudicator's judgment task. Rather, it is an attempt to provide structure and an organizing framework to enable adjudicators to manage this complexity in more systematic, evidence-based manner. Arriving at an overall assessment of risk is a complex and somewhat ambiguous judgment task for the adjudicator. The adjudicator must collect information on a variety of indicators and combine these indicators in a meaningful way. The Risk Assessment Scale provides a way of managing this complexity based on the most important considerations to yield the most valid assessments possible. Further, this Risk Assessment Scale is intended to be illustrative of a structured method of supporting adjudicators' risk judgments. Certainly, additional development work would be needed to optimize the structure of the scale components and provide a set of user instructions to support adjudicators' use of the scale.

Recommendation A6: Evaluate Whether Positive Security Behavior Should be Targeted by the Guidelines.

At a high level, the Whole Person policy directs adjudicators to weigh evidence about the reliability, trustworthiness, loyalty and good judgment of each individual to help ensure that cleared individuals demonstrate those qualities in their security work. This policy was framed in the Foundations Paper by a thorough, research-based description of the likely characteristics of the full range of security behavior, including both negative violation behavior as well as positive citizenship behavior.

While the ADR (2005) points adjudicators to consider evidence of reliability, trustworthiness, loyalty and good judgment, it is our conclusion that the meaning and use of the national conflict Guidelines does not effectively accomplish this goal. There are three core reasons:

1. With a few exceptions, the evidence gathered for the national conflict Guidelines is not closely related to the antecedents of reliability, trustworthiness and good judgment. It is somewhat more related to antecedents of loyalty.

- 2. The extremely high clearance rate assures that the clearance process will have virtually no impact on the reliability, trustworthiness, loyalty and good judgment of cleared individuals. This is a statistical consequence of the fact that the extreme majority of individuals are cleared. Even if the Guidelines' evidence directly assessed all antecedents of the Whole Person, the clearance process with its high "pass" rate would have no discernable impact on the characteristics of those cleared.
- 3. Reliability, trustworthiness, loyalty and good judgment are general attributes that have been demonstrated in several studies to predict positive work behavior including rule-compliance as well as extra-role citizenship behaviors such as promoting the goals of the organization. Clearly, the Whole Person attributes are closely aligned with the positive side of the proposed model of security behavior. Because these are general attributes not specific to any particular context, they lead to positive work behaviors across a wide range of types of work and contexts. In contrast, the evidence gathered for the national security Guidelines is highly specific to the context of national attachment. Even where an adjudicator concludes that an individual identifies strongly with and supports US national interests – a very positive attribute – this highly context specific characteristic is unlikely to predict positive work behaviors across the full range of security behavior. For example, conscientiousness predicts rule compliance. But to know that an individual strongly identifies with the US says little about his general disposition to be conscientious. The evidence gathered for the national conflict Guidelines is at a very different level of description and meaning than the evidence necessary to draw conclusions about the Whole Person bundle of attributes.

The implications of these conclusions about the meaning and use of Guidelines evidence is that substantial changes would be required to transform the clearance process into one that effectively implements the Whole Person policy. The process would need to gather evidence about more general characteristics of individuals under consideration and would need to disqualify at least 25%-35% of all clearance applicants in order for it to have any noticeable impact of the level of reliability, trustworthiness, loyalty and good judgment demonstrated by cleared employees.

This recommendation is made in order to ensure the maximum benefit of any of the other recommendations based on research about attachment. The collective impact of the several recommendations regarding the use of attachment information would be to sharpen the focus on individuals' strength of attachment and the manner in which they manage multiple attachments. These recommended changes are unlikely to improve the effectiveness with which the clearance process implements the Whole Person policy. Indeed, adjudicators may find that the more

detailed requirements regarding their evaluation of attachment may increase the cognitive complexity of simultaneously considering the Whole Person imperative.

#### **B.** Recommendations for Individual Guidelines

#### Guideline A

None in addition to the cross-guideline recommendations.

See the recommendation about a new "Basic Qualifications" Guideline.

#### **Mitigators**

- 1. Revise Mitigator (d) to focus on two types of evidence:
  - a. The individual has deliberately ended the involvement/association in question.
  - b. Since ending the involvement/association, the individual has demonstrated increasing attachment to and support of US interests as manifest by changing social norms groups, changing beliefs about US interests, and changing plans with respect to US interests.

#### Guideline B

None in addition to the cross-guideline recommendations.

See the Guideline L recommendation.

See the recommendation about a new "Basic Qualifications" Guideline.

#### Mitigators

- 1. Add a mitigator addressing evidence that the individual has integrated foreign connections into a pattern of behavior supportive of US interests.
- 2. Add a mitigator addressing evidence that the individual has experienced conflicts in the past relating to dual attachments and has resolved them in a manner that does not imply security risk.
- 3. Add a mitigator addressing evidence that the individual has been increasing identity-based attachments to the US while maintaining / developing foreign expertise for US purposes and/or decreasing foreign identity-based attachments.
- 4. Modify mitigator (b) to emphasize the "depth" of foreign relationships (i.e., strength of attachment or personal importance accorded to that person, group, government or country) rather than how long the relationship has lasted.

#### Guideline C

Recommendation B1. In Cases of Dual Citizenship, Emphasize Evidence of National Identity.

Recommendation A1 directs attention to a sharper focus on evidence of identity-based attachment. The role of national identity information is especially relevant in cases of dual citizenship. Research shows that dual citizens tend to have lower US national identity and,

therefore, are likely to be somewhat more risky for security violations. In any particular individual's case, evidence of strong US national identity or, conversely, strong foreign national identity, would be important for assessing the weight to attach to dual citizenship.

#### **Mitigators**

- 1. Add a mitigator addressing evidence that, for individuals holding dual citizenship, the individual has demonstrated a pattern of increasing attachment to the US in any of a variety of ways including English language usage, voting, civic/political participation, and knowledge of US values, history, governance, and social systems.
- 2. Add a mitigator(s) to reflect the nature of the relationship (adversarial or congenial) between the US and the country with which foreign attachment is indicated. Such a mitigator should also take into consideration the relatively chronic (or capricious) nature of the relationship between the given countries.
- 3. Mitigator (c) should be modified to also capture the extent to which the exercise of any right, privilege, or obligation of foreign citizenship is important to that person's self-concept.

#### Guideline L

Recommendation B2: Fold Guideline L into Guideline B.

With the significant exception of condition (a) (4), Guideline L covers foreign relationships very similar to those covered in Guideline B. Employment and service relationships could be easily captured under the broad component of condition (b) regarding "connections to a foreign person, group, government, or country that create a potential conflict of interest..." The distinctive element of L is condition (a) (4) regarding relationships with others involving the communication of security relevant content. Because this condition does not rest on foreign relationships necessarily it is unique within the foreign conflict cluster of Guidelines.

The evidence-based rationale favoring moving L into B is that the foreign attachment issues associated with L are very highly related to those at the core of B. Both consider foreign attachment unrelated to citizenship (Guideline C) where dependencies or identification with foreign entities may create a risk of disloyalty or inducement or coercion. Employment and service relationships do not introduce a qualitatively different set of attachment considerations than the broader range of relationships captured in B.

Combining L into B would reduce the complexity in aggregating evidence across Guidelines.

#### Mitigators

- 1. Add a mitigator addressing evidence that individual has taken steps to eliminate potential conflicts with employment/service responsibilities.
- 2. Add a mitigator addressing evidence that the employment/service relationship is not unusual for naturalized US citizens with the individual's skills, experience and country of origin.
- 3. Add a mitigator addressing evidence that the individual has complied with prescriptions and expectations regarding security protection practices.
- 4. Mitigator (a) should be modified to capture both the security risk of the activity itself as well as the nature of the relationship (adversarial or congenial) between the intended audience or beneficiary of such an activity and the United States government (and its interest).

#### New "Basic Qualifications" Guideline

Recommendation B3. Establish a New Guideline to Evaluate Policy-Based Disqualifiers.

Tables 1-4 show several risk conditions that appeared to depend far more on policy considerations than on social science considerations. An example from Guideline B is condition (g), "unauthorized association with a suspected or known agent, associate, or employee of a foreign intelligence service." Another example from Guideline L is condition (b), "failure to report or fully disclose an outside activity when this is required." Other possible examples that are more speculative on our part include "active maintenance of a foreign passport," "employment with a foreign government," and "holding political office in a foreign country."

The adjudicator's task for these types of conditions is to confirm that the evidence is accurate. Once the facts are confirmed, these stand as potential single-issue disqualifiers. Once confirmed, mitigation evidence is unlikely to change the weight of the facts. Although the process of confirming the facts may be arduous, once confirmed, the decision process is relatively straightforward and is largely a matter of applying an implied policy.

In effect, these conditions represent the basic qualification requirements any individual must satisfy to be granted and retain a clearance.

Significant efficiency may be gained by establishing a Basic Qualifications Guideline for the purpose of identifying all such policy-based requirements. Such a Guideline could be treated as a Stage 1 review for individuals during which the facts are confirmed and decisions are made without the need to consider other substantive Guidelines in full depth.

A possible criticism of this strategy is that it may be interpreted as restricting the control of home organizations over the clearance decision. The core issue underlying this concern is whether there is consensus about any so-called "basic qualification" prescribed by policy. If no such consensus exists then this recommendation is mute.

#### C. Research Recommendations

A number of topics relevant to the effectiveness of the Guidelines are warranted given the considerable lack of evidence directly related to the prediction of security behavior.

#### C1. Compare Spies to Non-spies.

Given the considerable amount of stored data about caught spies, an investigation comparing characteristics of caught spies to demographically matched non-spies would be valuable. Such a study would be especially relevant to the question of Guideline usefulness if data about historical adjudication results were available for both groups. (Both groups would include only people who were cleared via the Adjudicative Guidelines process.) This would provide direct evidence of the predictive strength of adjudicator.

C2. Investigate the Dimensions and Categories of Security Behavior to be Targeted by the Adjudication Process.

No investigations have been done to describe the full domain of security behavior. Such an analysis would be valuable not only for a better understanding of the way in which the clearance process may be improved but also to better understand possible improvements to employment processes for jobs requiring clearances.

#### C3. Investigate Measures and Meaning of "Strength of Attachment."

The above recommendations assume, with some support from the literature, that attachments vary in strength, and strength predicts dominance of attachments in situations where different attachments imply different actions. This assumption is central to the manner in which adjudicators make decisions about risk for violations. There is no evidence about this assumption in the security behavior domain and it is possible that the security contexts, with their extreme demands, are qualitatively different from other domains with fewer such demands. Investigations of strength of attachment should compare type of attachment (values-based (identity) v. exchange-based), source of attachment (ethnic groups v. nations), and owner demographics (e.g., race/ethnicity, age, experience with group membership).

#### C4. Investigate the Ways in Which Cleared Employees Manage Multiple Attachments.

Using existing cleared employees, investigate the manner in which they managed multiple attachments in contexts where the attachments imply different behavior. In the very strong security context people may have uniquely adapted the manner in which they manage multiple attachments.

#### C5. Develop Measures of Identity Attachment to be Applied in the Adjudication Process.

Recommendations above call for the assessment of identity attachments as part of the adjudication process. While such measure could be developed initially based on conceptual translations of identity measures in other domains, systematic work should be done in the investigations context of the adjudication process. The distinction between identity attachment and other forms of attachment appears to be significant for the prediction of other nation-oriented behavior but the measurement differences between these forms of attachment can be subtle. Good measurement is necessary for effective adjudication processes.

#### C6. Guidelines Research Should be Framed in the Theory of Planned Behavior.

The Theory of Planned Behavior (TPB) is a general theory of intentional behavior, grounded in social cognition that enables tests of the key explanatory variables and relationships likely to underpin security violation behavior as well as security citizenship behavior. Key elements of TPB fit with the historical perspective about security behavior that it depends on normative attachment, attitudes and beliefs, and personal qualities related to expectations of success. By applying potential explanatory variables measured in the context of security work to the TPB framework, predictions made be made about relationships and outcomes. These predictions will enable a systematic program of research to be undertaken exploring the antecedents of security behavior.

#### REFERENCES

- Abrams, D., Ando, K., & Hinkle, S. (1998). Psychological attachment to the group: Cross-cultural differences in organizational identification and subjective norms as predictors of workers' turnover intentions. *Personality and Social Psychology Bulletin*, 24(10), 1027-1039.
- Ajzen, I. (1991). The theory of planned behavior. *Organizational Behavior and Human Decision Processes*, 50, 179-211.
- Angle, H. L., & Perry, J. L. (1986). Dual commitment and labor-management relationship climates. *Academy of Management Journal*, 29, 31-50.
- Aranya, N., & Ferris, K. R. (1983). Organizational-professional conflict among U.S. and Israeli professional accountants. *The Journal of Social Psychology*, *119*, 153-161.
- Ashforth, B.E., Harrison, S.H., Corley, K.G. (2008). Identification in organizations: An examination of four fundamental questions. *Journal of Management*, *34*(3), 325-374.
- Ashforth, B. E., & Mael, F. (1989). Social identity theory and the organization. *Academy of Management Review*, 14(1), 20-39.
- Ashmore, R. D., Deaux, K., & McLaughlin-Volpe, T. (2004). An organizing framework for collective identity: Articulation and significance of multidimensionality. *Psychological Bulletin*, 130(1), 80-114.
- Basch, L., Glick Schiller, N., & Szanton Blanc, C. (1994). *Nations Unbound: Transnational Projects, Postcolonial Predicaments, and Deterritorialized Nation-States*. Langhorne, PA: Gordon and Breach.
- Baumeister, R. F., & Leary, M. R. (1995). The need to belong: Desire for interpersonal attachments as a fundamental human motivation. *Psychological Bulletin*, *117*(3), 497-529.
- Beck, L., & Ajzen, I. (1991). Predicting dishonest actions using the Theory of Planned Behavior. *Journal of Research in Personality*, 25, 285-301.
- Becker, T. E. (1992). Foci and bases of commitment: Are they distinctions worth making? *Academy of Management Journal*, 35(1), 232-244.
- Bennett, R. J., Aquino, K., Reed II, A. & Thau, S. (2005). The normative nature of employee deviance and the impact of moral identity. In S. Fox & P. E. Spector, (Eds.). Counterproductive Work Behavior: Investigation of Actors and Targets. (pp. 107-126). Washington, D.C.: American Psychological Association.
- Berkowitz, L. (1998). Affective aggression: The role of stress, pain, and negative affect. In R. G. Geen & E. Donnerstein (Eds.), *Human aggression: Theories, research, and implications for social policy* (pp. 49-72). San Diego: Academic Press.
- Berry, J. W. (1992). Acculturation and adaptation in a new society. *International Migration*, 30, 69-85.
- Berry, J. W. (1997). Immigration, acculturation, and adaptation. *Applied Psychology: An International Review*, 46(1), 5-68.

- Berry, J.W. (2003). Conceptual approaches to acculturation. In K. Chun, P. Balls- Organista, & G. Marin (Eds.), Acculturation: Advances in theory, measurement and applied research (pp. 17–37). Washington, DC: APA Press.
- Berry, J. W. (2005). Acculturation: Living successfully in two cultures. *International Journal of Intercultural Relations*, 29, 697-712.
- Berry, J. W., Kim, U., Power, S., Young, M., & Bujaki, M. (1989). Acculturation attitudes in plural societies. *Applied Psychology: An International Review*, *38*(2), 185-206.
- Berry, J. W., Phinney, J. S., Sam, D. L., & Vedder, P. (2006). Immigrant youth: Acculturation, identity, and adaptation. *Applied Psychology: An International Review*, 55(3), 303-332.
- Binder, N. E., Polinard, J. L., & Wrinkle, R. D. (1997). Mexican American and Anglo attitudes toward immigration reform: A view from the border. *Social Science Quarterly*, 78(2), 324-337.
- Bloemraad, I. (2004). Who claims dual citizenship? The limits of postnationalism, the possibilities of transnationalism, and the persistence of traditionalism. *International Migration Review*, *38*, 389-426.
- Branton, R. (2007). Latino attitudes toward various areas of public policy The importance of acculturation. *Political Research Quarterly*, 60(2), 293-303.
- Breakwell, G. M. (1986). Political and attributional responses of the young short-term unemployed. *Political Psychology*, 7(3), 575-586.
- Brewer, M. B., Ho, H.-K., Lee, J.-Y., & Miller, N. (1987). Social identity and social distance among Hong Kong schoolchildren. *Personality and Social Psychology Bulletin*, *13*(2), 156-165.
- Brewer, M. B., & Pierce, K. P. (2005). Social identity complexity and outgroup tolerance. *Personality and Social Psychology Bulletin*, *31*(3), 428-437.
- Brubaker, W. R. (1992). Citizenship in France and Germany. Cambridge, MA: Harvard University Press.
- Collins, S. E. & Carey, K. B. (2007). The theory of planned behavior as a model of heavy episodic drinking among college students. *Psychology of Addictive Behaviors*, 21, 498-507.
- Collinson, J. A. (2003). Working at a marginal 'career': The case of UK social science contract researchers. *Sociological Review*, *51*(3), 405-422.
- Connor, M., Norman, P., & Bell, R. (2002). The theory of planned behavior and healthy eating. *Health Psychology*, 21, 194-201.
- Dalal, R. S. (2005). A meta-analysis of the relationship between organizational citizenship behavior and counterproductive work behavior. *Journal of Applied Psychology*, 90, 1241-1255.
- de la Garza, R.O., Falcon, A., Garcia, F.C. (1996). Will the real Americans please stand up: Anglo and Mexican-American support of core American political values. *American Journal of Political Science*, 40, 335-351.
- DeLamater, J., Katz, D., & Kelman, H. C. (1969). On the nature of national involvement: A preliminary study. *The Journal of Conflict Resolution*, 13(3), 320-357.
- Deaux, K. (2008). To be an American: Immigration, hyphenation, and incorporation. *Journal of Social Issues*, 64, 925-943.
- Deaux, K., Reid, A., Mizrahi, K., & Ethier, K. A. (1995). Parameters of social identity. *Journal of Personality and Social Psychology*, 68(2), 280-291.

- Downie, M., Koestner, R., El Geledi, S., & Cree, K. (2004). The impact of cultural internalization and integration on well-being among tricultural individuals. *Personality and Social Psychology Bulletin*, 30(3), 305-314.
- Downie, M. M., Mageau, G. A., Koestner, R., & Liodden, T. (2006). On the risk of being a cultural chameleon: Variations in collective self-esteem across social interactions. *Cultural Diversity and Ethnic Minority Psychology*, 12(3), 527-540.
- Dowley, K. M., & Silver, B. D. (2000). Subnational and national loyalty: Cross-national comparisons. *International Journal of Public Opinion Research*, 12(4), 357-371.
- Druckman, D. (1994). Nationalism, patriotism, and group loyalty: A social psychological perspective. *International Studies Review*, *38*, 43-68.
- Elkins, Z., Sides, J. (2007). Can institutions build unity in multiethnic states? *American Political Science Review*, 101(4), 693-708.
- Ellemers, N., & Rink, F. (2005). Identity in work groups: The beneficial and detrimental consequences of multiple identities and group norms for collaboration and group performance. *Advances in Group Processes*, 22, 1-41.
- Ellemers, N., Spears, R., & Doosje, B. (2002). Self and social identity. *Annual Review of Psychology*, *53*, 161-186.
- Elliott, M. A., Armitage, C. J., & Buaghan, C. J. (2003). Drivers' compliance with speed limits: An application of the theory of planned behavior. *Journal of Applied Psychology*, 88, 964-972.
- Felix-Ortiz, M., Newcomb, M. D., & Myers, H. (1994). A multidimensional measure of cultural identity for Latino and Latina adolescents. *Hispanic Journal of Behavioral Sciences*, 16(2), 99-115.
- Gellatly, I. R., Meyer, J. P., & Luchak, A. A. (2006). Combined effects of the three commitment components on focal and discretionary behaviors: A test of Meyer and Herscovitch's propositions. *Journal of Vocational Behavior*, 69(2), 331-345.
- Geen, R. G. (1991). *Human aggression*. Pacific Grove, CA: Brooks/Cole.
- Geyer, G. A. (1996) American No More: The Death of Nationality. New York: Atlantic Monthly Press.
- Gonzales, J.L., & Timm, H.W. (2007). Promoting loyal and trustworthy behavior: Findings of studies conducted in the private sector. Working Paper. Monterey, CA: Defense Personnel Security Research Center.
- Gordon, M. M. (1964). Assimilation in American life: The role of race, religion and national origins. New York: Oxford University Press.
- Gordon, M.E., & Ladd, R.T. (1990). Dual Allegiance: Renewal, Reconsideration, and Recantation. *Personnel Psychology*, 43 (1), 37-69.
- Harding, T. S., Mayhew, M. J., Finelli, C. J. & Carpenter, D. D. (2007). The theory of planned behavior as a model of academic dishonesty in humanities and engineering undergraduates. Unpublished manuscript. Center for Research on Learning and Teaching: North, Univ. Michigan, Ann Arbor, Michigan.
- Harris (1999). The Health Status and Risk Behavior of Adolescents in Immigrant Families. In D. J. Hernandez (Ed), Children of Immigrants: *Health, Adjustment, and Public Assistance (Ch. 6, p. 286-347)*. Washington, DC: National Academies Press.

- Herbig. K. L. (2008). *Changes in Espionage by Americans: 1947-2007*. Monterey, CA: Defense Personnel Security Research Center.
- Hirschman, A. O. (1970). Exit, voice and loyalty. Cambridge, MA: Harvard University Press.
- Hogg, M. A., & Terry, D. J. (2000). Social identity and self-categorization processes in organizational contexts. *Academy of Management Review*, 25(1), 121-140.
- Hogg, M. A., & Williams, K. D. (2000). From I to we: Social identity and the collective self. *Group Dynamics: Theory, Research, and Practice*, 4(1), 81-97.
- Hong, Y., Morris, M. W., Chiu, C., & Benet-Martinez, V. (2000). Multicultural minds: A dynamic constructivist approach to culture and cognition. *American Psychologist*, 55, 709-720.
- Hopkins, N., & Kahani-Hopkins, V. (2004). Identity construction and British Muslims' political activity: Beyond rational actor theory. *British Journal of Social Psychology*, *43*(3), 339-356.
- Huddy, L., & Khatib, N. (2007). American patriotism, national identity, and political involvement. *American Journal of Political Science*, 51, 63-77.
- Huo, Y. J., & Molina, L. E. (2006). Is pluralism a viable model of diversity? The benefits and limits of subgroup respect. *Group Processes and Intergroup Relations*, *9*, 359-376.
- Huntington, S. P. (2004). Who Are We? The Challenges to America's National Identity. New York: Simon and Schuster.
- Johnson, R. E., & Chang, C.-H. (2006). "I" is to continuance as "We" is to affective: The relevance of the self-concept for organizational commitment. *Journal of Organizational Behavior*, 27(5), 549-570.
- Kondo, D. K. (1990). *Crafting selves: Power, gender, and discourses of identity in a Japanese workplace*. Chicago: The University of Chicago Press.
- Kosterman, R., & Feshbach, S. (1989). Toward a measure of patriotic and nationalistic attitudes. *Political Psychology*, *10*, 257-274.
- Krause, M. (2002). *Divided National Loyalties: A Primer for Personnel Security Staff.* Washington, DC: The Personnel Security Managers' Research Program.
- Kreiner, G. E., Hollensbe, E. C., & Sheep, M. L. (2006). Where is the "me" among the "we"? Identity work and the search for optimal balance. Academy of Management Journal, 49(5), 1031-1057.
- Kunda, G. 1992. *Engineering culture: Control and commitment in a high-tech corporation*. Philadelphia: Temple University Press.
- Lee, K., & Allen, N. J. (2002). Organizational citizenship behavior and workplace deviance: The role of affect and cognitions. *Journal of Applied Psychology*, 87, 131-142.
- Lee, J., & Bean, F. D. (2004). America's Changing Color Lines: Immigration, Race/Ethnicity, and Multiracial Identification. *Annual Review of Sociology*, *30*, 221-242.
- Mael, F. A. (1988). Organizational identification: Construct redefinition and a field application with organizational alumni. Unpublished doctoral dissertation, Wayne State University, Detroit.
- Marsella, A. J., & Perdersen, P. (2004). Internationalizing the counseling psychology curriculum: Toward new values, competencies, and directions. *Counseling Psychology Quarterly*, 17(4), 413-423.
- Mathieu, J. E, & Zajac, D. M. (1990). A review and meta-analysis of the antecedents, correlates, and consequences of organizational commitment. *Psychological Bulletin*, 108(2), 171-194.

- Meyer, J. P., Becker, T. E., & Van Dick, R. (2006). Social Identities and Commitments at Work: Toward an Integrative Model. *Journal of Organizational Behavior*, 27(5), 665-683.
- Miles, D. E., Borman, W. E., Spector, P. E., & Fox, S. (2002), Building an integrative model of extra role work behaviors: A comparison of counterproductive work behavior with organizational citizenship behavior, *International Journal of Selection and Assessment*, 10, 51-57.
- Hong, Y.-Y., Morris, M. W., Chiu, C.-Y., & Benet-Martinez, V. (2000). Multicultural minds: A dynamic constructivist approach to culture and cognition. *American Psychologist*, 55(7), 709-720.
- Morrow, P. C., & McElroy, J. C. (1993). Introduction: Understanding and managing loyalty in a multi-commitment world. *Journal of Business Research*, 26, 1-2.
- Oyserman, D., Sakamoto, I., & Lauffer, A. (1998). Cultural accommodation: Hybridity and the framing of social obligation. *Journal of Personality and Social Psychology*, 74(6), 1606-1618.
- Parker, D., Manstead, A. S. R, Stradling, S. G., Reason, J. T., & Baxter, J. S. (1992). *Journal of Applied Psychology*, 77, 94-101.
- Pratt, M.G., & Foreman, P.O. (2000). Classifying managerial responses to multiple organizational identities. *Academy of Management Journal*, 25(1), 19-42.
- Peal, E., & Lambert, W. E. (1962). The relation of bilingualism to intelligence. *Psychological Monographs*, 76(546), 1-23.
- Peña, Y., & Sidanius, J. (2002). U.S. patriotism and ideologies of group dominance: A tale of asymmetry. *The Journal of Social Psychology*, 142(6), 782-790.
- Phinney, J.S., & Ong, A.D. (2007). Conceptualization and Measurement of Ethnic Identity: Current Status and Future Directions. *Journal of Counseling Psychology*, *54*(3), 271–281.
- Phinney, J. S. (1990). Ethnic identity in adolescents and adults: Review of research. *Psychological Bulletin*, 108(3), 499-514.
- Phinney, J. S. (1992). The multigroup ethnic identity measure: A new scale for use with diverse groups. *Journal of Adolescent Research*, 7(2), 156-176.
- Phinny, J. S., & Alipuria, L. L. (1990). Ethnic identity in college students from four ethnic groups. Journal of Adolescence, 13(2), 171-183.
- Phinney, J. S., Cantu, C. L., & Kurtz, D. A. (1997). Ethnic and American identity as predictors of self-esteem among African American, Latino, and White adolescents. *Journal of Youth and Adolescence*, 26(2), 165-185.
- Phinney, J. S., & Devich-Navarro, M. (1997). Variations in bicultural identification among African American and Mexican American adolescents. *Journal of Research on Adolescence*, 7, 3-32.
- Phinney, J. S., & Tarver, S. (1988). Ethnic identity search and commitment in Black and White eighth graders. *The Journal of Early Adolescence*, 8(3), 265-277.
- Portes, A., & Hao, L. (2002). The price of uniformity: Language, family and personality adjustment in the immigrant second generation. *Ethnic and Racial Studies*, 25(6), 889-912.
- Portes, A., & Rumbaut, R. G. (2001). *Legacies: The story of the immigrant second generation*. Berkeley and New York: University of California Press and Russell Sage Foundation.

- Postmes, T., & Jetten, J. (2006). Individuality and the group: Advances in social identity. In T. Postmes & J. Jetten (Eds.), *Individuality and the group: Advances in social identity* (Vol. VI, pp. ##). Thousand Oaks, CA: Sage Publications, Inc.
- Pratt, M. G. (1998). To be or not to be: Central questions in organizational identification. In A. David & P. C. Godfrey (Eds.), *Identity in organizations: Building theory through conversations* (Vol. XI, pp. 171-207). Thousand Oaks, CA: Sage Publications, Inc.
- Pratt, M. G., & Doucet, L. (2000). Ambivalent feelings in organizational relationships. In S. Fineman (Ed.), *Emotions in organizations* (Vol. II, pp. 204-226). London: Sage.
- Read, C. (2001). Dual identification in multinational corporations: local managers and their psychological attachment to the subsidiary versus the global organization. *International Journal of Human Resource Management*, 12, 405-424.
- Reed, C.S., Young, W.R., & McHugh, P.P. (1994). A comparative look at dual commitment: An international study. Human Relations, 47(10), 1269-1293.
- Renshon, S. A, (2000). Dual Nationalities + Multiple Loyalties = One America? (pp. 232-282). In *One America? Political Leadership, National Identity, and the Dilemmas of Diversity*, S. Renshon (ed.). Washington, DC: Georgetown University Press.
- Renshon, S. A. (2005). *The 50% American: Immigration and national identity in an age of terror.*Washington, DC: Georgetown University Press.
- Riketta, M., & Van Dick, R. (2005). Foci of attachment in organizations: A meta-analytic comparison of the strength and correlates of workgroup versus organizational identification and commitment. *Journal of Vocational Behavior*, 67(3), 490-510.
- Roberts, R. E., Phinney, J. S., Masse, L. C., Chen, Y., Roberts, C. R., & Romero, A. (1999). The structure of ethnic identity of young adolescents from diverse ethnocultural groups. The Journal of Early Adolescence, 19(3), 301-322.
- Roccas, S., & Brewer, M. (2002). Social identity complexity. *Personality and Social Psychology Review*, 6(2), 88-106.
- Rumbaut, R.G. (1997). Assimilation and its discontents: Between rhetoric and reality. *International Migration Review*, 31(4), 923-960.
- Sackett, P. R. (2002). The structure of counterproductive work behaviors: Dimensionality and relationships with facets of job performance. *International Journal of Selection and Assessment*, 10, 5-11.
- Sam, D. L., & Berry, J. W. (1995). Acculturative stress among young immigrants in Norway. *Scandinavian Journal of Psychology*, *36*(1), 10-24.
- Schatz, R. T., Staub, E. (1997). Manifestations of blind and constructive patriotism: Personality correlates and individual-group relations. (pp. 229-245). In *Patriotism: in the Lives of Individuals and Nations, D, Bar-Tal and E. Staub (eds.)*. Chicago: Nelson-Hall.
- Schatz, R. T., Staub, E., & Lavine, H. (1999). On the varieties of national attachment: Blind versus constructive patriotism. *Political Psychology*, *20*, 151-174.

- Schlegel, R. P., d'Arverna, J. R., Zanna, M. P., DeCourville, N. H., & Manske, S. R. (1990). *Problem drinking: A problem for the theory of reasoned action?* Unpublished manuscript, Department of Health Studies, University of Waterloo, Waterloo, Canada.
- Schuck, P. H. (1998). Nationals, Strangers, and In-Betweens. Boulder, CO: Westview Press.
- Sellers, R. M., Smith, M. A., Shelton, J. N., Rowlet, S. A., & Chavous, T. M. (1998). Multidimensional model of racial identity: A reconceptualization of African American racial identity. *Personality and Social Psychology Review*, 2(1), 18-39.
- Sidanius, J. (1993). The psychology of group conflict and the dynamics of oppression: A social dominance perspective. In S. Iyengar & W. J. McGuire (Eds.), *Explorations in political psychology*. *Duke studies in political psychology* (pp. 183-219). Durham, NC: Duke University Press.
- Sidanius, J., Feshbach, S., Levin, S., & Pratto, F. (1997). The interface between ethnic and national attachment. *Public Opinion Quarterly*, *61*, 103-133.
- St. Louis, G. R., & Liem, J. H. (2005). Ego identity, ethnic identity, and the psychosocial well-being of ethnic minority and majority college students. *Identity*, 5(3), 227-246.
- Staton, J. K., Jackson, R. A., & Canache, D. (2007). Dual nationality among Latinos: What are the implications for political connectedness? *The Journal of Politics*, 69, 470-482.
- Soysal, Y. N. (1994). *Limits of Citizenship: Migrants and Postnational Membership in Europe*. Chicago: University of Chicago Press.
- Stryker, S., & Serpe, R. T. (1982). Commitment, identity salience, and role behavior: A theory and research example. In W. Ickes & E. S. Knowles (Eds.), *Personality, Roles, and Social Behavior* (pp. 199-218). New York: Springer-Verlag.
- Tajfel, H. (Ed.). (1978). Differentiation between social groups: Studies in the social psychology of intergroup relations. London: Academic Press.
- Tajfel, H., & Turner, J. C. (1986). The social identity theory of inter-group behavior. In S. Worchel & L. W. Austin (eds.), *Psychology of Intergroup Relations*. Chicago: Nelson-Hall.
- Thompson, T. (2003). A Study of Vulnerability Factors in Espionage by the Trusted Insider. Dissertation presented to the Union Institute and University Graduate School. UMI No. 31111039, Ann Arbor, MI.
- Tyler, T. R., & Blader, S. L. (2000). Cooperation in groups: Procedural justice, social identity, and behavioral engagement. New York: Psychology Press.
- Van Knippenberg, D., Van Knippenberg, B., Monden, L., & de Lima, F. (2002). Organizational identification after a merger: A social identity perspective. *British Journal of Social Psychology*, 41(2), 233-252.
- Van Vugt, M. & Hart, C. M. (2004). Social identity as social glue: The origins of group loyalty. *Journal of Personality and Social Psychology*, (86)4, 585–598.
- Verkuyten, M., & DeWolfe, A. (2002). Being, feeling and doing: Discourse and ethnic self-definitions among minority group members. *Culture and Psychology*, 8,371-399.
- Verkuyten, M., & Pouliasi, K. (2006). Biculturism and group identification: The mediating role of identification in cultural frame switching. *Journal of Cross-Cultural Psychology*, *37*, 312-326.

- Verkuyten, M., Yildiz, A. A. (2007). National (dis)identification and ethnic and religious identity: A study among Turkish-Dutch Muslims. *Personality and Social Psychology Bulletin*, *33*, 1448-1462.
- Viswesvaran, C., & Ones, D. S. (2000). Perspectives on models of job performance. *International Journal of Selection and Assessment*, 8, 216-226.
- Vroom, V. H. (1964). Work and motivation. New York: Wiley.
- Ward, C. (2008). Thinking outside the Berry boxes: New perspectives on identity, acculturation, and intercultural relations. *International Journal of Intercultural Relations*, 32, 105-114.
- Ward, C. (2007). Ethno-cultural identity conflict in Korean youth in New Zealand. Paper presented at the Seventh Biennial Conference of the Asian Association of Social Psychology, Kota Kinabalu, Malaysia.
- Ward, C., & Kennedy, A. (1994). Acculturation strategies, psychological adjustment, and sociocultural competence during cross-cultural transitions. *International Journal of Intercultural Relations*, 18(3), 329-343.
- Wenzel, J. P. (2006). Acculturation effects on trust in national and local government among Mexican Americans. *Social Science Quarterly*, 87(5), 1073-1087.
- Whitely, Jr. B. E. (1998). Factors associated with cheating among college students: A review. *Research in Higher Education*, *39*, 235-274.
- Wiley, S., & Deaux, K. (2008). Proving yourself in both worlds: multidimensionality and categorization in bicultural identification. Symposium presented at the Society of Personality and Social Psychology, Albuquerque, NM.
- Zhao, H., Wayne, S. J., Glibkowski, B. C., & Bravo, J. (2007). The impact of psychological contract breach on work-related outcomes: A meta-analysis. *Personnel Psychology*, 60(3), 647-680.

# APPENDIX A: GUIDANCE FOR THE USE OF THE OVERALL RISK ASSESSMENT SCALE

In the following, a Risk Assessment Framework is described that serves as a recommendation and the basis for additional recommendations. As a recommendation in and of itself, the Risk Assessment Framework is intended to illustrate how to integrate major research findings from the social identity, commitment, and identity management literatures and how this can potentially refine and improve the assessment of risk of future security violation behavior based on Allegiance/Loyalty/Attachment issues. It is important to note that the Framework is not introduced with the goal of automating decisions. The intention is to provide structured guidance for aggregating identity-based evidence and making decisions that are consistent with theoretical and empirical evidence.

The Risk Assessment Framework also provides a basis for recommendations relevant to the improvement and/or modification of Guidelines A, B, C, and L. We turn to this issue subsequent to describing and explaining the proposed Framework.

#### The Risk Assessment Framework

The Risk Assessment Framework represents a continuum of risk for future security violations based on different combinations of three underlying dimensions: Identity Source(s), Strength of Attachment, and Nature of the Relationship with the United States. These dimensions are based on major findings from the social identity, commitment, and identity management literatures. Based on different combinations of these dimensions, 10 levels of risk are identified. In the following section, each dimension of the Risk Assessment Framework is described along with the theoretical/empirical rationale for its use. Also included is a discussion of how each dimension can be used to assess risk and improve the predictive accuracy of security clearance decisions.

#### **Key Dimensions of the Framework**

#### **Dimension 1: Identity Source(s)**

The Identity Source(s) dimension is intended to capture the group(s) with which an individual identifies. As discussed, the groups with which a person identifies can influence his or her attitudes, motivations, and behaviors, making this an important piece of information to capture. The risk assessment is based on three possible identity sources: American, Alternative and Mixed. The Alternative designation is meant to capture both international (e.g., France, Iraq) and domestic (e.g., Ku Klux Klan) groups with values, ideologies, customs, habits that are at some cultural/political distance from those characteristic of the American identity. The Mixed category represents a social identity based on some combination or multiplicity of American and Alternative influences.

With information relevant to this dimension in hand, three levels of risk can be distinguished: low, medium and high. These risk levels correspond to individuals with American, Mixed and Alternative identities, respectively. This dimension provides the most rudimentary assessment of risk. The literature suggests that reliance on this dimension alone would be too coarse and could contribute to a high level of prediction error, such as a high incidence of false positives, whereby people with acceptable risk are more likely to be classified as unacceptably risky and denied a clearance. A more sophisticated, and potentially more accurate, assessment of risk requires collecting information on at least two additional dimensions: Strength of Attachment and the Nature of the Alternative Group's Relationship with the United States.

#### **Dimension 2: Strength of Attachment**

As discussed, the literature indicates that a group's influence on an individual's attitudes, motivations and behaviors is contingent on the strength of his or her attachment with that group. The stronger an individual is attached to a group, the more likely the group is to influence the individual's attitudes, motivations and behaviors. Therefore, a "Strength of Attachment" dimension was deemed important and necessary. The organizational commitment literature provides additional insight on how to conceptualize this dimension, suggesting that there are at least two different types of attachment that vary in the strength of their influence on an individual's attitudes, motivations and behaviors. These were referred to as value-based and exchange-based attachment and that the former type of attachment is more influential than the latter. Based on this research, value- and exchange-based attachments are used to define two levels on the "Strength of Attachment Dimension." Value-based attachment represents a stronger form of attachment and exchange-based attachment represents a weaker form. The label "values-based" attachment used in the organizational commitment represents the same type of identity-based attachment as represented by national identity in the country allegiance research.

As shown in Table A1, the addition of this dimension expands the number of risk levels from 3 to 6, providing the adjudicator with a finer-grained representation of risk that may improve the accuracy of prediction. While the American, Mixed and Alternative identities still

correspond to low, medium and high levels of risk, respectively, there is now more room within these categories to draw finer distinctions regarding risk.

Table A1 shows how this works. At risk levels 1 and 2, an individual who identifies with the American identity is a greater or lesser risk based on the nature of her attachment to an American identity. A person with a values-based attachment to the American identity (risk level 1) can be considered less risky than a person with an exchange-based attachment (risk level 2). The assumption is that values-based attachment is not as deep or stable or general as affect-based (identity) attachment, and, therefore, they may be more vulnerable to inducements or incentives from external sources to engage in behavior that violates security rules and regulations.

At risk levels 7 and 8 the relationship between the strength of attachment and risk is reversed. A values-based attachment to an Alternative identity (risk level 8) is riskier than an exchange-based attachment (risk level 7). Since an individual with a values-based attachment is more strongly attached to the Alternative group, they are more likely to act in a manner favorable to that group. Under some circumstances, this may involve engaging in behavior that is in violation of security rules and regulations.

The previous example was based on a single identity, either American or and Alternative identity. When the adjudicator is evaluating an individual with only one identity to consider then risk is best assessed by conducting a comparison of attachment types (values v. exchange) within the identity. The nature of the comparison is different for those with Mixed identities, since both an American and Alternative identity are involved. Within this identity category, risk assessment is based on a comparison of attachment strength across groups. Such a comparison would require the adjudicator to determine the strength of the individual's attachment to both American and Alternative identities. This is intended to answer the question, "Which identity is the individual most strongly attached to?" Individuals with a stronger/more dominant attachment to the Alternative identity would be a higher risk than those with a stronger/more dominant attachment to the American identity. As shown in Table A1, individuals at risk level 3 are less risky than those at risk level 4 because they have a stronger attachment to the American identity, which is value-based, than the Alternative identity, which is exchange-based.

#### Dimension 3: Relationship with US Government

Including the strength of an individual's attachment to American and/or Alternative identity(ies) improves the predictive accuracy of risk assessment over and above reliance on the Identity Source(s) dimension. However, an even greater level of predictive accuracy may be achieved by considering a third dimension: the relationship of Alternative groups (and associated identities) with the United States. This dimension has two categories labeled Congenial and Adversarial, which are intended to provide a characterization of the relationship between the American and Alternative identities. Adversarial relationships refer to those in which political, economic and/or cultural conflict exists between the United States and the group, whether foreign or domestic, that the Alternative identity characterizes. A current example of a group with an adversarial relationship to the United States is North Korea. Congenial relationships, on

the other hand, refer to those that are positive in nature by way of shared political ideologies or alliances, economic interdependencies, and/or shared cultural values and beliefs. Great Britain is a good example of a foreign group that has a Congenial relationship with the United States. Of course, even "Congenial" nations may have an interest in clandestine access to US information. So, the distinction between "Congenial" and "Adversarial" fundamentally represents an assessment of the Alternative nation's threat to engage in counter-intelligence against the US.

The basis for this dimension is empirical evidence that people can possess multiple identities. Apparently, our psychology does not require that we identify with one and only one group. This feature, however, appears to be contingent on contextual variables, such as the nature of the relationships between the groups with which one identifies. Under conditions of conflict, an individual may feel the need to resolve dissonant feelings by allowing one identity to gain dominance over another. When this occurs, the identity with which a person is most strongly attached is likely to take over. This has direct implications for the risk associated with individuals characterized as Mixed in Dimension 1. In Table A1, where the nature of the relationship between the United States and Alternative group is Adversarial, the person is deemed a higher risk than when this relationship is Congenial. This is the case regardless of the individual's level of attachment to the American and Alternative identity. This is not to suggest that the second dimension is not useful. In fact, considering these dimensions together within the Mixed identity category results in four levels of risk that may aid in predictive accuracy beyond the two risk levels distinguished by the second dimension.

Table A1 shows that a person with a values-based attachment to the American identity and an exchange-based attachment to an Alternative identity where the nature of the relationship between the United States and Alternative groups is Congenial presents the lowest level of risk within this category. In this case, a person is most strongly attached to the American identity and, therefore, is most likely to act in the interests of the United States. Additionally, although the person is attached to an Alternative identity through an exchange-based attachment, the absence of conflict makes it less likely that a representative(s) of that group would use the attachment against them in the form of coercion. An individual that has a values-based attachment to an Alternative identity and an exchange-based attachment to the American identity when there is conflict between the Alternative group and the United States presents the highest level of risk in the Mixed category. In this case, conflict is likely to promote the dominance of the Alternative identity over the American identity, especially since the former is stronger than the latter. Consequently, the individual may be more likely to act on behalf of the Alternative group. In some instances, this may involve the violation of security rules and regulations on behalf on the Alternative group. In addition, this individual may be more likely to feel external pressure from a representative(s) of the Alternative group to engage in security violation behavior.

The applicability of this third dimension is not restricted to individuals falling into the Mixed identity category; it also applies to those with an Alternative identity(ies). Table A1 shows that the addition of this third dimension allows for the expansion of the Alternative category from two to four risk levels. As with the Mixed identity category, individuals attached

to identities characteristic of groups with an Adversarial relationship to the United States are judged to be more risky than those with identities characteristic of groups with a Congenial relationship with the United States, regardless of the level of attachment. Considering the second dimension in conjunction with the third for this category, however, results in a more fine-grained characterization of the level of risk. At the lowest level of risk within the Alternative category is an individual with an exchange-based attachment to an Alternative identity characteristic of a group with a Congenial relationship with the United States. At the highest level of risk is an individual with a values-based attachment to an Alternative identity characteristic of a group with an Adversarial relationship with the United States.

#### **Putting It Together**

Combining the different levels/categories of each dimension results in a 10-level continuum of risk. The inclusion of the second and third dimensions allows for a more fine-grained characterization of risk that may improve predictive accuracy/validity. The individual with the lowest level of risk is a person who has a strong attachment to the American identity based on a set of shared values. In contrast, the highest level of risk is posed by a person who strongly identifies with the values of an Alternative group that is threat for counter intelligence against the United States.

## Can the Risk Assessment Dimensions be Evaluated from the Current Meaning and Use of Guidelines A, B, C and L?

Applying the Risk Assessment Framework to each of the Guidelines comprising Cluster 1 indicates that this Risk Assessment Framework is consistent with the Guidelines in certain ways and not in others. Consistency between the Framework and Cluster 1 Guidelines reinforces and validates some features of the Guidelines in their current form, while discrepancies emphasize how the Guidelines might be modified or improved to more accurately reflect social science research on identity and identification processes/dynamics, thus improving the validity of the Guidelines.

Though features common to and distinct to the Risk Assessment Framework and Cluster 1 Guidelines will be addressed, the goal of this section is not to provide an exhaustive analysis and/or set of recommendations; rather, the goal is to describe the most readily apparent consistencies, distinctions and implications for the validity of the Guidelines in their current form as well as potential steps needed to modify or improve their validity. To accomplish this, the extent to which dimensions 2 and 3 of the Risk Assessment Framework are evident in Cluster 1 Guidelines is discussed.

## The "Nature of Relationship to the United States" Dimension in Cluster 1: Implications for Validity and Improvement

The third dimension of the Risk Assessment Framework – Nature of the Relationship to the US – is considered more or less explicitly in several of the Cluster 1 Guidelines. A potentially disqualifying condition in Guideline A is "association or sympathy with persons who are attempting to commit, or who are committing... (sabotage, espionage, treason, terrorism, or sedition against the United States of America)." This condition refers to an attachment with a group with adversarial relationship with the united states. as another example, a potentially disqualifying condition in guideline is C is "performing or attempting to perform duties, or otherwise acting, so as to serve the interests of a foreign person, group, organization or government in conflict with the national security interests." As with the condition for Guideline A, this indicates that risk is heightened when an individual is attached to a group in an Adversarial relationship with the United States. Since the third dimension of the

risk assessment is consistent with social science research on identity, commitment and identity management processes, and this dimension is evident in several of the Cluster 1 Guidelines, there is some evidence for the validity of these Guidelines in their current form.

Typically the assessment of whether the US and Alternative groups are "Congenial" or "Adversarial" will be based on expert sources available to the adjudicator. "Congeniality" is not based on evidence from the individual. It is not the individual's perception of the US – Alternative relationship. Rather, it is the most expert, available assessment of the threat the Alternative nation represents for intelligence gathering against the US.

## The "Strength of Attachment" Dimension in Cluster 1: Implications for Validity and Improvement

The Adjudicator's Desk Reference identifies several indicators that can be used to assess the risk associated with a particular individual. Several of these indicators refer to the attachments between an individual and a group. For example, a disqualifying condition of Guideline B is "unauthorized association with a suspected or known agent, associate, or employee of a foreign intelligence service," and a disqualifying condition of Guideline L is "any employment or service, whether compensated or volunteer, with: (1) the government of a foreign country." What these examples illustrate is that although the indicators of person-group attachment are considered, the strength of attachment denoted by these attachments is not always clear, making it potentially more difficult to assess the true level of risk. This is not to say that there are not indicators more clearly denoting the strength of the attachment. For example, a disqualifying condition of Guideline A is "association or sympathy with persons who are attempting to commit, or who are committing...(sabotage, espionage, treason, terrorism, or sedition against the United States of America)" and a disqualifying condition of Guideline B is "a substantial business, financial, or property interest in a foreign country, or in any foreign-owned or foreign-operated business, which could subject the individual to heightened risk of foreign influence or exploitation." The former condition seems indicative of a valuesbased or strong attachment, particularly considering use of the word "sympathy," while the latter condition appears to be indicative of exchange-based or weak attachment.

This rationale is the primary basis for Recommendation A2 that strength of attachment should be explicitly evaluated.

Table A1 . Overall Risk Assessment Scale

	LEVEL OF RISK									
Key Dimensions	1 Lowest	2	3	4	5	6	7	8	9	10 Highest
Identity Source(s)	American	American	Mixed with American Leaning	Mixed with Alternative Leaning	Mixed with American Leaning	Mixed with Alternative Leaning	Alternative	Alternative	Alternative	Alternative
Strength of Attachment	Values- Based	Exchange- Based	American: Values- Based Alternative: Exchange- Based	American: Exchange- Based  Alternative: Values- Based	American: Values- Based Alternative: Exchange- Based	American: Exchange- Based  Alternative: Values- Based	Exchange- Based	Values- Based	Exchange- Based	Value-Based
Nature of Relationship with US Government	N/A	N/A	Congenial	Congenial	Adversarial	Adversarial	Congenial	Congenial	Adversarial	Adversarial

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### Examination of the Adjudicative Guidelines

Appendix B Part 3
Adjudicative Guidelines Literature Review: the "Psychosocial Considerations" Cluster

LEADING INTELLIGENCE INTEGRATION

March 2011

ONCIX Special Security Directorate Research Program

This paper was principally authored by



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#### **EXECUTIVE SUMMARY**

### **Purpose**

A review of current social science research was undertaken to provide evidence about the meaning and effectiveness of the Adjudicative Guidelines for making security clearance decisions. This White Paper reviews that evidence for four related Guidelines, D. (Disordered) Sexual Behavior, G. Alcohol Consumption, H. Drug Involvement, and I. Psychological Conditions. These four Guidelines focus on different types of evidence of problematic psychosocial behavior that may manifest personal attributes predictive of future security violation behavior.

### **Approach**

The literature review covered a wide range of social science literatures including counterproductive work behavior, workplace safety behavior, professional sexual misconduct and case studies of espionage cases. Given the almost complete lack of research on national security behavior itself, the primary strategy of this review was to evaluate research in other work behavior domains similar to security behavior to draw inferences about the Guidelines as measures of antecedents of security behavior.

### **Key Findings**

- Evidence across a range of types of workplace behavior shows that alcohol and drug abuse and psychopathological conditions are predictors of future counter-normative workplace behavior. There is no direct experimental evidence, however, showing the magnitude of this effect on security violation behavior.
  - o Little research shows a direct relationship between (disordered) sexual behavior and future counter-normative behavior analogous to security violation behavior.
  - Substantial evidence shows a compelling linkage between drug abuse, alcohol abuse, and psychopathological conditions and future counterproductive workplace behavior analogous to security violation behavior.
- A common core of personality attributes underlies the behaviors of all four psychosocial Guidelines. The most important of these personality attributes include low Self-Control / Impulsivity, Excitement-Seeking, Neuroticism / Emotional Instability, Conscientiousness and Agreeableness.
- Common patterns of psychopathological conditions are antecedents to counter-normative work behavior including, chiefly, Narcissism, Psychopathy and Antisocial Personality Disorder.

- ♦ The effects of personality and psychopathological conditions on counter-normative work behavior depend to a significant extent on circumstances in the workplace as experienced by the individual.
  - Stressors, failures, disappointments, perceived unfairness, personal crises and significant events often create a context in which preexisting personality and psychopathology determine the specific form of behavior exhibited in response to the changing contexts.
  - Personality and psychopathology alone are unlikely to predict security violation behavior in the absence of situational factors that trigger cognitive and affective responses.
- Evidence from several sources suggests that a general deviance factor, deviance proneness, explains and predicts counter-normative, problematic work behavior.
  - Effects of alcohol and drug use on problematic work behavior may be largely mediated by a general deviance factor, more than functional impairment.
- ♦ No one profile of personality and psychopathology describes people at high risk for security violations. A picture of several profiles has emerged from a variety of work behaviors that are analogous to security violation behavior
  - o Cunningly planful, narcissistic psychopaths
  - o Hostile, revenge-seeking antisocial isolates
  - o Emotionally unstable neurotics, vulnerable to inducement / recruitment
  - o Impulsively immature excitement seekers who misjudge risks
  - Rational responders who, in the face of opportunity, choose money / family / etc over U.S. national interests

#### THE PSYCHOSOCIAL CONSIDERATIONS CLUSTER

- **G.** Alcohol Consumption
- H. Drug Involvement
- I. Psychological Conditions
- D. Sexual Behavior (Disorder)

#### Introduction

This paper evaluates the social science research literature relevant to the effectiveness of the four "psychosocial consideration" Adjudicative Guidelines. This evaluation describes the extent to which research evidence provides rationales supporting or questioning the current meaning and use of these Guidelines. In addition, potential modifications and alternatives are described where the research evidence points to such adjustments.

This white paper refers to these four Guidelines as "psychosocial" for two reasons. First, the evidence gathered under these Guidelines reflects behavior that, itself, poses a risk for the individual's personal well-being. Second, such behavior can be a sign or symptom of underlying psychological attributes that dispose the individual to behave in ways that risk the security of information and technology for which the person has accountability. The social science research reviewed here explores, among other things, the evidence that the psychological attributes underlying these psychosocial behaviors are related to subsequent security violation behavior.

#### **Purpose**

The purpose of this project is to evaluate social science-based evidence about the meaning and use of the Guidelines. The questions being answered by this project are (a) "Does current social science evidence support the meaning and use of the Adjudicative Guidelines?" and (b) "What changes does the evidence suggest to improve the meaning and use of the Guidelines?"

### The Policy Bases for the Psychosocial Consideration Guidelines

This project is not intended to evaluate social science research support for those portions of the psychosocial behavior Guidelines that depend on a policy foundation. As with the other Guidelines, some psychosocial conditions specified in the Guidelines (2005) rely on policy positions. In general, a Guideline has a policy basis where one or more of the Guideline conditions enforces a policy about basic qualifications for a security clearance. For example, all of the Drug Involvement conditions may be supported in part by a drug-free workplace policy. In this example, evidence of current drug abuse or dependency may be sufficient on it's own to disqualify an applicant in order to avoid drug use in the work place. The policy-based justification of such a Guideline may have no need for social science evidence about the predictive value of drug abuse or dependency for later security violations. The policy bases of the psychosocial Guidelines are summarized below in Tables 1-4. Only those conditions that rely, at least in part, on a rationale grounded in social science will be targeted in this white paper.

In an effort to capture the extent to which social science evidence is relevant to the psychosocial Guidelines, a table is presented below for each psychosocial Guideline. Each table lists the conditions (evidence) within that Guideline that could raise security concerns. The conditions are taken from the Adjudicative Guidelines for Determining Eligibility for Access to Classified Information (2005). For each condition, the table also indicates whether the presumed supporting rationale for that condition rests primarily on social science evidence or primarily on an apparent underlying policy position or both. The judgment about the supporting rationale was made by the author based on a review of the social science evidence and the nature of the condition. These judgments were not made by national security clearance officials or experts.

The authors inferred a policy basis for a condition if any one of a number of factors were present. These factors include illegal behaviors, evidence of deception or non-compliance with requirements relevant to the behaviors in question, behaviors that are inappropriate in the workplace such as alcohol or illegal drug use, and behaviors that may pose a risk to others in the workplace. Such conditions are given some weight against a security clearance independent of any social science evidence that may link such behavior to future security violations.

In contrast, a condition may imply risk for future security violation behavior based on the assumption that the psychological and/or situational factors that gave rise to the condition will also *increase the likelihood* of security violations. The weight given to such conditions should depend to some extent on the social science evidence supporting the assumed relationships between psychological and situations factors and security violation behavior. These conditions grounded in social science evidence are the primary focus of this project. It should also be noted that policy and evidence-based rationales are not mutually exclusive. The weight given to some conditions may be influenced by both the policy rationale as well as the social science evidence rationale.

Table 1. Supporting Rationales for Guideline G. Alcohol Consumption

Condition triggering security concern	Important Supporting Rationale	
	Evidence- based	Policy-based
(a) Alcohol-related incidents <i>away from work</i> , such as driving while under the influence, fightingor other incidents of concern, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent	X	
(b) Alcohol incidents at work, such as reporting for work or duty in an intoxicated or impaired condition, or drinking on the job, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent	X	X
(c) Habitual or binge consumption of alcohol to the point of impaired judgment, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent	X	
(d) Diagnosis by a duly qualified medical professional of alcohol abuse or alcohol dependence	X	X
(e) Evaluation of alcohol abuse or alcohol dependence by a licensed clinical social worker who is a staff member of a recognized treatment program	X	X
(f) Relapse after diagnosis of alcohol abuse or dependence and completion of an alcohol rehabilitation program	X	
(g) Failure to follow any court order regarding alcohol education, evaluation, treatment, or abstinence	X	X

Table 1 shows that four of the seven potentially disqualifying conditions associated with Guideline G, Alcohol Consumption may be supported by a policy rationale. However, all conditions also depend on an important social science rationale. The conditions that appear to have some basis in policy include conditions about workplace use of alcohol, evidence based on relevant professional expertise, and evidence about non-compliance or non-cooperation with court mandates. Nevertheless, all Guideline G conditions rely, at least in part, on a social science rationale. As a result, all Guideline G conditions are targeted by this literature review.

Table 2 summarizes the supporting rationales for Guideline H, Drug Involvement. All conditions are shown to have some reliance on policy because employers are encouraged by law to support drug-free work environments. As a result, employers have a policy-based interest in excluding applicants who show evidence of drug abuse/dependence. However, all conditions are also shown to have some reliance on social science evidence that drug abuse/dependence creates some amount of risk for future security violations. As a result, all Guideline H conditions are targeted by this literature review.

Table 2. Supporting Rationales for Guideline H. Drug Involvement

Condition triggering security concern	Important Supporting Rationale	
	Evidence- based	Policy-based
(a) Any drug abuse	X	X
(b) Testing positive for illegal drug use	X	X
(c) Illegal drug possession, including cultivation, processing, manufacture, purchase, sales, or distribution; or possession of drug paraphernalia	X	X
(d) Diagnosis by a duly qualified medical professional of drug abuse or drug dependence	X	X
(e) Evaluation of drug abuse or drug dependence by a licensed clinical social worker who is a staff member of a recognized drug treatment program	X	X
(f) Failure to successfully complete a drug treatment program prescribed by a duly qualified medical professional	X	X
(g) Any illegal drug use after being granted a security clearance	X	X
(h) Expressed intent to continue illegal drug use, or failure to clearly and convincingly commit to discontinue drug use	X	X

Table 3 shows that none of the three Guideline I conditions appears to have a significant policy rationale.

Table 3. Supporting Rationales for Guideline I, Psychological Conditions

Condition triggering security concern	Important Supporting Rationale	
	Evidence- based	Policy-based
(a) Behavior that casts doubt on an individual's judgment, reliability, or trustworthiness that is not covered under any other guideline, including but not limited to emotionally unstable, irresponsible, dysfunctional, violent, paranoid, or bizarre behavior	X	
(b) An opinion by a duly qualified mental health professional that the individual has a condition not covered under any other guideline that may impair judgment, reliability or trustworthiness	X	
(c) The individual has failed to follow treatment advice related to a diagnosed emotional, mental, or personality condition, e.g., failure to take prescribed medication	X	

Similarly, Table 4 shows that none of the Guideline D conditions relating to disordered Sexual Behavior appears to rely on a policy rationale.

Table 4. Supporting Rationales for Guideline D. Sexual Behavior (Disorder-Relevant)

Condition triggering security concern	Important Supporting Rationale	
	Evidence- based	Policy-based
(a) Sexual behavior of a criminal nature, whether or not the individual has been prosecuted	NA	NA
(b) A pattern of compulsive, self-destructive, or high risk sexual behavior that the person is unable to stop or that may be symptomatic of a personality disorder	X	
(c) Sexual behavior that causes an individual to be vulnerable to coercion, exploitation, or duress	X	
(d) Sexual behavior of a public nature and/or that reflects lack of discretion or judgment	X	

Because all conditions associated with the psychosocial Guidelines rely, at least in part, on a rationale grounded in social science, the following literature review addresses all conditions.

### Approach Used in the Literature Review

As noted above, the overall purpose of this literature review is to describe and evaluate the extent to which the social science literature supports the current meaning and use of the psychosocial behavior Guidelines. The approach taken to accomplish this purpose is defined by five features.

### 1. Prediction Perspective

This literature review adopts the prediction perspective of social science. A Guideline is viewed as related to security behavior to the extent there is evidence that the behaviors targeted by a Guideline *predict* future security behavior. This prediction perspective underlies the large majority of behavioral, social science research investigating relationships between psychological attributes and outcomes. Evidence of prediction is the primary type of evidence used to infer or conclude that a particular psychological attribute leads to or causes a subsequent outcome. However, evidence of prediction does not require empirical evidence. Prediction may be demonstrated by both empirical data as well as compelling, plausible conceptual arguments. Since there is virtually no direct empirical evidence about the predictive relationship between these Guidelines and subsequent security behavior, this review will focus on indirect evidence of prediction that is sometimes empirical and sometimes conceptual.

Finally, this review will not report analyses of individual case studies of spies. Rather, this review will report about a small number of studies that summarize findings across multiple individual case studies of spy characteristics. While these summaries of case studies are no more predictive of future espionage behavior any individual case study, they are useful for identifying personal attributes for which predictive studies may have been reported.

#### 2. Three Levels of Evidence and Other Evidence

As with the other White Papers produced in this project, this review and evaluation of social science research related to the psychosocial Guidelines will review three levels of evidence. These three levels of evidence are described in detail in the Foundations paper that accompanies the four White Papers in this project. Unique to this White paper on Psychosocial Considerations, however, is that an additional category of evidence is introduced that does not provide evidence about the prediction of security behavior but provides supplementary information that may be of value to the reader. This Other category of evidence includes three research topics, which are reviewed in Appendices A-C.

#### Level 1 Evidence

Level 1 evidence addresses direct relationships between Guidelines-based behaviors such as alcohol abuse and the security-related behavior targeted by the Guidelines. For example, Thompson (2003) compared caught spies to non-spies on past alcohol and drug behaviors.

Although this is not a true experiment, it does evaluate the extent to which spies differed from non-spies on Guidelines-based behaviors. Very little Level 1 evidence is available for the psychosocial Guidelines. The prime Level 1 sources are analyses of espionage case studies and Thompson (2003).

#### Level 2 Evidence

Level 2 evidence addresses relationships between Guidelines-based behaviors such as alcohol abuse and outcome behaviors that are not themselves security behaviors but are workplace behaviors that are analogous to security behaviors. For example, evidence showing that drug abuse is linked to police corruption is Level 2 evidence. Such evidence links drug abuse – a Guidelines-based behavior – to an analog to security violations, police corruption. While Level 2 evidence does not provide direct evidence about security behavior, it does have implications for security behavior to the extent that the analog behavior has important features in common with security behavior. Considerably more Level 2 evidence is available than Level 1 evidence.

#### Level 3 Evidence

Level 3 evidence addresses relationships between personal attributes that underlie Guidelines-based behaviors and outcome behaviors that are analogs to security behavior. For example, evidence showing that lack of self-control (a personal attribute underlying of alcohol abuse) is associated with workplace theft (an analog to security violation behavior) is Level 3 evidence. Considerably more Level 3 evidence is available than either Level 1 or 2 evidence. In order to search for and report Level 3 evidence, it is necessary to identify those personal attributes that underlie the behaviors associated with the Guidelines. Two sources of information are used to identify these underlying personal attributes. First, in many cases, studies reporting Level 1 and 2 evidence may identify personal attributes that underlie the Guidelines behaviors. For example, Level 2 studies about the relationship between alcohol dependency and counterproductive work behavior may also demonstrate that low self-control is characteristic of A second source of information about personal attributes that underlie Guidelines behaviors is research about the Guidelines behaviors themselves. For example, for Guideline I, Psychological Conditions, Antisocial Personality Disorder is an example of a Guidelines "behavior." Substantial research has been conducted to identify the personal attributes underlying the Antisocial Personality Disorder diagnosis. These sources of evidence that identify the underlying personal attributes are briefly summarized at the beginning of the Level 3 section.

We also note that several relevant prediction studies reviewed in this report do not fit easily into one Level of evidence or another. (This point only applies to Level 2 and 3 categories of evidence. All studies reviewed as Level 1 evidence clearly satisfy the definition of that category.) Research about the Psychosocial Considerations cluster of Guidelines is especially

prone to this ambiguity. A primary reason is that the personal attributes and behaviors represented by these Guidelines are treated as predictors in some studies and as criteria (the outcome to be predicted) in other studies. For example, several studies about workplace sexual misconduct are reported in this White Paper. Many of these studies treat sexual misconduct as an outcome variable of interest. To the extent that sexual misconduct in the workplace can be regarded as an analog of security violation behavior, such research could be classified as Level 3 evidence. But sexual misconduct is also a behavior associated with Guideline D as a predictor of subsequent security violation behavior. As a predictor, evidence about sexual misconduct might better fit with Level 2 evidence. Where the classification of such research is ambiguous, we will explicitly describe our rationale for assigning it to level 2 or 3.

#### Other Evidence

In addition to the Level 1, 2 and 3 categories of prediction evidence, research about three other topics is reported in Appendices. These research topics provide background or supplementary information to improve the reader's understanding of the Level 1, 2 and 3 evidence. They do not provide prediction evidence of the sort described in the Level 1, 2 or 3 categories. These three topics are (Appendix A) the professional clinical distinction between Antisocial Personality Disorder and Psychopathy; (Appendix B) post-traumatic stress disorder; and (Appendix C) organization citizenship behavior as a potential analog to positive security behavior.

### 3. Grouping the Four Guidelines

The four psychosocial Guidelines will be grouped differently for the Levels 1 and 2 sections compared to the Level 3 section. In the Levels 1 and 2 sections, evidence relating to Sexual Behavior (Disorder) and Psychological Conditions will be treated separately. Alcohol Consumption and Drug Involvement will be treated together because a substantial portion of the Level 1 and 2 evidence relevant to these is about substance abuse, which typically combines alcohol and drug use. Also, the explanatory mechanisms underlying the two Guidelines are frequently similar.

In contrast, the literature review of Level 3 evidence is integrated across all four Guidelines as a group. The primary focus of Level 3 evidence is the relationship between general personality attributes and analogs to national security behavior. To a great extent, a common core of personality attributes underpins the four psychosocial Guidelines' relevance to security behavior and its analogs. For this reason, much of the relevant Level 3 social science literature has similar implications for all four Guidelines. As a result, a more coherent summary of Level 3 evidence can be provided by focusing on all four Guidelines collectively rather than independently reviewing literatures for each Guideline separately. However, the Level 3 review will note those cases where some literature has implications unique to a specific Guideline.

#### 4. Scope of Security Behavior

As with all the White Papers produced in this project, a critical consideration is the scope of security behavior to be targeted by the literature search and review. The administrative guidance surrounding the use of the psychosocial Guidelines clearly identifies two forms of security behavior the psychosocial Guidelines are intended to impact. First, as with all 13 Adjudicative Guidelines, the psychosocial Guidelines are designed to identify individuals who pose too great a risk for security violations if given responsibility for classified information or technology. The psychosocial Guidelines should operate to "select out" individuals are too risky. However, the psychosocial Guidelines are also intended to award clearances to people who are reliable, trustworthy and having good judgment.

#### Negative Security Behavior Only

In general, the guidance surrounding the meaning and use of these Guidelines (Guidelines, 2005) appears to view these two forms of security behavior – (a) security violations and (b) reliability, trustworthiness and good judgment – as opposite ends of the same continuum of security-related behavior. The view implies that by disqualifying those who are too risky, the remainder who are awarded clearances will be reliable, trustworthy and of good judgment. The underlying assumption for this perspective is that the same psychological and situational factors explain behavior at both ends of this continuum. For example, if lack of self-control contributes to security violations, then self-control contributes reliability, trustworthiness and good judgment. Or, more specifically, if alcohol abuse is an indicator of security violations then the absence of alcohol abuse is an indicator of reliability, trustworthiness and good judgment. But substantial research in workplace behavior shows that positive and negative workplace behaviors are not likely to be opposite ends of the same continuum(E.g., Miles, et al., 2002; Dalal, 2005). While some of the same psychological and situational factors drive both behaviors, other factors differ between the two types of behavior. One cannot assume the absence of negative workplace behavior implies the presence of positive behavior.

The adjudicative process does not provide a description of any form of positive security behavior targeted by the clearance process. While the Whole Person concept identifies reliability, trustworthiness, and good judgment as desirable qualities of those receiving clearance, no description is provided about the manner in which these attributes manifest themselves in the form of positive security behavior. Nor is any information provided showing the link between evidence and any particular form of positive security behavior that should be targeted by the adjudication process. If effect, while adjudicators are instructed to maximize reliability, trustworthiness, and good judgment, no specific meaning is given to these qualities as they apply to security behavior.

At the same time, there is no research, to our knowledge, about positive forms of security behavior and only slight evidence about one analog to positive security behavior, organization citizenship behavior. For these two reasons – no definition of positive security behavior and no

evidence about predictors of positive security behavior – we do not report any evidence within the body of this White Paper that specifically addresses positive security behavior. The summaries of research reported here make no assumption that the absence of sexually disordered behavior, or alcohol abuse, or drug abuse, or psychological conditions is predictive of positive security behavior.

However, Appendix C does report Level 3 evidence about relationships between personal attributes linked to Guidelines behaviors and positive workplace behaviors such as citizenship and organization commitment. This evidence is reported to provide an empirical foundation for any future consideration of the manner in which the adjudicative process might target specific positive security behaviors.

#### Analogs to Security Behavior

Little social science research addresses national security behavior directly. But significantly more research investigates other workplace behaviors that are similar to security behavior in certain important ways. This White Paper reports social science research about workplace behaviors that are analogous to security behaviors so that insights about security behavior may be gained from these "neighboring" domains of counter-normative work behavior.

All four White Papers in this project report evidence about work behaviors that are close analogs to security behavior. For the purposes of these White Papers, a domain of work behavior is regarded as a close analog to security behavior if it is: (a) in an organization context; (b) counter-normative in its negative form; (c) intentional (voluntary); and (d) directed toward a person or entity for harm or for good. It should be noted that, for this project, "betrayal of trust" is not a necessary feature of an analog to security behavior. There is one primary reason for this. As a practical matter, few other work behaviors share a "public trust" obligation similar to that of national security behavior. Perhaps only civil service and licensed professional service work, such as health care, share a "public trust" obligation similar to that of national security behavior where national safety may be at stake.

In this White Paper about Guidelines relating to Psychosocial Considerations, Level 2 and Level 3 evidence is reported for some outcome behaviors that do not fully satisfy all four analog requirements. For example, Level 2 evidence about the role of pornography use (a Guideline D behavior) as a predictor of later criminal sexual behavior is reported. Similarly, Level 2 evidence is reported about psychological conditions such as narcissism as predictors of sexual misconduct in professional work. Neither criminal sexual behavior nor professional sexual misconduct satisfies the four conditions to be an analog to security violation behavior. Criminal sexual behavior often does not take place in an organization context. Professional sexual misconduct – e.g., a sexual relationship between a therapist and client – is often not intended to cause harm. Criminal sexual behavior and professional sexual misconduct are partial analogs to security violation behavior.

Two primary considerations led to the decision to report some Level 2 and 3 evidence for partial analogs to security violation behavior. First, social science research in the domains

relating to Psychosocial Considerations - sexual disorder, substance abuse and clinical psychological conditions, rarely investigates relationships between these types of attributes and workplace behavior. Compared to the social science research domains relevant to Financial Considerations and to Criminal Behavior, workplace behavior is less relevant to the theoretical interests of researchers investigating the more clinical concerns associated with Psychosocial Considerations. So there is simply less research relating to workplace behavior for Psychosocial Considerations than for Financial Considerations or for Criminal Behavior. Second, the likely relationships between sexual disorder, substance abuse and clinical psychological conditions and subsequent security violation behaviors are often less direct than between past criminal behavior or past financial misbehavior and later security violations. For example, it is unlikely that there is a direct relation between, say, pornography use and later security violation behavior. If there is any predictive relationship at all it is more likely that pornography use is related to other personal attributes or behaviors, such as sexual misbehavior, that may be more directly related to security violations. For these two reasons, the judgment was made in a few cases to report Level 2 or 3 evidence about a partial analog to security violation behavior where that evidence provided some unique or worthwhile insight into the possible predictive linkage to later security violations. Wherever research about partial analogs is reported, special note is made to clarify for the reader that the outcome measure is not a full analog.

#### 5. Effect Sizes

The literature reviews presented in this White Paper include information about effect sizes reported in the individual studies where such information is provided in the original study and meaningfully contributes to an understanding of the conclusions from the study. Effect sizes are statistical estimates of the size of a relationship.

To describe the strength of relationships reported in Level 3 evidence, three different measures will be used throughout this report. One measure that gives information about the strength of relationships is d, which represents the standardized difference between the means or averages of two groups. Values of d of .20 are considered small, .50 medium / moderate, and .80 large (Cohen, 1988). A d-value is interpreted as the increase (positive d-values) or decrease (negative d-values) of d standard deviations of one group compared to another group. The correlation coefficient (r) is another measure that represents the magnitude and direction (i.e., positive or negative) of the relationship between two constructs that ranges between -1 and +1. For the social sciences, Cohen (1992) proposed absolute Pearson r values of .10-.23, .24-.36, and .37 or larger as "weak," "moderate" and "strong" relationships, respectively. correlations mean that the values or scores of both variables are increasing. correlations mean that the value or score of one variable is increasing while the other variable is decreasing. Rho (p) is the last measure that gives information about the strength of bivariate relationships used in this report. Rho is the mean-estimate of the true correlation coefficient in meta-analyses. Rho has similar conventions as to what is considered small, medium, and large as the correlation coefficient (i.e., .10 is small, .30 medium / moderate, and .50 strong).

However, such conventions are somewhat less relevant to rho values because they are all estimated in meta-analyses spanning many studies and samples than single-study correlation coefficients.

In some studies, effect sizes measures such as r are tested for statistical significance. The "p value" associated with a significance test result is not an indicator of effect size. "P values" represent conventional standards for the improbability of an observed result necessary to warrant a decision that the observed result was not a function of chance alone. Because "p values" do not indicate effect size, they are not reported in this White Paper. Instead, with few exceptions, only significant results are reported as indicating that a relationship has been found in a study. Where a statistic is not significant, it is generally not reported here. In a very small number of cases, non-significant statistics are reported. In those cases, it is clear from the context that the statistic was not significant in the study in question.

# **Setting the Stage: Incidents of Psychosocial Issues in SSBI Investigations**

As reported in the Foundations Paper (2009) preceding these White Papers, Castelda's (2009) analysis of SSBI issues in two recent samples of individuals seeking clearances showed that three of the four Guidelines in this cluster have been among the most common types of risk issues. Among issues rated as "Significant" or more important, only Financial Considerations, Criminal Conduct and Personal Conduct resulted in more SSBI issues than Alcohol Consumption, Drug Involvement or Psychological Conditions. At the same time, Sexual Behavior was among the least common types of important issues. Also, perhaps surprisingly, the important issues associated with the Psychosocial Guidelines tend to be mutually exclusive as are all other Guidelines' issues. Individuals who reveal important issues on one Guideline tend not to reveal important issues on other Guidelines.

### LEVEL 1 EVIDENCE

Level 1 evidence is any evidence directly linking behaviors targeted by the Guidelines with national security violation behavior. This evidence would provide the most direct indication of the extent to which the behaviors / experiences captured by the Guidelines are risk factors for future security violations. Only three sources of Level 1 evidence have been located for the Psychosocial Guidelines. Herbig (2008) analyzed the case histories of 173 caught spies from 1947 through 2007. Thompson (2003) compared 40 spies with 40 matched non-spies on risk factors associated with many, but not all, of the adjudicative guidelines. Stone (1992) analyzed Guidelines-related characteristics of 100 caught spies. The findings of each of these three Level 1 studies are presented below for each of the Psychosocial Guidelines. Before presenting these results, a brief summary of the strengths and weaknesses of each of the three studies will be described.

Finally, it is noted that this White Paper focuses on prediction evidence. Case studies of individual spies, while valuable in many ways, do not provide prediction evidence. For that reason, this White Paper does not analyze or describe the characteristics of individual spies. Excellent integrative reviews of espionage case studies are available, especially those compiled by Herbig and her colleagues. This White Paper briefly cites such reviews where they aggregate case study information across multiple cases, where a rigorous methodology was used document information about the cases, and where a clearly reported method was used to integrate information across multiple cases to draw plausible inferences about shared characteristics of spies.

### Methodological Evaluation of the Three Major Studies

### **Herbig** (2008)

Herbig's study focuses on the characteristics of caught spies. The purpose of Herbig's study was to improve our understanding of individual who have chosen to engage in espionage. The purpose was not to identify the characteristic that are predictive of future espionage. This limitation is largely due to two primary factors. First, all the information reported about the caught spies was gathered after the fact and does not represent information that was known at the time the spies were evaluated for security clearances. Indeed, many of the caught spies held no clearance. Second, Herbig did not compare spies to non-spies. There is no method within Herbig's analysis to know which characteristics distinguish spies from non-spies. Nevertheless, Herbig's analyses are extraordinarily useful in that they provide the clearest available evidence about the nature of spies and how that has changed over the past six decades. The same limitations apply to Brown (1988).

#### Stone (1992)

Like Herbig, Stone's study analyzed characteristics of caught spies without comparing spies to non-spies. The 100 spies included in Stone's analyses appear to have been sampled from the entire known population of caught spies from 1945 through 1989, approximately. There are two primary advantages of Stone's methodology compared to Herbig's. First, Stone attempted to gather information about spies' characteristics that could have been known at the time these individuals might have applied for clearances. Second, Stone used a systematic, quantitative method of analysis, canonical correlation, for aggregating the information about the spies, whereas Herbig relied on qualitative and counting methods. Notwithstanding these strengths, two major weaknesses greatly limit the contribution and interpretability of Stone's results. First, Stone himself derived the characteristics of each spy from his own analysis of the personal histories of each spy from various sources. No effort was made to confirm the meaning or accuracy of Stone's assessments. Second, the statistical methodology of canonical correlation is likely to produce unstable results from the tetrachoric correlations used by Stone. These correlations likely were based on highly skewed dichotomous data. As Stone acknowledged, the incidents that indicated the presence of a characteristics, say for example, sexual misconduct, were "extremely small (in) number." That is, for each of the 10 characteristics of the spies, the vast majority of spies showed no indication of the characteristics in question. This is typical even of SSBI investigations so this limitation is not unique to Stone. Nevertheless, this feature of the data, extreme skew, is known to lead to unstable correlation analyses such as canonical correlation. Results from Stone's study are reported here in spite of these limitations because they can provide some high-level insight about central themes in his dataset.

#### Thompson (2003)

Thompson's dissertation compared the characteristics of 40 caught spies to 40 matched, non-spies. Although the characteristics were assessed after the fact, like Herbig, the distinctive strength of Thompson's method was that spies were compared to non-spies on the same characteristics. This quasi-experimental design provides the most persuasive information currently available about factors that distinguish spies from non-spies. For this reason, Thompson's results have the strongest implications for the personal attributes most likely to be predictive of future security violation. However, even Thompson's study is not a true experiment so causal inferences cannot be drawn about characteristics that predict security violations. Thompson's study is also unique in that the personal characteristics are self-reported. But it is not clear whether this self-report feature implies that the assessment of the personal characteristics is to be preferred to Herbig and Stone's. Our own professional judgment is that Thompson's self-report methodology is preferable to Stone's author-based methodology. But we are unsure of the relative strengths of Thompson's assessment method compared to Herbig's.

#### **Guideline D – Sexual Behavior (Disorder)**

Although homosexuality is no longer considered a risk factor in and of itself and is no longer classified as a psychological disorder (DSM-IV, American Psychiatric Association, 1994), a brief examination of sexual orientation in a sample of spies was undertaken by Herbig (2008). She reported the percentages of homosexuals involved in espionage from 1947-1979 was 7%, 4% from 1980-1989, and 0% from 1990 to 2007. Herbig's conclusion was that the incidence of homosexuality among spies was no greater than in the general population, which suggested that homosexuality is not likely to be a risk factor for security violations.

Stone (1992) assessed "sexual misconduct" in the publicly reported histories of 100 spies among nine other Guidelines-related characteristics. His subsequent canonical correlation analyses showed no relevance of this measure of sexual behavior to any of four motivations to engage in espionage – money, ideology, disaffection (with the US) and "other." Although this study is flawed, the implication is that factors associated with disordered sexual behavior are not significant components of spies' motives for their espionage.

Thompson (2003) does not assess sexual behavior and, so, provides no information about the extent to which spies and matched non-spies are distinguished by their sexual behaviors.

Beyond these three sources of Level 1 evidence, two other studies investigated data relevant to the policy considerations relating to homosexuality as a possible risk factor for security violations. While these are not Level 1 evidence, they do provide additional information about the relevance of homosexuality to security behavior.

Jones and Koshes (1995) reviewed the history of the policy of the US military to exclude homosexuals from serving in the armed forces. They cite a review of court cases ultimately concluding that homosexuals in the military posed no documented threat to national security (McCrary & Gutierrez, 1980).

Herek (1990) found similar results after reviewing social science data relevant to the prior policies that often resulted in denied security clearances or unusually lengthy and intensive investigations for homosexual applicants in the intelligence field. Herek concluded that a) homosexuals are no more likely than heterosexuals to suffer from a personality disorder or emotional stress or to be psychologically unstable, b) homosexuals are not more likely than heterosexuals to be unduly sensitive to coercion, blackmail, or duress, and c) homosexuals are no more likely than heterosexuals to be unwilling to respect or uphold laws or regulations, or to be unreliable or untrustworthy. Indeed, Herek speculated that homosexuals may be better suited, on average, to protect classified information due to their experience with stigma that may increase their ability to maintain secrecy.

### Guidelines G and H - Alcohol Consumption and Drug Involvement

We combine the review of Level 1 evidence for Alcohol Consumption and Drug Use because of the similarity in the likely mechanisms by which either may be a risk factor for security violations.

Herbig (2008) found a decline in alcohol abuse among known spies over the 6 decades of history about spy cases. During the period from 1947-1979, 30% of espionage offenders exhibited issues related to alcohol consumption. In the 1980s, the percentage dropped to 24% and in the most recent years from 1990-2007, only 8% exhibited alcohol related issues. It is particularly noteworthy that not only has the percentage of espionage cases involving alcohol decreased but the absolute number of alcohol-related cases has decreased as well down to a mere 3 from 1990-2007.

With regard to use of drugs, Herbig (2008) found that 15% of spies from 1947 to 1970 misused drugs or used illegal drugs. This percentage rose to 41% in the 1980's when the spy population shifted somewhat to younger, lower-ranking military men. Of the 37 American spies examined since 1990, only one (3%) were known to have used illegal drugs. Herbig speculates that the use of drug tests in employment screening and as a continuing evaluation measure may be responsible for the decline in the role of drug involvement in security violation behavior. While the pattern of drug use among spies was different (sharp increase) than the pattern of alcohol use (modest decrease) through the 1980's, both appear to have become virtual non-factors in spy cases from 1990-2007.

Thompson (2003) examined both non-medicinal drug use and high alcohol use among spies and matched non-spies. Spies were nearly five times more likely to be heavy alcohol users than non-spies, .48 and .10, respectively. They were less different with respect to drug use with spies being nearly three time more likely to engage in non-medicinal drug use that non-spies, .62 and .22, respectively. It is notable that Thompson's rates of reported alcohol use and drug use among spies in 2002, .48 and .62, respectively were significantly higher than Herbig's reported alcohol and drug use rates from 1990 – 2007, .08 and .03, respectively. It is not clear why these two studies reported such discrepant levels of alcohol and drug use in similar time periods.

Stone (1992) assessed evidence of earlier alcohol abuse and drug abuse among 100 spies and found that both drug abuse and alcohol abuse were the most distinctive characteristics of spies who reported "disaffection" with the US as a primary motive for their espionage. Drug abuse was nearly twice as relevant as alcohol abuse, .77 and .46, respectively, to the disaffection motivation for spying. Neither drug abuse nor alcohol abuse was relevant to the more frequent motives relating to ideology or money.

### **Guideline I – Psychological Conditions**

#### Prevalence of Psychological Conditions in Spies

Thompson (2003) examined vulnerability factors that enhance the risk of espionage. The factors examined in this survey-based study included: use of illegal drugs, financial responsibility, crime (prior to and not including the espionage), **emotional issues**, and alcohol use/abuse.

The survey assessed emotional problems with the following questions: "Have you ever undergone:" family counseling, marital counseling, grief counseling, or individual counseling. "Have you ever been diagnosed with a psychiatric disorder? Have you ever been on any medication for psychological issues? If yes, please provide the name of medications and dosages. If yes to any of the above, please describe." The results of the study indicated a greater frequency of drugs, crime, **emotional issues**, financial problems and alcohol misuse in the spy sample. Of the 40 spies, 31 had emotional issues, while only 2 of the 40 non-spies had psychological problems. Spies were 15 times more likely to have emotional issues than non-spies.

In a paper summarizing the research of the US government on spies, Gelles (2006) describes the US spy as one who is not "crazy," but suffering from an emotional disorder, including one or more personality disorders. In particular, the antisocial personality disorder and narcissistic personality disorder are the most common personality disorders found in spies. Both personality disorders share common characteristics and are often found to coincide. In 2001, Pertman also noted the presence of anti-social personalities in a sample of incarcerated spies.

However, these disorders might not necessarily lead to a more serious offense. Gelles (2006) proposes three factors necessary before a trustworthy and loyal individual is likely to engage in security violation behavior. First is a personality or character weakness that serves as a predisposition to maladjusted counterproductive behavior. Second, some form of personal crisis puts these individuals under significant stress, which triggers counterproductive behavior often observed by others. Third, the individuals who observe the counterproductive behavior in the at-risk employee fail to recognize the signs of the serious problem, or they do nothing about it. The observer may assume that someone else will address the problem or they themselves may not want to get involved in the matter. When this failure to act on obvious counterproductive behavior occurs, the individual's behavior may further deteriorate. Because many spies tend to evidence an inability to accept responsibility for their actions, they may either minimize their mistakes or behavior, or blame others for their problems (Gelles, 2006). This, of course, distracts the potential offender away from his own behavior, minimizing the chances that the individual will, in fact, act on his own behalf in getting help with the problem behaviors.

Gambling addiction is a psychological condition that may impact the likelihood of security violation behavior. Herbig (2008) reported that of offenders in 1947-1979, 18% evidenced problematic gambling, while only 1% had such problems in the 1980s. The steep decline in gambling problems in known espionage offenders indicates that this is not a primary

or even significant motive for such security violation behavior. It is more likely to act as a contributor to financial problems that may motivate such behavior.

Kramer and Heuer (2007) identified trends that might contribute to the motivation to commit espionage. One of these trends was the increasing prevalence of compulsive gambling. In moderation, gambling is not a problem in today's culture in the U.S. If gambling increases to the point where funds are limited and there is a need to secure money to pay off debts and to continue gambling, compulsive gamblers can become so desperate that they resort to criminal behavior to meet their financial and emotional needs.

In Herbig's (2008) analysis of known espionage cases, she points to the presence of specific psychological traits and diagnoses in the most recent 11 cases of espionage. Specifically, serious psychological conditions played a role in four recent offenders' behavior: Smith was diagnosed with severe alcohol addiction and mental instability while awaiting trial; Weinmann was diagnosed as brittle, immature and impulsive; Anderson was diagnosed with bipolar disorder and Asperger's syndrome; Mehalba was also diagnosed with bipolar disorder as well as various attention deficit problems.

### Psychological Conditions and Motivations to Spy

Brown (1988 as cited in Parker & Wiskoff, 1991) reviewed 92 cases of American espionage and identified seven motivational factors: greed, revenge, ideology, adventure (ego), messiah complex, emotional or romantic involvement, and national pride. In addition, Brown identified three personality types that are represented in espionage cases: the "wimps," the "wheeler-dealers," and the "world savers." "Wimps" are individuals who suffer from feelings of inadequacy and have difficulty coping with stress in their lives. Brown suggests that "wimps" become involved in espionage as a vengeful or compensatory act. "Wheeler-dealers" are conceited and focused on satisfying their hedonistic desires for the good life. "World savers" are attempting to correct social wrongs in our political system. Brown's conclusion that is most meaningful for the purposes of this paper, however, is that many of the people involved in espionage had serious character flaws.

Stone (1992) examined the relationship between security clearance adjudication variables and four major motivations for espionage behavior in 100 uncovered U.S. citizen spies. Stone's results indicated that the major motivations for spying were money, ideology and disaffection (in decreasing order of importance). Correlations between the adjudication guideline variables and the motivation variables indicated that mental and emotional disorders were not significantly related to any of the four motivation variables assessed in this study.

#### LEVEL 2 EVIDENCE

As noted in the Level 1 Evidence section, a review of the literature indicated that there were very few studies providing evidence that sexual behavior, alcohol or drug use, or psychological conditions were associated with, or predictive of, security violation behavior itself. A much larger number of studies reviewed below provides evidence linking behaviors associated with these Guidelines to analogs of security violation behavior. For the purposes of this project, evidence about the predictive link between Guidelines' behavior and analogs of security violations is classified as Level 2 Evidence. These analog behaviors include a wide range of counter-normative workplace behaviors such as workplace theft, counterproductivity, absence/tardiness, workplace aggression, workplace misconduct, use of internet pornography, and workplace safety.

A distinctive feature of these four psychosocial Guidelines is that the same behaviors that are treated as potential antecedents of security risk are also measured as outcome variables in some studies we chose to classify as Level 2 evidence. For example, evidence that a psychological condition associated with Guideline I, such as antisocial personality disorder, is an antecedent of workplace alcohol abuse could be classified as Level 2 evidence. Such a study could provide Level 2 evidence if the study treated workplace alcohol abuse as an outcome measure and if workplace alcohol abuse were regarded as an analog to security violation behavior. In this case, the same behavior, workplace alcohol abuse, is regarded as a security violation analog even though it is also regarded in other research as a Guideline behavior.

A special example of this type of evidence is the research about sexual misconduct among professionals providing human services such as therapists, physicians, clergy, and The vast majority of this research addresses professional and ethical standards, actuarial evidence about frequency and patterns of such misconduct, and legal/forensic considerations. This type of research is not relevant to the question whether disordered sexual behavior predicts future security violations. But some research in this domain is indirectly relevant to an understanding of how sexual behavior may be predictive of security violation behavior. Research in this domain that identifies the psychological antecedents of professional sexual misconduct may be relevant in two ways. First, it provides insight into the types of personal history evidence among professionals that may be indicative of the types of sexual behavior intended by Guideline D. Second, it may provide evidence about psychological attributes that are predictive of later sexual misconduct. The potential value of this second type of evidence rests on the assumption that sexual misconduct is an analog to security violation behavior. But sexual misconduct is, at best, only a partial analog to security violation behavior. Its strongest association to security violation behavior is that it is a betrayal of trust. It also takes place in an organizational/workplace context and is intentional. However, except in extreme cases such as rape, it is ambiguous whether professional sexual misconduct is intended to be

harmful, although harm is frequently the result. For this reason, sexual misconduct is only a partial analog to security violation behavior.

At best it is unclear whether research about professional sexual misconduct strictly satisfies the definitions of Level 2 evidence or, for that matter Level 3 evidence. In spite of this ambiguity, this evidence provides potential insight about the role of psychological attributes as antecedents to sexual misconduct, which is a betrayal of trust. Because of this potential value, such evidence is included in this section about Level 2 evidence. This evidence is positioned as Level 2 evidence relating to Psychological Conditions, Guideline I, and treating professional sexual misconduct as a partial-analog to security violation behavior.

Many studies focused on evidence about the rates and incidence of Guideline behaviors or on treatments to minimize the incidence of one or more Guideline behaviors. Research of this sort is regarded as evidence of possible mitigators associated with such behaviors and is reviewed in the Mitigator section following the Level 1, 2 and 3 Evidence sections.

The domain of Guideline I Psychological Conditions is generally considered to encompass *clinically* diagnosed psychological conditions. These personal attributes, such as psychopathy or impulse control disorders, represent dysfunctional behavior patterns that are extreme enough to interfere with "normal," effective functioning. Diagnostic tools and treatment protocols have been developed within the profession of clinical psychology to assess and treat these dysfunctional behavior patterns. Within the adjudicative process, clinical psychologists are called upon to provide an evaluation of such attributes where investigative evidence indicates the possibility of such concerns.

In contrast, considerable research has addressed personality attributes that describe the "normal" range of effective, functional behavior patterns. These personality attributes include characteristics such as achievement orientation, orderliness, agreeableness, extraversion, locus of control, and self-efficacy among many others. These "normal" range attributes are most often assessed by standardized inventories or questionnaires that may be administered and scored by non-clinical professionals. Further, behavior that is seen as falling toward the ends of these behavioral continua is usually not regarded as being dysfunctional to the extent that it interferes with major life activities or that treatment would be called for. For example, highly conscientious people might be viewed as, say, extremely meticulous and careful about their work, and may even be viewed as unusual, but would not generally be viewed as dysfunctionally obsessive and likely to benefit from psychological treatment..

To be sure, the boundary between functionally extreme and clinically dysfunctional is fuzzy and shifting. Nevertheless, the psychosocial Guidelines and this review rely on this distinction. Research evidence about the link between clinical disorders is regarded as Level 2 evidence because the Psychological Conditions Guideline focuses on clinically defined behavior patterns. In contrast, research evidence about "normal" range personality attributes is regarded as Level 3 evidence because such attributes describing the functional range of normal behavior are not the target of Guideline I but are considered to be psychological variables that can be antecedents to security violation behavior and/or analogs to such security behavior.

This review of Level 2 evidence also includes reviews of literature about the meaning of the clinical psychological concepts of psychopathy and antisocial personality disorder. This review is intended to clarify the sometimes ambiguous distinction between these two constructs that are central to understanding the psychology of extreme counter-normative behavior.

#### **Guideline D – Sexual Behavior**

#### Pornography Use and Harmful Behavior

No evidence was located linking pornography use to a true analog to security violation behavior. However, a small amount of research was located linking pornography use to partial analogs – juvenile sexual aggression, adult sexual aggression, and criminal sexual behavior. This evidence provides some insight into the predictive relevance of pornography use to later intentional, harmful, counter-normative behavior.

Harries and Knight (2008) examined risk factors, including pornography use, for sexual aggression in juveniles. The sample included 307 juvenile sexual offenders who had been adjudicated for at least one serious sexual crime. Several risk factors for criminal sexual behavior were assessed including substance abuse, childhood sexual abuse five facets of pornography use - early exposure to pornography, heterosexual pornography use, homosexual pornography use, child pornography use, and violent pornography use. Results indicated that sexual abuse and substance abuse significantly predicted later sexually coercive behavior, but the use of violent pornography did not account for any additional variance. Pornography use did not emerge in these findings as predictive of sexually coercive behavior. These findings were in contrast of those of Malamuth and Huppin (2005) who found that when hostile masculinity and sexualization were entered along with pornography use, pornography was still a significant predictor of sexually aggressive behavior. This discrepancy may be explained by Harris and Knight's reliance on a sample of juveniles and the possibility that antecedents of sexually coercive behavior could vary as a function of age.

Tiefenwerth (2008) explored the extent to which exposure to pornography in general and to cyber-pornography in particular was a contributory risk factor in the psychopathologies of a sample of incarcerated male sex offenders. The degree of exposure to pornography was also explored in relation to the psycho-social development of the sample interviewed. The sample included 25 male sex offenders convicted of felony offenses. The interviews also considered the following variables: psychopathy, violence, sexual fantasy, paraphilias, alcohol abuse and other types of substance abuse or dependency, behavioral addictions, childhood sexual abuse or trauma, and negative gender-based attitudes. Findings indicated that among the offenders interviewed, the link between pornography, criminal sexuality and psychopathology differed, early developmental exposure to violent pornography exacerbated other forms of psychopathology, regular use of pornography as an adult did not precipitate a behavioral sex addiction, the use of alcohol and/or other drugs increased the violence of sexual offenders, and the use of psychological defense mechanisms was more common among older offenders.

### Guidelines G and H – Alcohol Consumption and Drug Involvement

This section will examine the relationship between alcohol and drug use and counterproductive workplace behaviors and workplace aggression, which are analogs to security violation behavior. Research will also be reported about the prediction of workplace injuries from substance abuse. Workplace injuries are partial analogs because, in general, they are not intentional nor are they intend harm. However, this research is reported because it provides some additional insight into the likely role of general deviance proneness (general problem behavior) in predicting counter-normative work behavior.

### Substance Use and Workplace Injuries

Frone (1998) explored predictors of workplace injuries in a sample of 319 individuals age 16 to 19. Results for substance use and its relationship to work injuries indicated that on-the-job substance use was positively related to frequency of work injuries. There was no significant relationship between general substance use and such workplace injuries.

Spicer, Miller and Smith (2003) examined the tendency toward problem behavior as an explanation for the relationship between problem substance use and occupational injury. The sample was a matched case-control study nested in a cohort of 26,413 workers, 3,994 of whom were workers who sustained an occupational injury. Every injury case was matched with 5 controls (n=19,970) who were cohorts working on the same day as the injury and in the same type of job. Results indicated that the odds of injury for a worker with an indicator of problem substance use was 1.35 (p=.015) times greater than the odds among workers without an indicator (controlling for job type, demographics and exposure). Similarly histories of minor and serious problem behaviors increased the odds of occupational injury, 1.73 and 2.19, respectively. The authors concluded that the relationship between problematic substance use and occupational injury was weak when problem behaviors were controlled for, suggesting that a worker's tendency toward problem behaviors has a larger direct effect on injuries than substance abuse. The authors concluded that it is the element of risk-taking and a disregard for safety policies that contributes to the relationship between injury and deviant behaviors, including the problematic use of substances.

Cherpitel (1999) examined alcohol consumption, illicit drug use, and risk-taking dispositions on all types of injuries. The sample consisted of 4,925 respondents from the 1995 National Alcohol Survey. Data on risk perception, risk-taking, sensation seeking, alcohol and drug use, demographic characteristics, and injury over the last year were examined. Moderate drinking, alcohol treatment, drug use, simultaneous use of drugs and alcohol and risk-taking dispositions were all positively associated with the report of an injury.

#### Substance Use and Counterproductive Workplace Behaviors

Bass et al.(1996) investigated the extent to which self-reported and urine-screened drug use accounted for variance in several types of absenteeism and tardiness, above and beyond the

influence of demographic and work reaction variables. Overall, drug use assessed by means of both urinalysis and self-report was associated with increased employee absenteeism as well as tardiness. Bass et al. concluded that employees who use drugs have a relatively persistent pattern of absenteeism as well as tardiness. When demographics and employee reactions to the work environment are taken into account, employee drug use accounts for additional variance in overall absenteeism and absenteeism due to injuries, suspensions and tardiness.

Mastrangelo and Jolton (2001) studied the effects of workplace substance abuse on three categories of counterproductive behaviors. Substance abuse was defined as any on-the-job use of alcohol or illegal drugs. Three different categories of work behavior were examined: time theft, antagonistic behaviors (including taking property from the employer without permission and sharing confidential information with unauthorized people), and helping behavior. Results indicated that those who admitted substance abuse on-the-job were more likely to engage in antagonistic behavior.

Sarchione, Cuttler, Muchinsky and Nelson-Gray (1998) examined the predictability of dysfunctional job behaviors among law-enforcement officers. They matched two groups (n=109 each) of officers, one of whom was disciplined, the other of whom served as a control group. Six predictors were examined: three facets of conscientiousness (responsibility, socialization, and self-control), and three life history indices (drug use, criminal, and work). The disciplinary group consisted of law enforcement officers who were involved in situations requiring formal disciplinary or departmental action as a result of their behavior on the job after hiring. Examples include: use of excessive force, sexual misconduct, substance use, insubordination, embezzlement of property, lying, multiple motor vehicle violations, inappropriate verbal conduct toward the public, and multiple duty responsibility violations. The control group did not evidence any of the above behaviors. All three life indices (work, drug, and criminal history) significantly differentiated the two groups of officers. The corrected effect sizes for the life history indices ranged from r=.40 (drug use) to r=.74 (work).

Sarchione et al. proposed the principle of behavioral consistency to explain the results that all life-history indices predicted dysfunctional police behavior. Officers with a history of prior employment problems, drug use, and criminal behavior were more likely to have disciplinary problems as law enforcement officers resulting in formal discipline than those who did not exhibit this pattern of behavior. These results suggest that past dysfunctional behavior predicts future dysfunctional behavior.

Lehman and Simpson (1992) reported a relationship between substance use and counterproductive job behaviors in a sample of 1,325 municipal employees. The job behaviors of interest included: psychological and physical withdrawal, positive work behaviors and antagonistic work behaviors. Results indicate that employees who reported substance use either at or away from work were more likely to engage in withdrawal activities and antagonistic work behaviors than nonusers. Interestingly, users and nonusers were not different in terms of positive work behavior. After controlling for personal and job background characteristics, substance use

was found to incrementally improve the prediction of psychological and physical withdrawal behaviors, but not positive or antagonistic work behaviors.

Ames et al. (1997) examined the relationship between alcohol drinking patterns and workplace problems in a manufacturing facility. Results indicated that overall drinking, heavy drinking outside of work, drinking at work or just before work, and coming to work hung over were related to the overall number of work problems experienced by the sample and to specific problems such as conflict with supervisors and falling asleep on the job. Results also showed that workplace drinking and coming to work hung over predicted workplace problems even after usual drinking patterns, heavy drinking and significant job characteristics and background variables were controlled. The results supported the hypothesis that work-related drinking and hangovers at work are related to problems in the workplace and this may contribute ultimately to lower productivity and morale.

Mangione et al. (1999) examined the effects of several drinking indicators and drug use on self-reported work performance in a sample of 6,540 managers, supervisors and workers at 16 worksites. Results indicated that the frequency of self-reported work performance problems increased with all drinking measures. Moderate-heavy and heavy drinkers reported more work performance problems than very light, light or moderate drinkers. The overall number of work performance problems increased as a function of increasing drinking level category.

Mangione et al. suggest that the effects of drinking on work-related problems are the result of a broad deviant lifestyle syndrome (Normand et al., 1994). People who have deviant lifestyles would be likely to break rules, abuse alcohol and drugs, hold deviant attitudes, and engage in other norm violating behaviors. The authors cite several studies supporting this viewpoint (See e.g., Donovan & Jessor, 1985; Gillmore et al., 1991; Newcomb and Bentler, 1988).

Stein et al.(1993) conducted a longitudinal study of the effects of adolescent drug use on later adult job behaviors, job satisfaction, and adverse terminations while controlling for concurrent adult drug use, years of drug use, and adolescent achievement motivation. The sample of usable data included 785 individuals, 53% of whom were female. The subjects were originally assessed while in the 10<sup>th</sup>, 11<sup>th</sup>, or 12<sup>th</sup> grades. They were mostly white and from middle-class families. The mean age of the follow-up sample was 26 years; 82% were conventionally employed in full-time jobs.

The conclusions reveal little or no relationship between adolescent drug use and later indicators of job behaviors and satisfaction. These results support the findings of Newcomb and Bentler (1988) that adolescent drug use has at most, only a weak influence on later job satisfaction and job behaviors, especially when concurrent drug use is controlled. There was, however, a very strong stability effect of drug use across the years and adult drug use was significantly related to job-related problems and low job satisfaction. Long-term drug use, which reflected early onset of substance use, was also associated with negative job behaviors. There was only a weak relationship between adolescent achievement orientation and adult drug use in the path model, suggesting that "an amotivational, nonconforming personality as an adolescent

does not necessarily predict later drug use unless it is accompanied by drug use in adolescence" (p.472). The personality trait of achievement orientation was most predictive of adult job behaviors and job satisfaction. There was also a strong relationship between adolescent achievement and drug use in adolescence.

The general propensity to use drugs (adult polydrug use) was significantly associated with low job satisfaction and negative job behaviors and was predicted by adolescent drug use. In addition, adult hard-drug use was related to adverse job terminations and negative job behaviors, above and beyond the effects of polydrug use and long-term drug use.

### Substance Use and Workplace Aggression

McFarlin et al. (2001) explored the relationship between alcohol use and workplace aggression. Specifically, the relationship between frequency of alcohol use over the past year and the relationship with victimization from and perpetration of workplace aggression between coworkers was explored in a sample of 300 civilian employees. Results indicated that both the percentage of days of any drinking and percentage of days of heavy drinking during the past year were positively related to victimization from verbal and physical aggression at work and the perpetration of verbal and physical aggression at work.

McFarlin et al. speculate that the relationship between alcohol and workplace aggression is likely moderated by other employee and organizational factors. They specifically cite the following situational and dispositional traits as predictors of aggressive behavior: presence of personality traits such as sociopathy (Olweus, 1979), frustration resulting from exposure to aversive situations (e.g., Berkowitz, 1974), lack of social awareness (Hull, 1981), and deindividuation ((Prentice-Dunn & Rogers, 1982). The authors further speculate that adding alcohol to any of the above variables might increase the likelihood of aggressive behavior. In fact, researchers have found such relationships. Gustafson (1991, 1993) found that frustration was likely to lead to aggressiveness if the individuals involved are intoxicated. Baily & Taylor (1991) found that individuals with aggressive personality traits (e.g., sociopathy, impulsivity, and hyperactivity) are more likely to retaliate with they are intoxicated. Finally, Jeavons & Taylor (1985) found that individuals who have consumed alcohol are likely to be aggressive if they are exposed to aversive stimuli, such as noise.

Mignone et al.(2009) explored the effects of alcohol relapse on violence in men who have engaged in intimate partner violence. The researchers were also interested in the potential moderating effects of female partner drinking and the diagnosis of anti-social personality disorder. Results indicated that those who relapsed to alcohol were much more likely to relapse to physical aggression. For men diagnosed with ASPD, the effect for relapse to drinking was more prominent for nonsevere intimate partner violence. The conclusion is that when partner violent men who complete alcoholism treatment relapse to alcohol, they are also likely to relapse to violence.

### **Guideline I – Psychological Conditions**

This section reports evidence examining the predictive relationship between clinical psychological conditions referenced in Guideline I and analogs or partial analogs to security violation behavior. Guideline I does not prescribe a finite list of clinical psychological conditions. Rather, it provides a mechanism by which a licensed clinical psychologist may provide input to the adjudication process about evidence of clinical conditions that, in the psychologist's judgment, may constitute a risk for security violation behavior. As a result, virtually any clinical psychological condition (disorder) potentially could be part of the psychologist's assessment of risk under Guideline I. Of course, some disorders are far more likely than others to be viewed as risk factors.

To ensure a thorough literature search, a comprehensive list of clinical disorders was identified and a comprehensive list of key words associated with security behaviors and analogs was developed. The search strategy was to search for literature about the clinical disorders in combination with the security behavior key words. The judgment and clinical expertise of the search analysts limited the possible combinations to those that were plausible. For example, no search was requested for research that combined Frotteurism and Embezzlement. Table 5 shows the lists of clinical disorders and security behavior key words. This table arranges the list of clinical disorders into two columns, one showing the disorders for which relevant evidence was located, the other showing the disorders for which no relevant evidence was located.

Table 5. Clinical Disorders and Security Behavior Key Words Used in the Guideline I Literature Search

Clinical Disorders with Clinical Disorders with No Level 2 evidence Level 2 evidence	Security Behavior Key Words
<ul> <li>Depression</li> <li>Impulse Control Disorder</li> <li>Psychopathy</li> <li>Antisocial Personality Disorder</li> <li>Narcissistic Personality Disorder</li> <li>Narcissistic Personality Disorder</li> <li>Narcissistic Personality Disorder</li> <li>Narcissistic Personality Disorder</li> <li>Magical Thinking</li> <li>Obsessive-Compulsive Disorder</li> <li>Specific Phobia</li> <li>Agoraphobia</li> <li>Paraphilia</li> <li>Fetish</li> <li>Sadism</li> <li>Masochism</li> <li>Frotteurism</li> <li>Exhibitionism</li> <li>Pedophilia</li> <li>Paranoid</li> <li>Schizoid</li> <li>Schizotypal</li> </ul>	<ul> <li>Spy</li> <li>Espionage</li> <li>Informant</li> <li>Employee</li> <li>Workplace</li> <li>Aggression</li> <li>Violence</li> <li>Work</li> <li>Work Stress</li> <li>Fraud</li> <li>Embezzlement</li> <li>White Collar Crime</li> <li>Sabotage</li> <li>Crime</li> <li>Police</li> <li>Lying</li> <li>Deviance</li> <li>Interpersonal Conflict</li> <li>Interpersonal Functioning</li> <li>Interpersonal Disputes/Offense</li> </ul>

Clinical Disorders with Level 2 evidence	Clinical Disorders with No Level 2 evidence	Security Behavior Key Words
	♦ Borderline	
	♦ Histrionic	
	◆ Delusional Disorder	
	◆ Schizophrenia	
	◆ Schizophreniform	
	◆ Schizoaffective	
	◆ Psychotic	
	◆ Dissociative	

As Table 5 shows, the large majority of clinical disorders have no research evidence about their predictive relationship to analogs of security violation behavior or, for that, matter, security violation behavior itself.

### "Occupational Functioning"

A primary reason for the relative paucity of research about clinical disorders as predictors of security analogs is that clinically oriented research is most often oriented toward theoretical relationships and outcomes measures associated with outcomes of interest in the therapeutic The clinical interest in workplace behavior tends to be limited to indicators of "occupational functioning." For example, a handful of studies about bipolar disorder (BD) provide evidence about BD's effect on occupational or employment 'functioning." (See, e.g., Hajek, Slaney, Garnham, Ruzickova, Passmore. & Alda, 2005; Waghorn, Chant & Jaeger, 2007; Michalak, Yatham, Maxwell, Hale & Lam, 2007; Rosa, et al. 2009.) But occupational "functioning" in these studies refers, in general, to one's ability or qualifications required to perform work. Such abilities / qualifications include intelligence, memory, work skills, and attendance. These "functioning" attributes relate to the person's ability to perform or keep a job. Such measures of work behavior have virtually no implications or relationship to security violation behavior or its analogs. The same point can be made about research on the effects of Post-Traumatic Stress Disorder (PTSD) on occupational functioning, which is described in Appendix B. (See, e.g., Geuze et al., 2009, Taylor et al., 2006; Evans et al., 2006; Mathews, 2005; Bleich & Solomon, 2004).

### Partial Analogs to Security Violation Behavior

A further consequence of the lack of clinical research focusing on workplace behavior is that very few studies of Guideline I psychological conditions investigated true analogs to security violation behavior. While several studies reported about intentional, harmful and counter-normative outcome behaviors, such as aggression and criminal behavior, few satisfied the analog requirement that the behavior be in an organization context. For this reason, a relaxed standard for analog behavior was applied for Level 2 evidence about Guideline I psychological conditions. Research about partial analog outcome behaviors is reported for psychological

conditions. The most common partial analogs are direct and indirect aggression, violence and criminal behavior.

#### PTSD (Appendix B)

Research on PTSD is given special treatment in this White Paper. A review of research about PTSD including information about its meaning, its correlates, treatment strategies as well as work-related outcomes is provided in Appendix B. This review is provided in this White Paper because a rapid increase is expected in the number of PTSD cases who are presented for security clearance adjudication and this review provides a foundation for the reader's understanding of PTSD in spite of the absence of PTSD research relating to its prediction of security violation behavior or its analogs.

# **Evidence of Psychological Conditions' Prediction of Analogs of Security Violation Behavior**

#### Depression and Workplace Injury (Partial Analog)

In a study of predictors of workplace injuries in adolescents, age 16-19, Frone (1998) examined 5 general categories of risk factors, one of which was emotional and physical health. Prior research in an adult sample found that high levels of depression adversely affect the ability to process information (Sullivan & Conway, 1989, as cited in Frone, 1998) and interferes with general role functioning (Broadhead, Blazer, George, & Tse, 1990; Wells et al., 1989 and job performance (Cooper & Sutherland, 1987; Holcom et al., 1993; Zwerling et al., 1996). In this study, depression was measured by a 20 item scale assessing symptoms and their frequency in the past week. While depression was found to be correlated with negative affectivity, rebelliousness, impulsivity, physical hazards, workload, role ambiguity, supervisor conflict, coworker conflict, work-school conflict, and job dissatisfaction, it was not related to work injuries when entered into the regression equations.

#### Impulse Control Disorders and Criminal Behavior (Partial Analog)

Meyer and Stadler (1999) explored the relationship between pathological gambling and criminal behavior in a sample of German residents. The sample consisted of two groups, 300 pathological gamblers drawn from both inpatient and outpatient treatment centers and self-help groups, and 274 high and low frequency gamblers from the general population and the army. With regard to intensity of criminal behavior in both gambling groups, 89.3% of pathological gamblers reported having committed at least one crime in their lifetime whereas only 51.8% of the high and low frequency gamblers reported the same. The percentages of the two groups reporting committing at least one criminal act within the past year was 59.3% of the pathological group and 22.3% of the high-low frequency group.

The relationship between gambling and different types of criminal offenses committed during the previous 12 months was also examined. Eighteen different criminal offenses were examined. With the exception of 5 crimes (driving without a license, tax evasion, theft from/of cars, burglary, and driving under influence of alcohol), pathological gamblers report greater frequencies of criminal behaviors than those in the high-low frequency group. For pathological gamblers, the following crimes occurred in high percentages of the group: fraud (37.7%), embezzlement (21.7%), theft at work (23.3%), theft in family (21%), travel without paying (26.7%), driving under the influence of alcohol (20.7%), consumption of soft drugs (18%), and shoplifting (13%).

It should be noted that additional evidence about the relationship between self-control, which is very close in meaning to impulse control disorder, and security violation analogs is reported in the White Paper on criminal behavior. The research reported regarding criminal behavior is largely reported in research outlets for studies of criminal behavior. In those studies, self-control is typically measured as a "normal range" personality trait, not as a clinical disorder, which is how impulse control disorder typically is assessed in the clinical literature..

#### An Important Distinction between Psychopathy and Antisocial Personality Disorder

The next two sections review research on Psychopathy and Antisocial Personality Disorder (ASPD). Prior to those two reviews, however, a brief overview is provided of the professional distinction between these two disorders. (A more detailed description of the distinction between them is provided in Appendix A for the interested reader.) Within the clinical profession Psychopathy and ASPD are viewed as representing largely the same set of underlying personal attributes. These include interpersonal characteristics of grandiose, arrogant, callous, superficial and manipulative; affective attributes of short-tempered, unable to form strong emotional bonds with others, and lacking in empathy, guilt or remorse. Behaviorally, they are irresponsible, impulsive, and prone to violate social and legal norms and expectations. The current DSM-IV describes ASPD as "this pattern has also been referred to a psychopathy, sociopathy, or dissocial personality disorder" (p. 645).

DSM-IV provides diagnostic criteria only for ASPD, not for Psychopathy. These diagnostic criteria include the requirement that there must be evidence of conduct disorder prior to age 15. In effect, the DSM-IV based diagnosis of ASPD relies heavily on behavioral evidence of disordered conduct. Hare (1980; 1991) and others have noted that considerable research evidence exists for a stable pattern of personality attributes associated with Psychopathy and that this psychopathic cluster of attributes does not necessarily result in disordered conduct. As a result, DSM-IV based diagnoses of ASPD emphasizing behavior disorder may systematically underdiagnose the psychopathological personality. Not all psychopaths are behavioral offenders. Assessment tools have been developed such as Hare's (1991) Psychopathy Checklist-Revised (PCL-R) to measure psychopathic personality patterns. These assessments of Psychopathy are not equivalent to DSM-IV based diagnoses of ASPD. Furthermore, ASPD is not viewed as simply that subset of psychopaths who engage in disordered behavior. Given the distinct

differences in assessment approaches, the diagnosis of ASPD may be distinct from the meaning of Psychopathy in other nuanced ways depending on the particular measure of Psychopathy.

For the interested reader, more information about the distinction between ASPD and Psychopathy is provided in Appendix A.

#### Antisocial Personality Disorder (ASPD) and Deviance Proneness (Partial Analog)

Surprisingly little research about ASPD investigated its predictive link to analogs or even partial analogs (outside the work context) of security violation behavior. The relevance of the two studies described here may be captured by the concept of deviance proneness, which has been suggested in the criminal and workplace injury literatures as a primary factor in intentionally harmful, counter-normative behavior both in work contexts and outside work contexts. Neither the Pietrzak et al. (2005) and Crocker et al. (2005) studies reported below measure an outcome behavior that is clearly a partial analog to security violation behavior. However, the outcome behaviors in both studies represent the types of problem behaviors that characterize deviance proneness. Standing alone, neither study has clear or direct implications for security violation behavior or even close analogs. However, both studies provide additional empirical instances of psychological conditions, ASPD in this case, associated with a constellation of problem behaviors regarded as deviance proneness, which has been shown to have strong predictive relationships to criminal behavior (Gottfredson & Hirschi, 1990).

Pietrzak et al.(2005) examined whether pathological gamblers with antisocial personality disorder (ASPD) experienced increased severity of gambling, medical, psychiatric, substance use and psychosocial problems compared with pathological gamblers without ASPD. The sample included 237 pathological gamblers entering an outpatient treatment study for pathological gamblers. Results indicated that 16.5% of the pathological gamblers met DSM-IV criteria for ASPD. When compared with pathological gamblers without ASPD, pathological gamblers with ASPD were younger, more likely to be male, divorced/separated, and less educated. Pathological gamblers with ASPD also began gambling earlier in life, reported increased severity of gambling, medical and drug problems, all of which are specific examples of problem behavior.

Crocker et al.(2005) examined the correlates of antisocial personality disorder (ASPD) and psychopathy in a sample of individuals with dual disorders (i.e., severe mental illness and co-occurring substance use disorder). The authors specifically examined the reliability and validity of measures of ASPD and psychopathy among 203 clients with dual diagnoses and their relationship with criminality and violence over 3 years. Results indicated that the psychopathy measure had limited relationships with criminality and violence. However, ASPD, thought disturbance, negative affect, and earlier age at psychiatric hospitalization were predictive of aggressive behavior.

#### Psychopathy and Partial Analogs

**SETTING THE STAGE: AN ANALYSIS OF PSYCHOPATHS IN ORGANIZATIONS.** Before describing prediction evidence linking Psychopathy to partial analogs of security violation behavior, it is helpful to describe Babiak's (1995) description of the manner in which psychopaths may sustain functional behavior in organizational settings. This insightful description provides a context for interpreting the following research evidence about Psychopathy as a predictor of intentional, harmful and counter-normative behavior in an organization context.

Babiak (1995) describes an *industrial* psychopath as an individual who displays psychopathic personality characteristics but does not display a progression of increasing antisocial behavior and deviant lifestyle. In non-institutionalized psychopaths, antisocial behaviors are often covered by a veneer of charm. Babiak proposes that often the psychopath's manipulative nature is only discovered after prolonged exposure. Their convincing stories and explanations may create an environment of trust among co-workers, which after realization of the manipulative nature of the individual, is replaced by self-doubt or shame about being conned. This self-questioning reaction to awareness of the true nature of the psychopathic individual may contribute to a lack of confrontation or exposure of the individual. Babiak stresses that the problem with researching subcriminal psychopaths is of "adequately and accurately identifying and diagnosing psychopathic tendencies earlier on, prior to the documentation of antisocial activity" (p. 174).

In an unusual research design in which data were gathered about functional employees in an organization context Babiak (2000) summarized the findings of longitudinal studies of Psychopathy among employees in six organizations. Each participating employee completed Hare's PCL-R to assessment Psychopathy. Those who were identified as (functional) psychopaths scored high on the Factor 1 component (i.e., aggressive narcissism) and moderate on Factor 2 (i.e., antisocial behavior). These individuals demonstrated the personality traits of psychopaths, without the antisocial acts of criminal psychopaths.

To understand industrial psychopaths Babiak emphasizes the manner in which they often enter an organization and what happens once they settle in. First and foremost, Babiak asserts the psychopaths' ability to deceive cannot be overestimated. In addition, human resource professionals and colleagues are not trained to identify these master manipulators and are often taken in by their charm and apparent intelligence. Attracting subcriminal psychopaths may also depend on how an organization advertises their job openings. Appealing to their high need for stimulation, Widom (1977) successfully attracted noncriminal psychopaths by placing advertisements in a counterculture newspaper using words and phrases that capture the nature of psychopaths and their lifestyles (i.e., "...charming, aggressive, carefree people who are impulsively irresponsible but good at handling people" (p. 675). A plausible inference, which has not been investigated to our knowledge, is that industrial psychopaths may be attracted to the imagined stimulation, excitement and range of experience offered by many jobs requiring the special safe guard of a security clearance.

Babiak further suggests that subcriminal psychopaths are successful primarily because of their ability to avoid apprehension. Changing jobs or moving about the country may contribute to the apparent success of subcriminal psychopaths, but their success within an organization can be limited by the fact that they are in a closed social order. The longer a psychopath is with an organization, the greater the likelihood that antisocial behavior and pathological lying will emerge from daily interactions, breaking through the veneer of charm. In fact, Vaillant (1975) notes that psychopaths exhibit anxiety when they lose their freedom, and circumstances that threaten this freedom in an organization likely lead to overtly negative behavior noticed by others.

EMPIRICAL EVIDENCE. Warren and Clarbour (2009) examined the relationship between Psychopathy and direct and indirect aggression in a noncriminal population. The authors' measure of Psychopathy was based on Cooke and Michie's (2001) three-factor model. Factor 1, the affective factor, assesses shallow affective reactions, lack of empathy and guilt; Factor 2, the interpersonal factor, includes superficial charm and narcissistic manipulation; Factor 3, the behavioral factor, reflects the psychopath's impulsivity, irresponsibility, and lack of long-term planning. Indirect aggression, which is also known as social or relational aggression, refers to aggressive behavior designed to cause harm to the victim by attacking them either directly through social groups and relationships, or more directly but in a way that their actions are perceived as nonaggressive (Archer & Coyne, 2005). Examples of such behaviors include: malicious gossiping, spreading rumors, social group exclusion, use of relationships for emotional manipulation, and malicious use of teasing and ridicule in order to humiliate or isolate others. The use of indirect aggression has been strongly associated with increased levels of social skills and low levels of empathy (Kaukiainen et al., 1999).

Study 1 consisted of 103 British undergraduates; 84 were female, mean age was 18.65 years, 79% were Caucasian, and 85% were native English speakers. Psychopathy predicted all three forms of indirect aggression: social exclusionary behaviors (r=.26), malicious humor (r=.52), and guilt induction (r=.32). All 3 psychopathy factor scales were also significantly associated with total indirect aggression scores: coldheartedness (Factor 1) (r=.20), fearless dominance (Factor 2) (r=.24), and impulsive antisociality (Factor 3) (r=.35). These findings suggest a significant association between psychopathy and indirect aggression.

Study 2 included 201 British university subjects; 83 were male, mean age was 21.9 years, 69% were Caucasian, and 78% were native English speakers. In addition to the psychopathy and indirect aggression measures a measure of direct aggression was also administered. As in Study 1, psychopathy predicted indirect aggression. In addition, psychopathy was correlated with both physical and verbal direct aggression. Coldheartedness (r=.22), and impulsive antisociality (r=.35) both predicted indirect aggression. Total psychopathy scores predicted both physical (r=.34) and verbal (r=.32) aggression.

The authors developed a path analytic model to describe the relationship between the three psychopathy factors and both direct and indirect aggression. Direct and indirect aggression

levels were equally influenced by the presence of psychopathic personality traits, specifically the affective and impulsive factors. Impulsive antisociality exhibited the largest influence and this appeared greater for direct as opposed to indirect aggression. Coldheartedness also had a significant (but smaller) effect on both direct and indirect aggression, though its effect was equal for both forms of aggression.

Forth, Brown, Hart and Hare (1996) examined the extent to which Psychopathy predicted violence, criminal behavior and substance abuse in a sample of 150 university students. The base rate for Psychopathy in this sample was 1.03%. Psychopathy scores were significantly higher among males than females. Psychopathy predicted alcohol and drug abuse as well as violence in the male sample. Interestingly, Psychopathy was not correlated with either depression or anxiety in the males or females. In sum, Psychopathy was significantly associated with Antisocial Personality Disorder symptoms, substance use, and self-reported criminal activity.

Hare (1996) reviewed psychopathy research from 1974-94, focusing on assessment, diagnosis and implications for both the mental health and criminal justice systems. His conclusions suggest that while the personality of a psychopath has the propensity to violate social rules and expectations, changes as a result of age in antisocial behavior are not accompanied by changes in fundamental psychopathic traits. In fact, psychopathic traits in forensic populations were significant predictors of recidivism and violence. Similarly, Salekin, Rogers and Sewell's (1996) review of 18 empirical studies exploring the relationship between Psychopathy violent and non-violent recidivism among prison releasees concluded that Psychopathy was a strong predictor of violence as a factor in recidivism.

Preston (1998) explored effects of Psychopathy in a sample of 56 undergraduate males, 41 minimum security male inmates, and 33 maximum security male inmates. Findings relevant to this section of the paper indicated that psychopathy (+), agreeableness (-) and conscientiousness (-) were positively associated with self-reported delinquency, delinquent behavior, and reactive violence in the student sample. In the inmate sample, the coldheartedness facet of psychopathy was associated with violent and nonviolent convictions as well as institutional misconduct.

Leistico et al.(2008) conducted a meta-analysis of Hare's psychopathy measures and its relationship with-criminal recidivism and institutional misconduct. The authors examined 95 overlapping studies with an N=15,826. The studies examined used the Hare Psychopathy Checklist (PCL) which posits two factors of psychopathy: Factor 1 includes interpersonal and affective features while Factor 2 contains socially deviant behaviors. The authors calculated the mean weighted effect sizes across the studies for the total PCL score as well as the Factor 1 and 2 scores. Factor 2 had the largest effect size, r=.60, followed by Total PCL, r=.55, and Factor 1, r=.38.

These studies provide compelling evidence that Psychopathy is a predictor of various forms of aggression and violence in criminal populations as well as noncriminal student populations. While none of these studies measured violence or aggression in a work context,

they confirm a theoretical framework about the role of Psychopathy in counter-normative, aggressive, antisocial behavior that suggests psychopaths are likely to be at substantially higher risk for security violation behavior. Further, Babiak's analysis of the typical pattern of a psychopath's time course in an organization suggests that psychopaths may be attracted to the imagined adventure and excitement of national intelligence work and that the emergence of security violation behavior may take place over a period of time marked by key events that change the psychopath's behavior patterns.

#### Narcissistic Personality Disorder and Counterproductive Work Behavior (Analog)

Penney and Spector (2002) examined the relationship between Narcissism and counterproductive work behavior (CWB) among 215 employed university students. Narcissism was measured by the Narcissistic Personality Inventory (NPI; Raskin & Hall, 1979), which assesses seven facets of Narcissism: authority, self-sufficiency, superiority, exhibitionism, exploitativeness, vanity and entitlement. CWB included a number of specific counter-normative workplace behaviors including theft, tardiness, organization disloyalty, and workplace aggression. Because CWB consists of intentional, harmful and counter-normative behavior in an organization context it is classified as an analog to security violation behavior.

Results indicate that those scoring high on Narcissism engaged in more CWB (r= .27). Students who scored high on trait anger were also more likely to engage in CWB (r = .46). Trait anger mediated the relationship between narcissism and CWB such that the affective state of anger increased the likelihood that narcissists would respond to disappointments, frustrations, setbacks and disgruntlements at work by acting out in the form of one or another manifestation of CWB.

Students scoring high on narcissism were more likely to perceive that there were situational constraints (situations or conditions that prevent individuals from using their abilities and motivation to perform). All else the same, narcissists engaged in more CWB to the extent they perceived high levels of situational constraints on their own work behavior. There was a consistent lower level of engagement in CWB for individuals scoring low on narcissism across all levels of constraints.

Unlike ASPD and Psychopathy, Narcissism does not include a disposition to engage in counter-normative or antisocial behavior. Penney and Spector's study suggests that the link between Narcissism and CWB requires mediating psychological conditions including negative emotion (anger) and perceived limitations on organizationally acceptable behavior. The resulting affective state of frustration, disgruntlement, or felt unfairness may be the more direct antecedent of CWB, where Narcissism may be a more distal antecedent of CWB.

# Psychological Conditions as Antecedents of Sexual Misconduct in Professional Work Contexts

As noted in the introduction to Level 2 Evidence, evidence about psychological conditions as precursors to sexual misconduct in professional work settings is reported here as Level 2 evidence. For the purpose of this section, sexual misconduct is being treated as an analog o security violation behavior in spite of the ambiguity about intention to harm. We are making this choice primarily because sexual misconduct in professional work contexts almost always represents a betrayal of trust and very few of the analogs reported in this White Paper share this feature with security violations. For this reason, sexual misconduct evidence may provide unique insight into the ways psychological conditions lead to betrayal of trust in a work context.

The literature search supporting this section covered a wide range of professions in which the person committing the sexual misconduct has a professional relationship to the other person which precludes a sexual relationship. The searched literature focused primarily on medical, mental health, legal, management, policing, teaching and clergy professions. Each of these professions is governed in some fashion by ethical, professional, legal and/or organizational standards about inappropriate relationships with the individuals being served by the professional. Research was sought about sexual misbehavior that violated these standards. Isolated studies about sexual misconduct in teaching, management, law and policing were located but provided little or no information about psychological conditions as antecedents of sexual misconduct. More studies were located for the medical, mental health and clergy professions. Most of the sexual misconduct studies in these professions focused on issues that were not relevant to the role of psychological attributes as antecedents of sexual misconduct. Instead, they focused on the ethical, legal or professional issues associated with sexual misconduct, effects on victims, organizational context for such behavior, or surveys of practitioner s to estimate the prevalence and characteristics of such behavior.

However, a modest amount of research was located about psychological attributes as predictors of sexual misconduct among professionals. This type of relevant research was most common, by far, in the mental health domain. A small number of relevant studies were located in the medical and clergy domains. The review below is organized around these three domains with a more substantial review for the mental health domain.

SEXUAL MISCONDUCT BY MENTAL HEALTH PROFESSIONALS Gabbard (1996) analyzed 80 cases of his own therapy clients who themselves engaged in therapist sexual misconduct with clients. Based on these cases, Gabbard described a number of factors associated with sexual misconduct; (a) psychological disorders, (b) clinical error, (c) poor training, (d) personal vulnerabilities, and (e) the secrecy of the therapy sessions themselves. Gabbard observed that sexual misconduct in this context often results from a series of errors of technique, judgment, and clinical assessment that occur along what is referred to as the "slippery slope." Those who cannot set limits are seen as particularly at risk for boundary violations. A common pattern is

that when no disaster results after one boundary crossing, the therapist develops a false sense of security that leads to a progressive slide down the slope.

Aside from contextual factors, Gabbard proposes four categories of antecedent psychological conditions: psychotic disorders, predatory psychopathy and paraphilias, lovesickness and masochistic surrender. The psychotic disorders were the least common disorders including bipolar affective disorder, paranoid psychosis, schizophrenia, and psychotic organic brain syndrome. The second group, those with predatory psychopathy and paraphilias, includes not only antisocial personality disorders but also severe narcissistic personality disorders with prominent antisocial features. Gabbard described those with paraphilic impulses as having a severely compromised superego and character pathology on the narcissistic to antisocial continuum. When these individuals are caught, they may pretend to be remorseful and claim love for their client. Since they are masters at manipulation, they often escape severe legal or ethical sanctions. Because these individuals lack empathy or concern for the victim, they do not feel remorse or guilt for what they have done. Some of these therapists have a profound history of abuse or neglect and their exploitation of others is an effort to achieve mastery of passively received trauma (Schwartz, 1992).

The third category is described as lovesick, and includes therapists with a less severe form of narcissistic personality disorder that lacks the antisocial features typical of the predatory group just described. These individuals have a desperate need for validation, a hunger to be idealized, and a tendency to use patients to regulate their self-esteem. Gabbard reports that some of these lovesick offenders are essentially "normal" individuals with neurotic problems who are in the midst of a life crisis.

The last category of offender is the therapist with fundamentally masochistic and self-destructive tendencies who allows himself to be intimidated or controlled by a patient, despite awareness of the negative consequences of such behavior. These therapists have difficulty controlling their anger and setting limits with the patient. When the patient challenges the therapist to the point of intense resentment, the therapist acts out to reduce the anger that both parties feel. These therapists over-identify with the patient; both typically have abuse histories.

Similar to Gabbard, Schoener (1995) developed a typology of 6 types of offenders based on evaluations of impaired practitioners: 1) psychotic and severe borderline disorders, 1a) manic disorders, 2) sociopaths and severe narcissistic personality disorders, 3) impulse control disorders, 4) chronic neurotic and isolated, 5) situational offenders, and 6) naïve. Category 1, the psychotic and severe borderline disorders group, represents only a small number of impaired providers; they have boundary difficulties due to problems with both impulse control and thinking. Category 1a, manic disorders, includes those diagnosed with manic conditions who discontinue medication and act out impulsively. Category 2, sociopaths and severe narcissistic personality disorders, are self-centered exploiters who violate boundaries whenever it meets their needs. Category 3, impulse control disorders, includes providers with a wide range of diagnoses including paraphilias and other impulse control disorders. Category 4, chronic neurotic and isolated providers, are those who are chronically emotionally needy; they meet their emotional

needs through their relationships with their clients. Category 5, situational offenders, are providers who are generally healthy with a problem-free practice history and absence of boundary problems; however, a situational breakdown in judgment or control occurs in response to a life crisis. The final category, the naïve offender, has no pathology, but has deficits in social judgment that cause difficulty understanding and operating within professional boundaries.

Jackson and Nuttal (2001) identified several factors that place therapists at risk for engaging in sexual behavior with clients. They studied 323 mental health professionals who were randomly drawn from a national sample of social workers, psychiatrists, and psychologists. Of the professionals who had been sexually abused as children, 21% had engaged in sex with their clients. Only 6% of those with no sexual abuse history reported such violations. There was no relationship between childhood physical abuse and professional sexual boundary violations. Additional analyses revealed that those who reported a history of severe childhood sexual abuse were more than 4 times as likely as those in the no sexual abuse category to have committed sexual misconduct and more than 3 times as likely as those in the moderately sexually abused category to have sexually violated their clients. The following significant correlations were found for sexual activity with a client: paranoid ideation (.25), anxiety (.22), psychoticism (.22), depression (.21), hostility (.21), interpersonal sensitivity (.20), somatization (.20), obsessive-compulsive disorder (.18), and phobic anxiety (.18). These results provide further support for the conclusions that diverse types of psychological conditions are associated with sexual misconduct.

Hamilton and Spruill (1999) addressed the issue of sexual misconduct involving therapists-in-training and their clients. In addressing trainee characteristics that serve as risk factors of sexual misconduct, loneliness was a prominent factor. Loneliness and problems with personal relationships have been previously cited as factors in the development of sexual relationships with clients (e.g., Gabbard, 1994; Glasser & Thorpe, 1986). Hamilton and Spruill note that "In all cases of sexual intimacy with a client about which we have known, the offender, whether a student or a professional, seemed somewhat isolated and not part of the "group" of their peers" (p. 318).

Folman (1991) reviewed the research on sexual misconduct between therapists and their clients. She observed that a large proportion of sexual misconduct offenders are character-disordered or have drinking problems. Folman also reported a smaller proportion of offending therapists who are at a critical time in their lives, when critical life events combine to increase vulnerability and risk for acting out sexually. Examples include a therapists—who is in his mid-forties who is lacking intimacy in his life, feels lonely, is perhaps separated or divorced, and feels isolated at the time of the sexual misconduct.

Folman points to the erosion of boundaries as the most consistent precipitant of sexual misconduct. Sexual offenders have been quoted as saying, "I found myself doing things I do not normally do with other patients" (p. 170). If these warning signs are ignored, the therapist can progress to more overt behavioral changes in the way therapy is conducted (e.g., lengthening sessions, giving rides home, arranging for meetings outside therapy hours). Further blurring of

boundaries occurs and the client frequently starts taking care of the therapist. At this point, boundaries are essentially non-existent and exploitation can occur easily.

**PROFESSIONALS.** Research of a variety of types has addressed sexual misconduct among medical professionals. The majority of this research focuses on sexual misconduct of physicians/psychiatrists and on professional, legal, ethical, training, actuarial profiles of misconduct, and treatment issues (See, e.g., Bloom, Nadelson & Notman, 1999). This review describes the small amount of empirical research that has addressed psychological conditions as antecedents of sexual misconduct.

Roback, Strassberg, Iannelli, Finlayson, Blanco and Neufeld (2007) investigated the psychological conditions associated with three samples of physicians referred for professional behavioral misconduct – "sexual boundary violators" (n = 25), "behaviorally disruptive" (n = 39) and "other misconduct" (n = 24). The MMPI-2 and the Personality Assessment Inventory (PAI) were administered to referrals. Results clearly distinguished the sexual violators from both the behaviorally disruptive (uncontrolled anger and demeaning conduct) and others (substance abuse, emotional instability, professional irresponsibility). On both the MMPI-2 and PAI, sexual violators were half as likely to show "normal" profiles. Their profiles showed stronger indications of character/personality disorders. On the MMPI-2, 35% of the sexual violators showed indications of "characterological" features, which include antisocial attitudes/behaviors, impulsivity, poor judgment, suspiciousness, cynicism, anger, and hypersensitivity to criticism. Only half as many, 18%, of the behaviorally disruptive and other misconduct physician showed MMPI-2 characterological features. Similarly, 40% of the sexual violators showed antisocial profiles of results (antisocial features, antisocial behaviors, mania, grandiosity, and alcohol and drug problems) whereas only 8% of the others showed antisocial profiles.

These results were consistent with the much smaller study by Garfinkle, Bagby and Waring (1997) showing 2 psychiatrists with licenses revoked for sexual misconduct to demonstrate higher MMPI levels of antisocial and narcissistic traits and higher defensiveness compared to 38 psychiatrists without such allegations. Roback et al's results were modestly similar to Langevin, Glancy and Curnoe's (1999) results in a somewhat different type of study in which 19 physicians who committed sexual assault against patients/staff showed high MMPI levels of defensiveness as well as depression and anxiety.

Although this review does not report summaries of clinical findings, it is worth noting that the results from Roback et al. and Garfinkle et al. are consistent with the clinical findings reported by Abel and Osborn (1999) in, perhaps the most comprehensive summary of physician sexual misconduct treatment outcomes within a homogeneous treatment program (cognitive-behavioral treatment). Abel and Osborn noted that physician sexual violators have minimal empathy for their victims and tend to neutralize their actions by cognitive distortion, justifications and rationalizations. Similarly, in a theoretical analysis of case study information

Sealy (2002) described the cognitive distortions of physician sexual violators to include denial, entitlement, negotiable boundaries, minimization and narcissism.

While the empirical evidence is slight, it is clear. Physicians who commit sexual misconduct in their work context show indications of Antisocial PD and psychopathic traits.

PSYCHOLOGICAL CONDITIONS AS ANTECEDENTS OF SEXUAL MISCONDUCT BY CLERGY. Consistent with research in the medical profession, few studies of clergy sexual misconduct have empirically evaluated psychological conditions as predictors of such misconduct. Two studies stand out. Gafford (2001) and Irons and Laaser (1994) reported clinical assessments of clergy referred for sexual misconduct where the assessments were based on MMPI results as well as other assessments. Gifford reported clinical assessments of a diverse group of 192 Roman Catholic clergy, 61 nuns and 131 priests, who had been referred for a range of behavioral misconduct, including sexual misconduct, and /or emotional distress. This sample included priests whose misconduct included child sexual abuse. Two clusters of assessment profiles emerged for the child sexual abusers – severely psychiatrically disturbed and characterological

clusters. For non-abusers, other clusters emerged including emotionally undeveloped and

maldeveloped clusters.

In contrast to the sample in the Gafford study, which included diverse forms of behavioral misconduct, Irons and Laaser (1994) reported clinical assessments of 25 clergy (including 13 Episcopalian and 6 Roman Catholic priests) all of whom had been referred for sexual misconduct. The forms of sexual misconduct in this sample were primarily extra-marital and/or "consensual" adult sexual relationships with church members. Only 3 cases involved sex with minors and no cases involved physical force or threat of force to obtain sexual contact. In this relatively homogeneous sample, 60% (15) were diagnosed as having a sexual disorder and 24% (6) were diagnosed with a personality disorder, half of whom were narcissistic. When considering non-disordered personality traits 11 showed narcissistic tendencies, 9 dependent and 8 obsessive-compulsive. Only 1 showed antisocial tendencies.

Gafford noted that compared to the general sex offender population, this sample of 25 clergy showed very little evidence of antisocial or psychopathic features. Given Irons and Laaser's result that clerical child sex abusers are characterized as severely psychiatrically disturbed and "characterological" (antisocial features and behaviors), the implication is that the psychological conditions that are antecedent to forced, violent child sex abuse are quite different than the antecedent conditions for non-forced, "consensual" sexual misconduct.

Unlike the more homogeneous results for physician misconduct, results for clergy and psychologist misconduct demonstrate a more diverse range of psychological antecedents. While all forms and psychologist, clergy and physician sexual misconduct represent betrayals of trust, it is unclear which form of sexual misconduct provides a better fitting model of security violation behavior.

OVERALL OBSERVATIONS ABOUT PROFESSIONAL SEXUAL MISCONDUCT AS AN ANALOG TO SECURITY VIOLATION BEHAVIOR. A pattern emerges from the evidence about sexual misconduct by professionals. This pattern emphasizes the importance of psychological conditions ranging from narcissism, lack of empathy, paraphilias, loneliness/lovesickness, antisocial personality disorders, impulse control disorders in combination with and the dynamic of progressive boundary violations that go unpunished brought about by errors in judgment, poor clinical skills and/or other local contextual factors. While the severity of some of psychological conditions is beyond conditions reported in cases of espionage, a similar pattern of psychological characteristics and local events or circumstances leading to progressive boundary violations is frequently noted in reviews of espionage cases.

### LEVEL 3 EVIDENCE

This review of Level 3 evidence focuses on the relationships between personality attributes that underlie behaviors encompassed by the Psychosocial Guidelines and counterproductive work behavior as an analog of security violation behavior. To ensure that readers have a common understanding of the meaning of personality attributes as they are described in this research literature, a brief overview of personality traits is provided here. Following this overview, recent research is reviewed that identifies the personality attributes underlying the clinical psychological attributes captured by Guidelines D (Sexual Behavior – Disorder), G (Alcohol Consumption), H (Drug Involvement), and especially I (Psychological Conditions).

### Personality Traits: An Overview

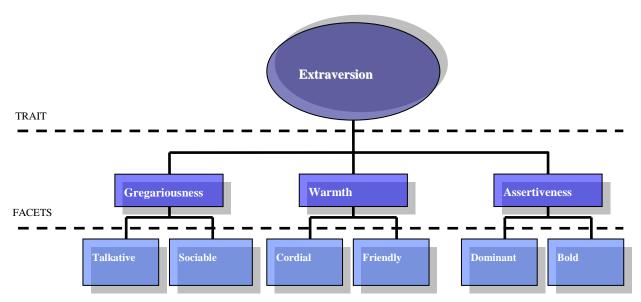
Personality traits have at least three important characteristics. First, they are continuous. Personality psychologists conceive of people as situated along a given trait in a relatively normal distribution, with the bulk of people falling toward the center and fewer lying at the extremes (McAdams, 2001). Traits are also bipolar. The poles of a trait continuum are marked by descriptors opposite in meaning. For example, the trait of sociability is characterized by adjectives such as outgoing or talkative at one pole and reserved or shy at the other pole. As with other traits, most of the population falls toward the middle of this continuum, with very few people described as extremely outgoing or painfully shy.

A second important characteristic of personality traits is they describe, and are thought to explain or cause, stability in thoughts, feelings, and behavior. Personality researchers have found that individuals' personalities are remarkably stable over the course of their lives. This stability is due, at least in part, to the genetic basis of personality traits, which researchers have estimated at around 40% (Dunn & Plomin, 1990). Heritability estimates do vary, however, with the trait under consideration. Estimates can range from 37% to 65% (Jang, Lively, & Vernon, 1996; Tellegen, Lykken, Bouchard, Wilcox, Segal, & Rich, 1988).

Though personality is consistent over the course of one's life, there is evidence for at least some change, with the greatest stability reached around age 30 (Costa & McCrae, 2002). For example, research has shown that people become more responsible and demonstrate higher levels of self-control as they get older (Helson & Moane, 1987). Such malleability is likely due to environmental influences which Dunn and Plomin (1990) estimate to be in the neighborhood of 40%. While a person's standing on a trait may change slightly over the course of his life, his ranking relative to others in his own age cohort is quite stable (McAdams, 2001). That is, a person high in responsibility will remain high relative to others in the cohort, even as the entire cohort population experiences change in this trait.

A third characteristic of traits is their structure or organization. Over the past few decades, personality researchers have sought to identify the most fundamental traits. This work

shows that traits can be organized hierarchically, with the narrowest and most specific traits at the bottom of the hierarchy and the broadest and most general traits at the top (e.g., Costa & McCrae, 1992; Goldberg, 1990; Tellegen, 1985). To illustrate, the hierarchical organization of Extraversion is presented in Figure 1.



CHARACTERISTIC THOUGHTS, FEELINGS, BEHAVIORS

Figure 1. Structure of Personality Traits: The Example of Extraversion

At the bottom of this hierarchy are *Characteristic Thoughts, Feelings and Behaviors* such as talkative and dominant. Typically, characteristic thoughts, feelings, and behaviors are captured by items that a person uses to describe themselves or significant others. For example, a person may be asked to respond to a survey item reading "I am happiest when I am alone" by indicating the extent to which it describes him or her. At the next level are *Facets*. Facets represent clusters of characteristic thoughts, feelings and behaviors. These clusters are based on underlying commonalities among characteristic thoughts, feelings, and behaviors. For example, a person describing himself as talkative is also likely to indicate that he prefers social interaction and that he does not like to be alone. At the next level are *Traits* which are clusters of facets. As with clusters of characteristic thoughts, feelings, and behaviors, these clusters are based on underlying commonalities. With Traits, however, these groupings are based on commonalities among facets. For example, a person that describes herself as high in the facet of Gregariousness is also likely to describe herself high in the facets of Warmth and Assertiveness.

While the hierarchical structure of personality has been replicated consistently across studies, the number and content of traits and facets has been the subject of considerable debate. Some personality psychologists have found evidence for three traits (e.g., Eysenck, 1967; Tellegen, 1985), while others have found evidence for five (Costa & McCrae, 1992). There has

also been disagreement about the number of facet dimensions. Tellegen (1985) has found evidence for 10 facets, while Costa and McCrae (1992) have found evidence for 30. While there has been some controversy over the number and content of traits and facets, empirical comparisons of alternative taxonomies have indicated that the differences are more apparent than real. Research indicates that major personality taxonomies overlap considerably, and differences are due primarily to measurement issues, such as differential emphasis on trait content or the blending of traits more clearly delineated in alternative taxonomies (Church, 1994; Costa & McCrae, 1995).

A review of the available literature indicates that several personality traits are linked to both psychosocial behaviors behavior and one or more of the analogs of security violation behavior. In the following section, these traits are briefly described and evidence linking them to analogs of security behavior is summarized. This research provides a clearer picture of the personality attributes associated with workplace behaviors that are similar to national security behavior and may ultimately inform the development and/or provision of better/additional indicators for risk assessment.

### Personality Traits Associated with clinical psychological conditions

Level 3 evidence is about the predictive relationships between personal attributes underlying the Psychosocial Considerations Guidelines and analogs to security violation behavior. In order to organize and summarize Level 3 evidence it is necessary to identify the personal attributes that underlie the Psychosocial Considerations Guidelines. The approach taken to this task in this White Paper is to summarize research linking personality traits associated with the Five Factor Model (FFM; Big Five) of personality to the taxonomy of clinical disorders relevant to Guideline I Psychological Conditions. We use the FFM of personality for two primary reasons. First, it has attained the status as the most comprehensive model of personality differences that is consistently supported by empirical research. Second, the vast majority of research about personality and workplace behavior in the previous 20 years has relied on the FFM model for describing the key personality attributes. We focus on Guideline I behaviors because, effectively, Guideline I encompasses the full range of diagnostic psychological conditions, including those that are relevant to disordered sexual behavior, alcohol consumption and drug involvement. For those personality attributes shown to underlie the meaning of the clinical psychological conditions represented by Guideline I, research will be reviewed that investigated their predictive relationships to analogs of security violation behavior.

Several empirical research efforts have sought to describe the linkage between FFM personality traits and one or more clinical psychological conditions (See, e.g., Blair, 1997; Furnham & Crump, 2005; Lyman & Widiger, 2007). These diverse studies typically show consistent patterns of relationship between the FFM traits (Conscientiousness, Extraversion, Openness, Neuroticism (Emotional Stability) and Agreeableness) and the targeted clinical psychological diagnostic conditions, such as ASPD, Psychopathy, and Narcissism.

Recently, however, Widiger, Livesley and Clark (2009) aggregated theoretical and empirical analyses to propose a fully integrated model of the linkage between FFM normal, adaptive personality traits and abnormal, maladaptive personality traits used to describe personality disorders (PD). A primary conclusion of Widiger et al's research is that a dimensional model of abnormal, maladaptive personality traits representing information captured in the 10 DSM-IV personality disorders is closely linked to the dimensions of meaning underlying FFM. The clearest representation of this relationship was provided by Lynam and Widiger (2001) in their theoretical analysis of the overlap in meaning between the FFM traits and the 10 DSM-IV personality disorders. Table 6 summarizes Lynam and Widiger's results in a format relevant to this White Paper. For each of the FFM traits, Table 6 names the DSM-IV personality disorders judged to overlap in meaning by a panel of 197 clinical experts. At least 23 experts provided judgments of overlap for each personality disorder. For each personality disorder, experts judged the relevance of each of six facets for each FFM. The facets use for each FFM trait were those associated with the NEO-PI inventory of personality (Costa & McCrae, 1992). The minus and plus signs in parentheses to the right of each personality disorder indicate the judged direction of the relationship between each facet within an FFM trait and the

disorder. In several cases, most often with Neuroticism, there is both a minus and a plus sign. This pattern indicates that different facets within a FFM trait were judged to relate in opposite directions with a personality disorder. For example, experts judged the Anxiousness facet of Neuroticism to be negatively related to Antisocial PD and the Angry Hostility facet to be positively related to Antisocial PD.

Table 6. Lyman and Widiger (2001) linkage between FFM Traits and DSM-IV Personality Disorders

Conscientiousness	Agreeableness	Openness	Extraversion	Neuroticism
Compulsive (+)	Paranoid (-)	Paranoid (-)	Paranoid (-)	Paranoid (-)
Schizotypal (-)	Antisocial (-)	Schizoid (-)	Schizoid (-)	Schizotypal (+)
Antisocial (-)	Histrionic (+)	Schizotypal (+)	Schizotypal (-)	Antisocial (-/+)
Borderline(-)	Narcissistic (-)	Antisocial (+)	Antisocial (+)	Borderline (+)
Histrionic (-)	Avoidant (+)	Borderline (+)	Histrionic (+)	Histrionic (-/+)
	Dependent (+)	Histrionic (+)	Narcissistic (-/+)	Narcissistic (-/+)
		Narcissistic (-/+)	Avoidant (-)	Avoidant (-/+)
		Avoidant (-)	Dependant (-)	Dependent (-)
		Compulsive (-)	Compulsive (-)	Compulsive (-/+)

The clear conclusion from this mapping is that all FFM traits bear some overlap in meaning with several, and often most, DSM-IV personality disorders. This is a manifestation of the multi-dimensionality of meaning associated with the personality disorder constructs embedded in DSM-IV.

Table 6 does not provide direct evidence of the linkage between FFM traits and Psychopathy because it is not classified as a personality disorder in DSM-IV. However, additional research by Lynam and Widiger (2007) and others has demonstrated empirical relationships between Psychopathy assessments and all five FFM traits.

For the purposes of this White paper, the conclusion to be drawn is that all five FFM traits have been shown to underlie the meaning of key DSM-IV personality disorders and, consequently, diagnostic conditions. Given that result, Level 3 evidence is reviewed below for each FFM trait for which there is meaningful evidence available linking it an analog of security violation behavior.

# Personality Traits as Predictors of Counterproductive Work Behavior (CWB)

In this section on Level 3 evidence, research is reviewed for each FFM trait for which meaningful research is available regarding CWB. No research is presented for Openness because the CWB research shows no meaningful evidence linking it to negative work behaviors. In addition, research is reviewed for three non-FFM personality attributes - self-control, locus of control and affect. We make this choice because the research reporting about these personality attributes does not use labels typical of the FFM framework. Finally, we review a small amount of research about moral identity, which is not a personality trait but is a social cognitive self-identity individuals rely on in making decisions about intentional workplace behavior (and other behavior) that has moral/ethical aspects. Many forms of counterproductive work behavior have moral/ethical aspects because they involve intentional behavior that causes harm to individuals or the organization. Examples of such workplace behavior include time/materials theft, interpersonal sabotage, and deliberately unproductive work.

### Counterproductive Work Behavior

Counterproductive work behavior is "any intentional behavior on the part of an organization member viewed by the organization as contrary to its legitimate interests" (Sackett, 2002, p. 5). Counterproductive work behavior includes acts of aggression (physical and verbal), hostility, sabotage, theft and withdrawal (e.g., absence, lateness, turnover). Counterproductive work behavior is relevant to the security context as an analog of security violation behavior. Some examples of counterproductive work behavior could also be considered security violations, such as sabotage, theft, stealing, misuse of information (reveal confidential information, falsify records), and failure to follow safety procedures. Other examples of counterproductive work behavior are directly relevant to the adjudicative guidelines, such as alcohol use, drug use, and computer fraud. Counterproductive work behavior is commonly divided into two dimensions: behaviors that are intended to harm the organization and behaviors that are intended to harm individuals (Gruys, 1999; Robinson & Bennett, 2000). Spector and Fox (2005) describe two distinct motives states for counterproductive work behavior: volition of behavior and intentionality of the harmful outcome. Human aggression research has addressed the motive of intentional harm for counterproductive work behavior and has found relationships with anger and other negative emotions.

This report uses counterproductive work behavior as a broad term that refers to all negative extra-role organizational behavior which includes workplace deviance and workplace aggression. Workplace deviance is a similar psychological construct to counterproductive work behavior as both constructs capture the same types of behavior, but workplace deviance is more narrowly defined (i.e., behavior has to violate norms). Robinson and Bennett (1995) have defined workplace deviance as "voluntary behavior that violates significant organizational norms

and, in so doing, threatens the well-being of the organization or its members, or both" (p. 556). Because workplace deviance does not specify an underlying motive, it is unlike aggression (causing harm), retaliation (causing harm) or revenge (restoring social order). Workplace aggression is limited to behavior that is intended to harm organizations and the people in them (Neuman & Baron, 1997, 1998). Counterproductive work behavior does not require specific intent to harm; however, the behavior must be intentional. Because these behaviors have been examined within an organization and involve workplace behavior that causes harm to the organization or people in the organization, counterproductive work behavior, workplace deviance, and workplace aggression are considered analogs of SVB for the purposes of this paper.

Individuals who engage in one type of counterproductive work behavior are likely to engage in another type of counterproductive work behavior. Sackett (2002) supports this idea of co-occurrence among types of counterproductive work behaviors. Sackett found from other published research that there is a moderate relationship between individual counterproductive behaviors and strong relationships between interpersonal and organizational dimensions of counterproductive work behavior. Gruys and Sackett (2003) present the argument that since all the categories of counterproductive work behavior are positively related, if an individual engages in one type of counterproductive work behavior then they are likely to engage in another type of counterproductive work behavior have shared antecedents. Those shared antecedents of counterproductive work behavior are grouped in three categories: personality traits, attitudes, and work environment/situations/context.

#### Conscientiousness

Conscientiousness is a tendency to be dutiful, achievement-oriented, and disciplined. Individuals who are low on conscientiousness tend to be careless, unorganized, spontaneous, and lack self-discipline. Of the Big Five personality traits (conscientiousness, agreeableness, emotional stability, extraversion, and openness to experience), conscientiousness had the strongest relationship to counterproductive work behavior (Sackett & DeVore, 2001). Individuals low on conscientiousness are more likely to engage in counterproductive work behaviors.

Sarchione, Cuttler, Muchinsky and Nelson-Gray (1998) examined the predictability of dysfunctional job behaviors among law-enforcement officers. The dysfunctional behaviors included use of excessive force, sexual misconduct, substance use, insubordination, embezzlement of property, lying, multiple motor vehicle violations, inappropriate verbal conduct toward the public, and multiple duty responsibility violations. The six predictors included three facets of conscientiousness (responsibility, socialization, and self-control), and three life history indices (drug use, criminal, and work). Results indicated that all facets of conscientiousness predicted dysfunctional behavior and that responsibility was the strongest predictor of the three facets. Low scorers were seen as careless, impulsive and having little sense of duty. The

socialization subscale assessed integrity and compliance with rules and regulations; low scores on this scale reflect a tendency to engage in risk-taking or rebellious behavior. The third conscientiousness facet, self-control, reflected a freedom from impulsivity; low scores tend to reflect unpredictability and excitement seeking. These findings are consistent with those of Ones et al. (1993) who found that conscientiousness was a valid predictor of counterproductive behavior such as theft, absenteeism, tardiness, and disciplinary problems.

Black (2000) explored a sample of New Zealand police recruits who were screened with the NEO-PI-R (Schinka, Kinder, & Kremer, 1997), a comprehensive instrument assessing the Big Five constructs of neuroticism, extraversion, openness to experience, agreeableness, and conscientiousness and their performance in training. Results indicate that conscientiousness was the best predictor of overall training performance.

The dependability (tendency to be reliable and someone that others can trust) and achievement (tendency to strive to be successful in life) facets of conscientiousness are also negatively related to counterproductive work behavior (Sackett & DeVore, 2001). Individuals low on dependability or achievement are more likely to engage in counterproductive work behavior. Cullen and Sackett (2003) argue that the subjective norm component of behavioral intentions will be weakened for individuals low on the dutifulness facet of conscientiousness (tendency to meet obligations and act in accordance to rules and/or norms) and these individuals will be more likely to engage in counterproductive work behavior. Cullen and Sackett argue that conscientiousness is one of the main moderators between cognitive, affective, and emotional reactions to counterproductive work behaviors.

### **Integrity**

Research about integrity is presented here as a subset of Conscientiousness research because Integrity is a work-oriented composite of personality traits that depends more on Conscientiousness than any other trait.

Individuals who have integrity are honest and ethical. Integrity tests are often used to inform selection decisions as integrity predicts counterproductive work behavior, an analog to security violation behavior (Mastrangelo & Jolton, 2001; Ones, Viswesvaran, & Schmidt, 1993, 2003). Ones, Viswesvaran, and Schmidt (1993) showed in their meta-analysis that integrity tests are useful in predicting job performance ( $\rho$  = .34, k = 222) and counterproductive behaviors (i.e., theft, disciplinary problems, and absenteeism;  $\rho$  = .47, k = 443). There are two types of integrity tests: (1) overt integrity tests which measures both attitudes toward theft and admissions of theft (Sackett & Wanek, 1996) and (2) personality-based integrity tests which measures the personality traits of conscientiousness, agreeableness, and emotional stability (Ones et al., 1993; Sackett & Wanek, 1996). Some overt integrity tests include items specifically asking individuals about substance use. Substance use is then treated as a predictor of counterproductive work behavior in those overt integrity tests. Substance use is also commonly treated as a specific type of counterproductive work behavior. In a meta-analysis, Ones et al. (2003) supported using personality-based integrity tests to predict absenteeism, a specific type of counterproductive

work behavior ( $\rho$  = .33, k = 18). Conscientiousness was found to account for the most variance in personality-based integrity tests compared to agreeableness and emotional stability (Ones et al., 1993).

Mastrangelo and Jolton (2001) assessed two forms of counterproductive work behavior, antagonistic behavior and time theft in their study. Antagonistic behavior includes: accidentally damaged property without reporting it, damaged company property on purpose, acted unsafely (didn't clean up, lifted unsafely), taken property from employer without permission, done work badly or inaccurately on purpose, hurt or injured yourself at work, shared confidential information with unauthorized people, and argued with your supervisor. Time theft includes: come late to work without permission, been absent from work without legitimate excuse, faked an illness and called in sick, extended your breaks or lunches without permission, and taken money from your employer without permission. They demonstrated that the participants who admitted to on-the-job substance abuse through an overt integrity test were more likely to engage in antagonistic behavior (r = 0.27) and time theft (r = 0.18), which are forms of counterproductive work behavior, when substance abuse is scored dichotomously (abuser versus non-abuser). When substance abuse is scored continuously, participants who admitted to substance abuse were more likely to engage in antagonistic behavior (r = 0.33) but not more likely to engage in time theft (Mastrangelo & Jolton, 2001). Mastrangelo and Jolton also found that individuals who engaged in both time theft and antagonistic behaviors also self-reported more negative behaviors on each of the scales of the integrity test (honesty, drug avoidance, customer relations, safety, work values, supervision attitudes, and tenure).

Dishonest (e.g., taking merchandise) and counterproductive/borderline (e.g., leaving work a few minutes early) behaviors were negatively related to integrity test scores, drug avoidance, customer relations, safety, work values, supervision attitudes, and employability index but were positively related to theft admissions (Ryan, Schmit, Daum, Brutus, McCormick, & Brodke, 1997). Individuals who were classified as dishonest by their integrity test scores also perceived behaviors and situations (deterrents, policies, and risks/facilitators) differently from individuals who were classified as honest by their integrity test scores (Ryan et al., 1997).

Casillas, Robbins, McKinniss, Postlethwaite, and Oh (2009) found that the personality traits thought to underlie integrity (conscientiousness, agreeableness, and emotional stability) are negatively related to counterproductive work behaviors and counterproductive work behaviors are related to workplace safety. Casillas et al. also showed that individuals who score high on integrity also tend to have more positive work attitudes while individuals who engage in counterproductive work behaviors also engage in unsafe or risky behaviors.

### **Agreeableness**

Agreeableness is a tendency to be cooperative, helpful, easy to get along with, and compassionate. Individuals who are low on agreeableness tend to be suspicious, unfriendly, uncooperative, and not concerned with the feelings of others. Agreeableness is related to counterproductive work behavior such that individuals who are low on agreeableness are more

likely to engage in counterproductive work behavior (Sackett & DeVore, 2001). Cullen and Sackett (2003) argue that the subjective norm component of behavioral intentions will be weakened for individuals low on the compliance facet of agreeableness (tendency to conform) and these individuals will be more likely to engage in counterproductive work behavior. Flaherty and Moss (2007) showed that when agreeableness was low, distributive justice (the fairness of received outcomes) reduced counterproductive work behaviors. When agreeableness was high, distributive justice increased counterproductive work behaviors (Flaherty & Moss, 2007).

### **Neuroticism (Emotional Stability)**

Neuroticism is a tendency to easily experience unpleasant emotions, such as guilt, anger, anxiety, and depression. Neuroticism and emotional stability are two names for the same construct and represent opposing ends on a single continuum. Neuroticism represents the negative aspect of this trait while emotional stability represents the positive aspect. Individuals high on neuroticism/low on emotional stability tend to be emotionally reactive, more likely to interpret situations as threatening, and vulnerable to stress.

In their comprehensive review of research on CWB and personality antecedents Sackett and Devore (2001) concluded that Neuroticism was related to CWB with a low effect size (r = .14). This conclusion was based on summary analyses of 24 studies of the Neuroticism – CWB relationship. Similarly, Martinko, Gundlach, and Douglas (2002) found that individuals high on Neuroticism may be more likely to show a hostile attribution style, in which "individuals attribute failures to external stable and intentional causes" (p. 44). This attribution style may provide an explanation for the relationship that more neurotic workers tend to exhibit more CWBs. Individuals high on Neuroticism may be more inclined to focus on the negative aspects of their work environment and disregard the positive which tends to leads to more negative behavior in the workplace (Cullen & Sackett, 2003). Individuals who are high on Neuroticism are also predisposed to react more dysfunctionally to stressors (Spielberger, Gorsuch, & Lushene, 1970). Flaherty and Moss (2007) found that among workers low in Neuroticism, their perception of the degree to which other workgroups receive fair treatment reduced their own likelihood of CWBs. In contrast, among workers higher in Neuroticism, the perception that other workers were receiving fair treatment increased their tendency to exhibit CWBs (Flaherty & Moss, 2007).

#### Extraversion

Several studies have provided evidence suggesting that those higher in Extraversion or Excitement-Seeking are more likely to engage in counterproductive work.

Salgado (2002) conducted a meta-analysis of 17 CWB studies appearing in the literature between 1990 and 1999. The results showed that Extraversion was unrelated to a measure of CWB encompassing workplace theft, admissions of workplace theft, disciplinary problems,

substance abuse, property damage, and organizational rule-breaking ( $\rho$  = -.01). Though Salgado's (2002) work suggests that Extraversion is unrelated to CWB, Berry, Sackett, and Ones (2007) found evidence suggesting that Salgado's use of a general measure of CWB may have masked Extraversion's differential relationships with interpersonal and organizational CWB. In particular, Berry et al. conducted a meta-analysis of 31 published and unpublished CWB studies and found evidence that Extraversion was negatively related to organizational CWB ( $\rho$  = -.09) but was unrelated to interpersonal CWB ( $\rho$  = .02). Extraversion was more strongly related to organizational deviance than interpersonal deviance. Furthermore, the results indicate that highly extraverted people are less likely to engage in organizational CWBs, such as intentionally withholding effort, stealing from the company, and sharing classified company information, than those lower in Extraversion.

Three studies have provided data on the relationship between the primary traits subsumed by Extraversion and CWB. Hastings and O'Neill (2009) asked 189 college students to complete a personality measure and indicate how often they engaged in a number of CWBs. Correlation analysis indicated that Extraversion was unrelated to CWB (r = .12, ns). However, Excitement-Seeking was positively related to CWB (r = .17). Hastings and O'Neill also found evidence that Warmth was negatively related to CWB (r = -.15). That Excitement-Seeking and Warmth were related to CWB in opposing ways might explain why Extraversion is not consistently associated with CWB, as their effects may cancel each other out. Marcus and Schuler (2004) found evidence that Excitement-Seeking was positively related to a general measure of CWB (r = .27)in a sample of 174 employees from two organizations in Germany. Diefendorff and Mehta (2007) tested a series of hypotheses proposing that different motivational traits are related to counterproductive work behavior. Included among these traits was Behavioral Activation System (BAS) Sensitivity. The BAS is a physiologically-based system manifest in perceptual readiness for and strong emotional reactions to cues of nonpunishment or reward (Gray, 1982). Individuals high in BAS sensitivity are chronically under stimulated and seek novel activities that will increase their arousal (Carver & White, 1994). Activation of the BAS is associated with impulsivity, sensation seeking, a strong drive to attain goals, and the experience of positive emotions (Torrubia, Avila, Motto, & Caseras, 2001). BAS sensitivity overlaps both conceptually and empirically with the primary trait of Excitement-Seeking. Diefendorff and Mehta hypothesized that BAS sensitivity would be positively related to both interpersonal and organizational deviance because such behaviors, being risky in nature, increase arousal and can provide one with a sense of novelty. The results indicated that BAS sensitivity was positively related to both interpersonally- and organizationally-targeted CWB (r = .36, and r = .23, respectively) in a sample of 392 employed undergraduates. These relationships accounted for organizational frustrations and other motivational traits, such as feelings of personal mastery and competitiveness.

#### Locus of control

Locus of control is one's belief about who has control over reinforcement. Individuals with an external locus of control believe other people or outside forces control what happens to them. Individuals with an internal locus of control believe they control reinforcement.

In an examination of Locus of Control as a predictor of employee termination for assaulting patients in a residential treatment facility (an extreme form of CWB), Perlow and Latham (1993) found that external Locus of Control predicted the likelihood of termination. Similarly, Fox and Spector (1999) used the work-specific Work Locus of Control Scale (Spector, 1988) to measure Locus of Control and found external Locus of Control was related to both organizational (r = .32) and interpersonal (r = .19) CWB. Martinko et al. (2002) also demonstrated that workers with an external Locus of Control were more likely to engage in counterproductive behaviors. External Locus of Control increases the likelihood that frustrating, negative or challenging events in the workplace will lead to more emotional and more impulsive responses to those events.

Research has also investigated a possible moderating role for Locus of Control. Storms and Spector (1987) found that the relationship between perceived frustration and sabotage (e.g., damage equipment or property of the organization on purpose) changed depending on whether individuals had an external or internal Locus of Control. Behavioral reactions for individuals with an internal locus of control were not affected by frustration, but individuals with an external locus of control were likely to respond to frustration with emotional, impulsive counterproductive behavior. (As a cautionary note, Spector and Fox (1999) were unable to replicate this moderator effect.) They also found a significant but moderately small correlation between Work Locus of Control and overall CWB (r = .16).

#### Self-control

Self-Control is the ability and tendency to regulate one's behavior based on normative influences as well as a consideration of the consequences of one's behavior. Low Self-Control manifests itself as a tendency to engage in behaviors providing immediate satisfaction without regard for long-term consequences.

The research on CWB largely takes place within the scientific discipline of industrial-organizational psychology. The vast majority of research within that discipline that focuses on personality factors underlying CWD uses "Big 5" oriented personality assessment tools, which do *not* include a Self-Control factor in their model of personality. For example, in Sackett and Devore's (2001) extensive review of studies of personality and CWB in the I-O psychology domain, no personality attribute was described as Self-Control. For this reason, there is little research that specifically evaluates the relationship between measures of Self-Control and CWBs. (This stands in stark contrast to the research in the criminal behavior domain in which a large number of studies have addressed the relationship between Self-Control and criminality.) However, Robinson and Greenberg (2003) have proposed a rational argument based on criminal

behavior research that Self-Control is related to CWB. Robinson and Greenberg's rationale is based on two sets of findings. First research on criminal behavior has conclusively demonstrated that low Self-Control is perhaps the most important antecedent of criminal behavior. (See Gottfredson & Hirschi, (1990) for a thorough review.) Also, Gibbs (1991) has shown that low Self-Control is associated with stunted moral development. Similarly, Bordia, Restubog, & Tang, (2008) demonstrated that Self-control predicts interpersonal and organizational deviance. Both sets of results suggest that low Self-Control is associated with a reduced importance for social norms and a reduced interest in or ability to anticipate future consequences of one's actions. Robinson and Greenberg (2003) argue that these factors will lead to an increased rate of CWBs when low Self-Control individuals are in a work context and see opportunities for immediate gain or gratification or are responding the emotional, negative events.

#### **Moral Identity**

Moral identity is the degree that the moral self is important to one's identity and self-concept (Aquino & Reed, 2002). Evidence shows that moral identity is organized in two dimensions - Internalization and symbolization. Internalization is the degree to which a set of moral principles is central to one's self-concept; symbolization is the extent to which one's responses to moral issues are expressed publicly through one's actions.

Skarlicki, van Jaarsveld, and Walker (2008) proposed that individuals high on moral identity are likely to be sensitized to opportunities for moral violations and motivated by a sense of duty or obligation to restore injustice. The context of counterproductive work behavior provides such opportunities because many forms of CWB such as time/materials theft and sabotage of one's co-worker involve intentional harm toward individuals in an organization or toward the organization itself. In a study of workplace behavior, they reported evidence that moral identity was indirectly related to sabotage. They found that the combination of an individual who is high on symbolization and low on internalization results in the highest likelihood of sabotage in response to interpersonal injustice.

In a similar study, Bennett, Aquino, Reed, and Thau (2005) demonstrated that moral identity moderates the relationship between situational/contextual factors and deviant behavior. Strong moral identity reduces the magnitude of the relationship contextual factors and deviance. The self-regulating effects of internalized moral identity discourage behavior inconsistent with one's self-concept.

#### **Affect**

Spector and Fox (2005) organize the personality variables relevant to their model of counterproductive work behavior into affective or control-oriented attributes. The affective attributes included trait anger, trait anxiety, negative affectivity, and emotional stability. These traits describe *tendencies* to experience certain emotions or multiple emotions.

Trait anger is the tendency to respond to situations with anger (Spielberger, Krasner, & Solomon, 1988). Individuals high in trait anger report more frequent experiences of anger and tend to be hypersensitive to provocation. Trait anxiety is the tendency to respond to situations with anxiety. Negative affectivity (NA; Watson & Clark, 1984) is the tendency to experience negative emotions across situations and time. The final affective trait, emotional stability, is the FFM Neuroticism trait and is a composite of Anxiousness, Angry Hostility, Depressiveness, Self-Consciousness, Impulsiveness and Vulnerability. Despite the overlap of these affective traits, they are all conceptually and operationally distinct (Spector & Fox, 2005).

Spector and Fox's (2005) model suggests that negative emotions are a precursor to CWB. Consistent with that hypothesis, the literature on workplace aggression consistently has shown trait anger to be directly related to CWB (Douglas & Martinko, 2001; Fox & Spector, 1999; Fox et al., 2001; Miles et al., 2002; Penney & Spector, 2002).

Spielberger and colleagues (Spielberger, Reheiser, & Sydeman, 1995; Spielberger & Sydeman, 1994) refined the meaning of trait anger by distinguishing two correlated factors: angry temperament and angry reaction. Angry temperament describes a general disposition to experience anger, which is demonstrated by quick temper, outward expressions of unprovoked anger, and impulsiveness. Angry reaction, in contrast, consists of anger in response to specific situations involving frustration or criticism; these reactions may either be expressed or suppressed. When Fox and Spector (1999) explored these two factors in relationship with CWB, they found angry temperament to be more strongly related to CWB targeting individuals, while angry reaction was related to organizational CWB.

Research on trait anxiety has also found a relationship with CWB, though the relationships were somewhat smaller than those for trait anger (Fox & Spector, 1999) and Fox et al. (2001).

Narcissism has also been explored in research on CWB. Penney and Spector (2002) predicted that narcissistic individuals would be more likely to engage in CWB, especially in response to threat. This was based on Baumeister, Smart and Boden's (1996) theory of threatened egotism and aggression which posits that some individuals are hypersensitive to ego threat and respond with exaggerated anger responses and aggression. Because a narcissist is an individual with an unrealistically positive view of his/her capabilities, any threat that disconfirms their self view may lead to anger responses and possible CWB. Consistent with that expectation, Penney and Spector (2002) found that narcissism was significantly correlated with CWB. Further analysis revealed that narcissism was a significant moderator in the relationship between organizational constraints (stressors) with CWB. Those high on narcissism were more likely to respond to constraints (stressors) with CWB.

The role of frustration in counterproductive work behavior has received attention in several studies. In their review of several counterproductivity studies, Sackett & DeVore (2001) found that frustration is directly related to counterproductive work behavior. Storms and Spector (1987) found that individuals experiencing greater frustration were more likely to engage in overall negative behavioral reactions (r = .40) and in each dimension of reactions (aggression: r

= .29, sabotage: r = .20, hostility and complaining: r = .47, withdrawal: r = .38, and intent to quit: r = .43). Bennett and Robinson (2000) also found that experiencing frustration was related to interpersonal (r = .21) but not organizational deviance. Spector and Fox's (2005) model suggests that counterproductive work behavior is a response to emotion-arousing situations in organizations especially where the emotion is experienced as anger or frustration.

Chen and Spector (1992) found feelings of *frustration* to be associated with feelings of anger, feelings of stress, job satisfaction (negative), interpersonal aggression, hostility and complaints, and intention to quit in a sample of 400 employees who were mostly white-collar and employed full-time in a wide variety of occupations. They also found *anger* to be associated with feelings of frustration, feelings of stress, job satisfaction (negative), sabotage, interpersonal aggression, hostility and complaints, theft, absenteeism and intention to quit. The authors note that the relationship between anger and the aggressive behaviors assessed are consistent with the frustration literature (e.g., Geen, 1968). Chen and Spector also investigated the relative strength of anger and frustration and found that workplace anger was more strongly related to counterproductive work behavior than was frustration. Frustration, however, was related to aggression and hostility, but not sabotage or theft.

Negative affectivity is the extent to which individuals experience high levels of distressing emotions like anger, fear, hostility, and anxiety. Individuals high on negative affectivity are more likely to (1) perceive disequilibria and make pessimistic attributions and (2) dwell on negative aspects of themselves and their world (Martinko et al., 2002). Aquino, Lewis, and Bradfield (1999) found that negative affectivity predicted both organizational deviance and interpersonal deviance. Negative affect is related to stress and stress is related to withdrawal, turnover intentions, and sabotage (Cullen & Sackett, 2003). Individuals high on negative affect were more likely to perceive their work environment as being more stressful than individuals low on negative affect (Parkes, 1990). The relationship between control over the work environment, time constraints, and symptoms of stress was stronger for individuals high on negative affect (Moyle, 1995). Several studies explored the relationship between counterproductive work behavior and more general measures of positive and negative emotions at work. Two studies found significant correlations between negative emotions and counterproductive work behavior (Fox, Spector, & Miles, 2001; Miles, Borman, Spector, & Fox, 2002). Fox et al. (2001) found that negative emotion was related to counterproductive work behaviors directed at the organization (r = .45) and at individuals (r = .30). Miles et al. (2002) reported a moderate correlation between negative emotions and counterproductive work behavior (r = .35). In addition, Miles et al. found that counterproductive work behavior was negatively associated with positive emotional experience (r = -.22) and Fox et al. found a negative relationship between organizationally directed counterproductive work behavior and positive emotion (r = .16).

### Summary of Evidence for Counterproductive Work Behavior

The evidence for counterproductive work behavior points to certain personality traits as major explanatory and prediction factors. These traits are Conscientiousness, Agreeableness, Emotional Stability (Neuroticism) and Extraversion. In addition, traits of positive and negative affect influence workplace behavior directly and indirectly by influencing perceptions of work environments or situations. Individuals who have a tendency to experience negative affect are more likely to interpret events as violations of justice and focus on the negative aspects of a situation. Negative affect was shown to be linked to negative organization behavior, which may generalize to security violation behaviors in a work context in which the person has responsibility for the protection of classified technology and information.

### SUMMARY OF FINDINGS FROM LEVEL 1, 2, AND 3 EVIDENCE

No evidence provided a direct causal link between behaviors associated with any of the psychosocial Guidelines and security violation behavior. However, considerable evidence across a range of psychological science domains provides conceptually and empirically persuasive indirect evidence that psychological attributes underlying the four psychosocial Guidelines are likely to be antecedents of security violation behavior. Key findings include:

#### **Sexual Behavior**

- 1. No evidence shows a strong link between disordered sexual behavior and future security violations.
  - a. Evidence about the relationships between one's history of pornography use and future deviant workplace behavior is ambiguous.
- 2. Available evidence shows no linkage between sexual orientation and later security violations
- Professional sexual misconduct takes many forms with a variety of antecedents. More
  coercive, forced sexual misconduct shares antecedents (often elements of Narcissism,
  Antisocial Personality Disorder, Psychopathy) with other aggressive, violent counternormative behavior.

#### **Alcohol Consumption and Drug Involvement (Substance Abuse)**

- 1. In the past two decades, few espionage cases show a pattern of alcohol or drug abuse as contributing factors.
- 2. Extensive evidence shows a strong link between alcohol and drug use and deviant and counter-productive work behavior.
  - a. The mechanism by which substance abuse influences work behavior has more to do with substance abuse as an indicator of a more general "deviance proneness" than with substance abuse as a cause of impairment..
  - b. Psychological factors underlying substance abuse such as low self-control, impulsivity, and stress response have also been shown to be antecedents of counter-normative workplace behavior.
- 3. Evidence shows that adolescent drug use is not predictive of later job performance or satisfaction.
  - a. Continued drug abuse into adulthood is predictive of job performance and counter-normative work behavior.

### **Psychological Conditions**

- 1. Evidence shows that "normal," adaptive personality traits and maladaptive disordered psychopathological attributes are antecedents to a wide range of counter-normative workplace behavior that is analogous to security violation behavior.
  - a. Conscientiousness, neuroticism, agreeableness and extraversion are high-level personality attributes showing strong linkages to counter-productive work behavior.
  - b. Psychopathy, antisocial personality disorder, and narcissism are major psychological disorders with strong links to counter-normative work behavior and, in case analyses, espionage cases.
    - i. Psychopathy may be more difficult to identify in personal histories of work because many psychopaths are effective at masking their disorder.
  - c. Key underlying facets of personality and psychological disorders shown to influence counter-normative behavior include impulsivity, low self-control, emotional instability, and excitement-seeking.
- 2. The roles of personality and psychological disorders are moderated by the individual's emotional orientation (positive or negative) toward the local circumstances. In general, negative emotion leads to more counter-normative aggressive behavior.
- 3. Situational factors influence the manner in which personality and psychological disorders influence behavior.
  - a. Stressful events and circumstances may lead to increasingly dysfunctional behavior.
    - i. Resistance to stress, or psychological "hardiness," relies on a strong sense of personal meaning, perceived control over one's own outcomes, and optimism about change and challenges.
  - b. Loneliness and social isolation can lead to increasingly dysfunctional responses to personal hardships such as stress, failure, and significant change.

#### General

- 1. Several sources of evidence demonstrate the importance of a general deviance factor, deviance proneness, as an explanation for and predictor of problematic, counternormative work behavior.
  - a. The demonstrated effects of workplace drug and alcohol use may be mediated more by deviance proneness than by functional impairment.
- 2. There is no one psychosocial profile of individuals at high risk for counter-normative behavior.
  - a. It appears from case studies that the vast majority of spies change over time and events from lower-risk to high-risk individuals

- i. In many cases, such change may be characterized by incremental boundary violations, no one of which leads to failure or unacceptable jeopardy.
- 3. Certain profiles of attributes associated with susceptibility to high-risk have emerged across a range of psychological research domains. Described in their extreme form, these profiles include
  - a. Narcissistic psychopaths who can be cunningly planful
  - b. Hostile, antisocial isolates who seek revenge
  - c. Neurotic, emotionally unstable individuals who can be vulnerable to coercion / inducement
  - d. Impulsively immature decision makers who misjudge risk and/or seek excitement
  - e. Rational, functional individuals who, often triggered by events or circumstances such as perceived injustice or unexpected opportunity, choose money / aggrandizement / competing loyalty over US national security interests

### MITIGATORS OF PSYCHOSOCIAL EVIDENCE

### Prevalence of Alcohol Consumption and Drug Involvement by White-Collar Employees

Matano et al. (2002) examined the prevalence of alcohol, licit (prescription), and illicit drug use in a highly educated workforce sample. A comprehensive health survey was sent to 10% of an organization (total n=8567 employees); these individuals were randomly selected to receive an anonymous survey. Of the 842 mailed surveys, 504 returned completed questionnaires. The sample had a mean age of 43.8 years, 62% were female, 29.9% had a bachelor's degree, 23.4% had a master's degree, and 27.5% had a doctoral degree, 73.3% were Caucasian, 87% were employed full-time, 17.9% were management, and 52.8% were professional.

The CAGE, which consists of 4 items, was used to measure the likelihood of alcohol dependence at any time in the respondent's lifetime. Employees who responded "yes" to two or more of the CAGE items, they were scored as likely to have lifetime alcohol dependence. The alcohol use disorders identification test (AUDIT) was used to assess current problem drinking. This measure consists of 10 items; 7 items refer to behavior within the past year and 3 items refer to current behavior. A score of 8 or more indicates a strong likelihood of hazardous or harmful alcohol consumption. The frequency of use of alcohol and other mood-altering drugs in the past 12 months was also assessed. Ten categories of drugs were assessed with several frequency categories: analgesic drugs (codeine, Darvon, Demoral, Percodan, and Tylenol with codeine), antidepressants (Elavil, Paxil, Prozac, and Zoloft), cocaine, hallucinogens, heroin, marijuana, tranquilizers (Ativan, Dalmane, Halcion, Librium, Valium, and Xanax), sedatives (barbiturates, Benadryl, Nembutal, Phenobarbital, and Seconal), stimulants (Apidex, Dexedrine, Fastin, methamphetamine, Ritalin), and other (including herbals; respondents were asked to specify the drug).

Employees who responded "yes" to two or more of the CAGE items were scored as having lifetime alcohol dependence. AUDIT scores of 8 or above were used to determine current problem drinkers. The mood-altering drug data was broken down into fours different categories: use of mood-altering prescription drugs in the past year, use of illicit drugs in the past year, weekly or more use of mood-altering prescription drugs, and weekly or more use of illicit drugs. Stimulant use was reported separately because illicit and prescribed stimulants were combined when assessing respondent's stimulant usage.

A 6-item survey was used to describe alcohol and/or drug treatment profiles. Treatment was assessed for the previous 12 months only. These items included: outpatient visits to therapists, day treatment intensive outpatient days, hospitalization (detox) days, and hospitalization (residential) days. Two additional items assessed whether the recipient received substance abuse treatment through their employee health plan during the past 6 months and whether the recipient received treatment outside of the health plan in the past 12 months.

Results from the CAGE indicated that 12% of the workforce was assessed as likely to have lifetime alcohol dependence. AUDIT results revealed that 5% of the workforce population was assessed as having a high likelihood for alcohol abuse. Only 1% reported receiving any substance abuse treatment over the past year; 3% reported that someone else had been injured as a result of their alcohol use.

Respondents who reported any drinking in the past year were significantly more likely to be males and significantly less likely to be Asian American. Binge drinking over the past 12 months, defined as having more than 6 drinks in a single session, was significantly more prevalent among males and African Americans, and significantly less prevalent among those who were older or coded as "professionals." Current problem drinking as measured by the AUDIT was significantly greater among African Americans.

With regard to mood-altering drugs, significant numbers of respondents reported use of prescription mood-altering drugs: 28% for analgesics, 12% for antidepressants, 10% for benzodiazepines, and 8% for sedatives. A total of 42% of the sample used prescription mood-altering drugs the past year when counting only once all the individuals who used any of these drugs, regardless of how many they used. Thirteen percent of the sample used mood-altering prescription drugs on a weekly or more often basis.

Substantial percentages of the sample also reported mood-altering illicit drugs in the past year. Specifically, 10% used marijuana, and 2% used cocaine. Eleven percent of the sample used an illicit drug in the past year; 2% reported weekly or more use of illicit drugs. With regard to-stimulant use, prescription or illicit use was reported by 3% of the sample for the past year. One percent reported weekly or more use.

Demographic data was also examined in relation to mood-altering drugs. Use of illicit drugs in the past year was significantly greater among males and African Americans and use of illicit drugs was significantly less prevalent among those who were older. Antidepressant use was significantly greater among females and use of marijuana was significantly lower among those who were older.

Matano et al. concluded that the rates of alcohol consumption in this highly educated sample were similar to rates found for the general population. The authors conclude that there are at least two patterns of alcohol consumption that may require different prevention and treatment approaches. The first pattern is the problem binge drinker, who consumes a large number of drinks on one occasion but who may not be alcohol dependent. These individuals may still act in ways that cause impairment in social functioning and their behavior may actually present safety or potential legal issues. Continued binge drinking could also develop into alcohol dependence. The second pattern is alcohol dependence and in particular those who report some loss of control over their drinking behavior. Matano suggests a focus on both patterns, citing research from Mangione et al. (1998) suggesting the problem drinkers may create more workplace issues than those dependent on alcohol.

In a group of intelligence community members undergoing reinvestigations, Harris (2001) cites the 2001 Productivity of Sources Study of Periodic Reinvestigations as showing that

those individuals with financial issues are more than twice as likely to have alcohol-related issues and half again as likely to have drug —related issues as members of the population at large.

Sterud et al. (2007) examined the prevalence of alcohol consumption in police and ambulance personnel in Norway. They were also interested in the association of alcohol use with burnout and job stressors, with drinking-to-cope and neuroticism as two possible moderators. The authors conducted a comprehensive nationwide questionnaire survey of 2,372 police and 1,096 ambulance personnel. Alcohol use was measured with the Alcohol Use Disorders Identification Test (AUDIT; Saunders et al., 1993).

Scores on AUDIT were used to assess the prevalence of alcohol problems in these two populations. A modified AUDIT score of 6 or more ("somewhat hazardous drinking") revealed that the prevalence of alcohol problems for men was 17.9% (police personnel) and 16.8% (ambulance personnel), while for women it was 9.4% (police personnel) and 7.4% (ambulance personnel). A cutoff of 8 or more could not be assessed in the police sample because one item was removed from the police version due to previous indications that the item was often misunderstood in Norwegian settings. However, when the AUDIT cutoff was 8 or more in the ambulance sample, rates of alcohol problems rose to 18.8% for men and 10.7% for women. Because normative data from Norway was not available on the AUDIT, the authors compared their rates to those of Norwegian physicians (Gulbrandsen & Aasland, 2002) and found that the level of alcohol consumption was not significantly different. However, their prevalence rates were much lower than those reported in a large police sample from Australia (Davey et al., 2000). With AUDIT scores of 8 or higher, 33% of the male police sample and 24% of the female police sample reported scores indicating harmful levels of alcohol consumption. The differences in these rates between the police groups could be partly explained by the use of different cut-off scores on the AUDIT.

Bourgault and Demers (1997) examined solitary drinking as a risk factor for alcohol-related problems. The following three indicates of solitary drinking were used: having had a drink alone, frequency of solitary drinking, and having had 5 drinks or more in a solitary setting. Subjects included 2,015 drinkers in Montreal, who were assessed in a telephone survey. Overall, 31% of the sample reported drinking alone, 27% of whom did so more than once a week; 17% had consumed 5 or more drinks alone at least once. Univariate analyses revealed strong positive relationships between overall alcohol-related problems and both solitary drinking and having had 5 or more drinks alone.

Workers in physically risky jobs are more likely that those in less hazardous positions to have problems associated with substance use. Holcom et al. (1993) found that employees in risky jobs (i.e., working with machinery or hazardous chemicals) were 40% more likely to have problems with alcohol and 60% more likely to admit substance use at work in the last year when compared with workers in non-risky jobs (i.e., office settings). Substance use was the best predictor of accidents among high risk workers but it was not a predictor of accidents for low-risk positions.

Lehman and Bennett (2002) present two possible theories that might explain the relationship between job risk and substance use. The first theory is that characteristics of the individual who seeks these risky positions are predisposed to substance use (Trice & Beyer, 1982). The second theory is that the working environment or reactions to the environment of these high-risk positions may contribute to substance use problems. Namely, these high risk jobs may provide more opportunity for substance use, they may be associated with a climate that is supportive of substance use, or the job itself may include stressors that lead to increased substance use (Pearlin et al., 1981; Trice et al., 1988).

Details of Lehman and Bennett's study are described here. The first sample, City 1, had the following characteristics: 61% male, 57% Anglo, 41% were over 40 yrs old, 27% had a college degree, and 29% were designated official/professional. Almost 25% reported problem drinking, 11% reported use of illicit drugs, and 8% reported marijuana use in the past year. City 1 had an EAP and employee drug testing. City 2 characteristics include: 64% male, 47% were over 40, 70% were Mexican American, 27% had a college degree, and 36% were official/professional. In terms of substance use, 20% reported problem drinking, 11% report recent illicit drug use, and 8% report marijuana use in the past year. City 2 did not have an established EAP or drug testing program.

Job risk was assessed by asking how often the employees' job entailed potentially risky activities (including operating heavy machinery, maintaining heavy machinery, working with light machinery, or working with hazardous chemicals). High-risk designation required answering "sometimes" or more often to any of the four job activities. Substance use was assessed with 3 dichotomous variables. Problem drinking included asking about the following variables: drinking at work, working under the influence of alcohol, any symptoms of problematic drinking (e.g., blacking out, remaining drunk for one or more days, drinking more than intended, experiencing shaking or tremors, drinking first thing in the morning), or any negative consequences from alcohol use (e.g., getting into fights, being arrested due to alcohol use, receiving alcohol treatment in the past year). This alcohol use assessment is one of the better ones in the studies described here and assess items that are symptomatic of alcohol abuse or dependence. Recent illicit drug use included any illicit drug use in the past year, at work or away from work, or problems related to illicit drug use. Marijuana use indicated any marijuana use in the past year.

In both cities, employees in risky jobs were substantially more likely to exhibit drinking problems, illicit drug use, or marijuana use. The authors then compared high and low-risk jobs. In both cities, employees in high-risk jobs were more than 4 times likely to be male, were less educated, and expressed higher tolerance for co-worker substance use. Those in high-risk jobs were also more likely to report an arrest history and slightly lower depression. In both cities, individuals in high-risk jobs reported less job stress but a stronger drinking climate.

In terms of personal characteristics and substance use, Lehman and Bennett (2002) found that indicators of general deviance were the most consistent predictors of substance use. Those workers reporting drinking problems were more likely to be younger males who attend religious

services less often, exhibit higher risk taking, indicate more tolerance for coworker use and have an arrest history. Employees who report drug and marijuana use exhibit greater tolerance for coworker substance use. Overall, deviance factors were more important than psychosocial factors in predicting substance use.

In summary, compared to those in low-risk job, employees in high-risk jobs were more likely to be less educated males reporting higher levels of deviance, lower job stress, and stronger support for drinking climates. Employees with drinking problems were more likely to report deviant behavioral styles, including less frequent attendance at religious services, higher levels of risk-taking, greater likelihood of arrest history, and higher tolerance for co-worker substance use. These findings support earlier research by Plant (1978), who found that individuals predisposed to substance use may tend to be attracted to certain types of occupations that facilitate substance use and the concealment of substance use problems (e.g., working The issue of behavioral deviance in the workplace is supported by Holcom's dissertation (as cited in Lehman and Bennett (2002)) who found associations between behavioral deviance and negative job behaviors such as absenteeism, accidents, and psychological withdrawal. Results also suggest that employee substance use may be related more to personal characteristics of the individual than to characteristics of the job. This has implications for addressing substance use, namely that efforts might be focused more on the individual (i.e., EAP) than on the organization. Employees were more likely to report substance-use problems when they met the following two criteria: 1) they reported three or more indicators of deviance (arrest, risk-taking, low church attendance, and tolerance of substance use), and 2) they encountered a drinking climate at work. This suggests that social factors in the job may precipitate substance use among those predisposed to do so (Lehman & Bennett, 2002).

#### Occupational Correlates of Substance Use

In a study used to examine the relationships between 8 occupational and job dimensions and workers' current and prior use of alcohol and drugs, Zhang and Snizek (2003) used occupational data from the Department of Labor (O'NET 98) and drug and alcohol use collected by the Substance Abuse and Mental Health Services Administration in their 1997 National Household Survey on Drug Abuse (NHSDA). The merged data set contained 7,477 full-time workers. The dependent variables of interest were: current use of alcohol, current heavy use of alcohol, current use of drugs, use of marijuana during the past year, and use of cocaine the past year. Current use reflected substance use in the previous 30 days. The independent variables included: workload, job independence, job variety, financial compensation, job security, working conditions, job autonomy and skills utilization. Control variables included: age, education, sex, race and annual income. There were 14 combined occupational categories, several of which represent realistic parallels to intelligence community staff (i.e., executive, administration and managerial (n=913); professional specialty (n=913); and protective service (n=165)).

Descriptive analyses found that people in less politically and socially powerful groups are more likely to use illicit drugs that those in more politically and socially powerful groups.

Managers, white-collar workers and skilled blue-collar workers have lower prevalence rates of both illicit drug use and heavy alcohol use than do workers in other occupations.

The results of the regression analyses exploring job characteristics' ability to predict substance use included the finding that job security or "level of steady employment" had the greatest impact on current alcohol use, current use of any illicit drug, and prior-year use of marijuana. Job security was inversely related to alcohol and illicit drug use. Specifically, those full-time employees in jobs with higher-than-average employment security are 0.77 times as likely to be current drinkers, 0.52 times as likely to be current users of any illicit drugs, and 0.64 times likely to be prior-year marijuana users than those who abstained from substance use. Also, job variety was associated with lower cocaine use over the previous year. Those workers with high levels of job variety are considerably less likely to have used cocaine during the past year. The odds of cocaine use by workers in occupations with greater job variety decrease by 64 percent.

### **Predictors of Alcohol Use Severity**

Reel et al. (2009) explored the association of gender, temperament, family history of drug and alcohol problems, childhood behavior problems, personality factors, and adult psychopathology and the severity of alcohol problems in a sample of male and female alcoholics at entry into treatment. The sample consisted of 342 people with current or lifetime DSM-III-R diagnosis of alcohol abuse (4%) or dependence (96%) in one of five treatment outcome studies conducted through the Rutgers University Alcohol Research Center (ARC).

The use of path analysis resulted in three significant pathways associated with severity of alcohol use. One path was associated with difficult temperament, childhood attentional/socialization and learning problems, and adult neuroticism, anxiety and depression. The second path was associated with being male, family history of drug problems, difficult temperament, childhood hyperactivity/impulsivity, and antisocial personality. The final path linked only family history of alcohol problems to severity of alcohol use. The authors conclude that their findings are consistent with previous research involving multiple pathways to alcohol use severity in adulthood.

Sher and Littlefield (2009) examined the developmental trajectories of impulsivity and their association with substance use and other outcomes from the ages of 18-35. This longitudinal study followed 489 first year college students (46% male; 52% had paternal history of alcoholism; baseline age of 18.5 years) at the ages of 18, 25, 29, and 35. All completed measures of impulsivity. The authors used mixture modeling, which identified 5 trajectory groups that differed in both baseline levels of impulsivity and developmental patterns of change over time.

The trajectory groups that exhibited high and non-decreasing levels of impulsivity across time were less likely to decrease alcohol use compared to a trajectory group that exhibited high but decreasing levels of impulsivity across time. In addition, trajectory groups that failed to make declines in impulsivity were more likely to be male, higher in initial levels of

psychoticism, and less likely to be married at later points. These findings suggest that developmental trajectory groups characterized by either stability or change in impulsivity have an impact on changes in substance use.

O'Connor et al. (2009) examined the role of a strong behavioral inhibition system (BIS) in negative reinforcement alcohol expectancies and their relationship with mood-evoked impulsivity. Essentially, those with a strong behavioral inhibition system (Gray, 1975 as cited in O'Connor et al., 2009) tend to over-attend to potential negative consequences, which results in high levels of anxiety, and as a result they are at increased risk of using alcohol to self-medicate. This risk pathway involves anxious mood and expectation that alcohol will have negative reinforcement risks. On the other hand, a strong BIS also involves inhibited behavior in response to potential negative consequences (e.g., hangover, potential drunk driving or sexually risky behavior), which makes considering the role of mood-evoked impulsivity in this pathway an important area of exploration.

The sample consisted of 178 (55% women) undergraduates randomly assigned to either an anxious or positive mood induction procedure. Measures of self-reported BIS, impulsivity specific to emotional distress, and negative reinforcement alcohol expectancies were collected. The negative reinforcement alcohol expectancies were reassessed post-mood induction and change scores were calculated. Results revealed that for those in the anxious mood condition, a strong BIS was associated with increased negative reinforcement alcohol expectancies, and this effect occurred only in high impulsivity scoring individuals. The authors conclude that individuals who act impulsively when distressed may be at risk for alcohol misuse because they over-attend to alcohol's reinforcement effects when they are anxious. Clinical implications include targeting impulsivity and specific expectancies in treating substance use problems.

Fischer (2009) examined the effects of impulsivity and drinking motives on binge drinking, alcohol abuse, and associated negative consequences in a longitudinal sample of young adult women. At time 1, about 500 women were assessed (age range 18-24), while 387 completed follow-up data collection. Alcohol use, sensation seeking, deliberation, negative urgency, and persistence were assessed.

At Time 1, 31% of the sample were binge drinkers, which was defined as drinking four or more drinks on one occasion on more than one occasion per month. At Time 2, Time 1 binge drinkers reported more instances of sexual assault, increased restricted eating and self-induced vomiting, and more binge-drinking days. At Time 1, the only impulsivity variable associated with drinking scores was negative urgency. The impulsivity variable of deliberation was the only predictor of frequency of binge drinking, though enhancement, social, and conformity drinking motives also contributed uniquely to this behavior. After controlling for drinking scores at Time 1, coping motives at Time 1 significantly moderated the effects of urgency on drinking scores at Time 2. The interaction of baseline levels of urgency and coping motives for drinking significantly contributed to increases in drinking problems later in the year.

#### Treatment of Alcohol Abuse/Dependence

Houston (2009) examined impulse control, assessed both behaviorally and by self-report, and outcomes of cognitive-behavioral treatment (CBT) for alcohol dependence. The author cites research that suggests that impulse control may play an important role in the development, maintenance, and treatment of addictive disorders. In fact, for those individuals with alcohol use disorders, the decision at any point to initiate drinking is indicative of a lapse in impulse control. The sample consisted of men and women aged 25-55 who were recruited by advertisements for individuals needing help for an alcohol problem. The entire sample met DSM-IV criteria for alcohol dependence and completed two assessments at pre- and post-treatment.

Preliminary analyses found a reduction in both alcohol-related problems and self-reported impulsivity from pre- to post-treatment. A greater number of completed treatment sessions was significantly associated with changes in behavioral performance reflective of increased impulse control (i.e., slowing of response initiation). The author reports that the initial findings support changes in impulse control as a result of CBT for alcohol dependence. It is hoped that results will be used to better define the role of impulse control as a potential mechanism of behavioral change and lead to more effective treatment of alcohol use disorders.

Slaymaker and Owen (2006) examined the impact of alcohol treatment on job behaviors of gainfully employed individuals in the U.S. Participants were 212 employees entering into a residential treatment program who completed the Addiction Severity Index (ASI) at intake and at 6 and 12 months follow-up. Following treatment, significant improvements were seen in absenteeism, number of employment problem days and whether their job was at risk 12 months later. Sixty-five percent of these employees were retained by their employers. Scores on the ASI composite scores also improved. Abstinence was obtained by 65% at 6 months follow-up and 51% at 12 month follow-up. The authors note that although women were less likely to be referred to treatment by their employer, they had similar responses to treatment as the men regarding abstinence rates and overall quality of life following completion of treatment.

Walker, Cole, and Logan (2008) also examined individuals referred for treatment to a state-funded treatment center. The sample consisted of 888 clients who received treatment from July 2003 to June 2004. The authors examined treatment outcome among three referral conditions: driving under the influence (DUI) referrals, criminal justice referrals, and non-criminal justice referrals. Results indicate that more DUI referrals reported alcohol use at 12 month follow-up. The factors that predicted positive treatment outcomes (after controlling for age, gender, and race), were recovery intent at intake and participation in a 12-step program at follow-up. The one factor that predicted negative treatment outcome was persistent depression. The authors conclude that referral condition did not have an impact on treatment outcomes.

#### Treatment of Pathological Gambling

Toneatto et al. (2009) completed a pilot study integrating mindfulness meditation (MM) in a brief intervention for pathological gambling. The authors posit that mindfulness meditation may be useful in this clinical disorder because it stresses a process-oriented meta-cognitive approach to cognitive pathology in contrast to content-focused approaches that characterize traditional approaches to treating cognitive psychopathology. The sample consisted of 20 DSM-IV diagnosed pathological gamblers who were randomly assigned to the mindfulness meditation treatment or wait-list control group. Measures of gambling behavior, behavioral impulsivity, and a brief measure of psychological symptoms were administered before and after the 5 week intervention as well as at a 3 month follow-up.

Results indicate that those receiving the MM intervention reported significant decreases in the frequency of gambling behavior at post-treatment that were maintained at the three-month follow up when compared with the wait-list control group. The individuals receiving MM treatment also evidenced significant increases in mindfulness skills and reduced ratings of depression and anxiety. Impulsivity was not significantly affected by the MM intervention. All participants reported that mindfulness practice was beneficial in helping with gambling behavior. The authors conclude that a brief intervention involving mindfulness meditation offered measurable benefits for the treatment of pathological gamblers.

#### Incidence of Workplace Internet Pornography Use

Cooper, Scherer, Boies, and Cordon (1999) assessed a sample of 9,265 men and women and found that 20% of men and 12% of women had used computers at work for online sexual activities (OSA). In a similar finding, Goldberg (1998) found that adult content sites were the fourth most visited category while at work. Carnes (1989) found that 70% of all adult content visits occurred during the 9-5 workday.

Other studies evaluated this behavior in light of the employees' knowledge of workplace policies about OSA. Cooper, Scherer & Mathy (2001) assessed 40,000 adults, and found that 63% of employees reported that their workplace had rules against OSA, 14% reported that their workplace does not forbid it, and 22% did not know the rules pertaining to OSA. Some 48% stated that their workplace does not take action to block the accessibility of these sites. While 0.4% of employees who access sexual sites at work get caught and suffer serious consequences, some 4% experience no consequences when caught.

Cooper, Delmonico and Burg (2000) devised a typology of cybersex users. The first are recreational users, who views online sexual material out of curiosity or entertainment purposes; they are not perceived as having problems related to their online behavior. The second group at the at risk users, who access sexual material a moderate amount of time for sexual activities; if the pattern continues, they could become compulsive users. The third group consists of sexually compulsive users who use the internet as a forum for their sexual activities. This group is thought to have a propensity for pathological sexual expression. Cooper et al. (2002) state that

compulsive internet use for sexual activity represents a legitimate clinical entity that is considered nonparaphilic hypersexuality or paraphilia related disorder (PRD). Also at issue is the problem of co-morbidity, or the presence of additional diagnoses. Previous studies of sexually compulsive males and females (Black et al., 1997) and PRDs (Kafka & Prentsky, 1994), reveal that many with these disorders have several lifetime comorbid mood, anxiety, psychoactive substance abuse, and/or other impulse control disorders.

Mastrangelo (2003) performed a series of studies exploring the misuse of work computers. The data support a distinction between computer use that is not productive, Nonproductive Computer Use (NCU), and counterproductive computer use, or Counterproductive Computer Use (CCU). NCU includes sending email and instant messaging, browsing websites, playing games and downloading music or picture files. CCU includes forwarding sexually harassing jokes and pornography to others, attempting to access confidential information, unleashing computer viruses, and trafficking drugs at work. NCU was more common than CCU. Employees who engaged in CCU also engaged in NCU, while relatively few employees who engaged in NCU engaged in CCU. CCU is considered "antisocial" behavior and occurs among only 10% or less of employees.

Ugrin et al. (2008) examined a sample of 239 employees in the United States, Asia and India through an internet survey. A cluster analyses of the internet behavior revealed 3 groups: 1) *Focused Workers*, who had the lowest rate of internet abuse and spent little time using the internet for personal purposes, 2) *Moderate e-mailers*, who spent work time e-mailing and shopping, and 3) *Super Slackers*, who spent more time on gaming, chatting, viewing pornography and viewing media. Further analyses revealed that job function (executive, midmanagement, and non-management) was significantly related to group membership; namely, executives appeared most prominently in the super slacker group (42.5%) when compared with mid-level management (20.4%) and non-management employees (24.0%). No other variables significantly differentiated the groups. A review of the relative frequency of the super slacker membership by age group reveals the following (age group is followed in parentheses by % in the super slacker group): age 20-24 (31.8%), age 25-29 (46.2%), age 30-34 (34.5%), age 35-39 (20%), age 40-44 (9.1%), age 45-50 (16%), and over 50 (21.7%). The super slackers appear to contain a fairly high number of younger employees (34 and under) as well as older employees (over 50).

Williams et al. (2009) explored the role of personality and pornography consumption on sexually deviant behavior in a noncriminal sample of male undergraduates. Self-reports of 9 deviant sexual fantasies and behaviors were compared in two samples of male undergraduates. Taxonomies of sexual deviance commonly include the following paraphilias: transvestism, voyeurism, sadism, masochism, object fetishism, frotteurism, pedophilia and bondage (e.g., American Psychiatric Association, 2000). The DSM-IV defines paraphilias as intense fantasies or behaviors that involve unusual objects, activities, or situations and cause clinically significant distress or impairment in social, occupational, or other important areas of functioning (p. 566). The definition of sexual deviance has been inconsistent in the research, but the term deviance

often include factors such as infrequency in the population, social unacceptability, the extent to which the fantasy acts are illegal, nonconsensual or harmful (Gee, Devilly, & Ward, 2004; Leitenberg & Henning, 1995). For the purposes of their study, Williams et al. defined sexual deviance in terms of an unusual arousal source, which includes behaviors that are nonaggressive (e.g., object fetishism) as well as aggressive (e.g., sexual assault). The following 9 deviance behaviors were assessed: object fetishism, transvestism, voyeurism, sadism, bondage, frotteurism, exhibitionism, pedophilia, and sexual assault. Two studies were conducted to explore the strength of the relationship between deviant sexual fantasies and corresponding behaviors.

In Study 1, Williams et al. explored the frequencies and intercorrelations between fantasies and behaviors in the nine deviance groups. The role of deviant fantasies as potential mediators of the relationship between pornography use and deviant behaviors was also examined here. The sample included 103 male undergraduates who were a mean age of 19.7 years; 56% were European, 34% East Asian, and 10% were other heritage. Deviant sexual fantasies and behaviors were assessed by the Multidimensional Assessment of Sex and Aggression (MASA: Knight, Prentky, & Cerce, 1994). One question about current pornography use resulted in a categorical yes/no response. Demographics were also collected.

Prevalence results reveal that with one exception, fantasy rates (52%) were higher than corresponding behavior rates (21%). Some 95% of the sample reported at least one deviant sexual fantasy. The most common rates (over 50%) were found for frotterusim, object fetishes and voyeurism. The least frequent fantasies involved pedophilia and transvestism. A surprisingly high number, 63%, reported at least one deviant sexual behavior. Frotteurism was the most common behavior and pedophilia and transvestism behaviors were least common. The authors' follow-up analysis revealed that a minority of fantasizers were also behavers (M=38%), while virtually all behavers were also fantasizers (M=96%).

All of the deviant fantasies and corresponding behaviors were positively correlated and statistically significant except for pedophilia. Those who reported engaging in deviant behaviors also reported more fantasies about that behavior. In every case, the deviant behavior was more highly correlated with its corresponding fantasy than with any other fantasy category. With regard to pornography, 63% of the participants reported current pornography use. Pornography users reported significantly more deviant fantasies and behaviors than those who did not report current pornography use. Overall, fantasies did mediate the relationship between pornography use and behavior.

The overall rate of deviant fantasies approaches the overall rates of having any sexual fantasy (Leitenberg & Henning, 1995). The self-reported behavior rates, including nonaggressive categories, were lower than those obtained in prison samples. While the fantasy-behavior correlations were quite high, only a small portion (M=38%) of those reporting fantasies also carried out the behavior. Pornography use is related to more frequent deviant behavior and was partially mediated by the relationship between pornography use and deviant fantasies. The authors report that this result is consistent with the perspective that pornography encourages the

translation of fantasy into behavior. Alternative perspectives also include the possibility that pornography causes deviant behavior, which then promotes deviant fantasies, or that deviant fantasies promote pornography use, which then promotes deviant behavior.

The second study assessed the role of personality in deviant sexuality. The sample included 88 male undergraduates with a mean age of 20.4 years; 58% were European, 27% were East Asian, and 15% were other heritage. The MASA was used to assess the same deviant sexual fantasies and behavior as the first study. Four personality measures were also used. The Big Five Inventory (John & Srivastava, 1999) was used to assess extraversion, agreeableness, conscientiousness, stability and openness. The Dark Triad of narcissism, psychopathy, and Machiavellianism were also assessed. The Narcissistic Personality Inventory (NPI; Raskin & Hall, 1979) was used to assess narcissism, psychopathy was assessed with the Self Report Psychopathy Scale (SRP-III, Williams, Nathanson, & Paulhus, 2003), and Machiavellianism (primary features are manipulativeness and cynicism) was measured with the Mach-IV (Christie & Geis, 1970).

Results indicated similar findings to Study 1 with regard to the prevalence rates of the deviant fantasies and behaviors as well as the fantasy-behavior correlations. With regard to the personality variables, neuroticism (r=.23) and psychopathy (r=.23) were significantly correlated with overall deviant sexual fantasies. Specifically, neuroticism was correlated most strongly with frotteurism and bondage fantasy subscales of the MASA, while psychopathy was most strongly related to bondage and sadism fantasies. Other correlations of personality with deviant fantasies include: extraversion with transvestism fantasies (r=.23), openness to experience with frotteurism (r=.33) and pedophilia (r=.27), and narcissism with sadism (r=.31).

With regard to personality and deviant sexual behaviors, only subclinical psychopathy (r=.26) and narcissism (r=.20) were significantly associated with total deviant sexual behaviors. A review of the specific deviant behaviors finds psychopathy significantly related to bondage (r=.24), sadism (r=.24), and sexual assault (r=.21). Narcissism was significantly associated with sadism (r=.23) and sexual assault (r=.27). The only other personality variable associated with a deviant behavior was extraversion with transvestism (r=.21). Interestingly, the strength of the overall relationships between psychopathy and narcissism and deviant behavior appear due to their relationships with more aggressive sexually deviant behavior.

In summarizing their findings, Williams et al.(2009) report that the psychopathy findings supports the notion that sexual aggression and general delinquency have a common link with psychopathy in both offender and nonoffender populations. This is also the first study to link subclinical psychopathy with such a wide range of sexually deviant fantasies. Sexually deviant fantasies translated into behavior only for those scoring high in psychopathy. Essentially, deviant sexual fantasies have little association with deviant sexual behavior for those with low psychopathy scores. The authors conclude that psychopathy and deviant sexual fantasies appear necessary, but not sufficient for a link between deviant fantasies and behavior.

Also, the association of pornography and deviant sexual behavior held only for high psychopathy scorers. The results suggest that the combination of psychopathy and pornography

is especially predictive of sexually deviant behavior. Williams et al. posit that pornography may activate the deviant sexual behavior of psychopaths. Nonetheless, the authors cannot conclude that fantasies or pornography directly cause behaviors, however they do feel confident in concluding that personality traits precede sexually deviant fantasies and behavior. Previous research adds that subclinical psychopaths generally prefer violent media (Williams et al., 2007) and that they voluntarily expose themselves to violent pornography (Shim et al., 2007).

Additional research supports the relationship between pornography and negative outcomes. Kingston, Malamuth, Federoff, & Marshall (2009) reviewed the existing literature on pornography and its influence on antisocial attitudes, sexual arousal, and sexually aggressive behavior in both criminal and noncriminal samples. The authors conclude that pornography can be a risk factor for sexually aggressive outcomes, particularly for men who are high on other risk factors and for those who use pornography frequently.

Schneider (2000) assessed the negative consequences of cyber sex participants in an online survey of 45 men and 10 women, aged 18-64 years, who had self-identified themselves as cyber sex users who had experienced adverse consequences as a result of online sexual behavior. Almost all identified themselves as current or former sex addicts. Men identified downloading pornography as a preferred activity significantly more than women. When assessing the frequency of on-line sexual activities leading to real-life sexual encounters, women were significantly more likely to report this. In terms of the progression of sexual behavior, some subjects described a rapid progression of a previously existing compulsive sexual behavior problem, while those with no history of sexual addiction quickly became involved in an escalating pattern of compulsive cyber sex use after they discovered Internet sex. The adverse consequences associated with cyber sex included: depression and other emotional problems, social isolation, decline in quality of sexual relationship with spouse/partner, harm to marriage or primary relationship, exposure of children to online pornography or masturbation, career loss or decreased work performance, financial consequences, and in some, legal consequences.

Vega & Malamuth (2007) explored the unique relationship between pornography use and men's sexually aggressive behavior. Even after controlling for various risk factors associated with general antisocial behavior, results indicated that pornography consumption added significantly to the prediction of sexual aggression. The predictive utility of pornography was due to its discriminative ability among men classified as high risk for sexual aggression.

Stulhofer, Jelovica, and Ruzic (2008) conducted a retrospective study in order to assess the relationship between early exposure to pornography and sexual compulsivity in Croatian young adults. The sample consisted of 1,528 heterosexual men and women between the ages of 18-25. Data was collected by online survey. The authors tested the hypothesis that pornography use at the age of 14 was a marker for sexual compulsivity in late adolescence and young adulthood. The composite indicator of sexual compulsivity focused on out-of-control sexual thoughts and behaviors. High scores on sexual compulsivity was associated with sexual risk-taking, though mainly among women, decreased levels of relationship intimacy, and less sexual

contentment. There was no significant relationship between early pornography exposure and high sexual compulsivity among either men or women.

# SUMMARY OF FINDINGS ABOUT MITIGATORS OF PSYCHOSOCIAL GUIDELINES

The findings summarized here rely on the evidence reviewed in the Mitigator's section as well as the evidence reviewed in the Levels 1, 2 and 3 sections. To a great extent the adjudicator is limited in his/her ability to judge the mitigator value of evidence in the case of psychosocial Guidelines. In most cases, a licensed clinical psychologist should be the primary source of judgments about mitigators for the psychosocial Guidelines.

That said, the following implications may be drawn from the mitigator reviewed here.

#### **Psychological Conditions**

- 1. Clinical evidence of Psychopathy will have few, if any, mitigators
- 2. Cognitive-behavioral treatment for treatment of compulsive or addictive conditions warrants significant consideration as a mitigator where participation has been continuous for an extended period of time.

#### **Sexual Behavior (Disorder)**

- 1. Young age at which behavior took place, without continuation into adulthood, mitigates against early history of disordered sexual behavior.
- 2. Evidence of disordered sexual behavior increases in importance where there is companion evidence of substance abuse, problems with impulse control, and evidence of other problems caused by sexual behavior such as internet pornography use.

#### **Drug Involvement**

- 1. Adolescent use without continuation into adulthood is not a risk.
- 2. Increasing weight should be given to a history of drug use with:
  - a. Evidence of financial problems or other personal stressors
  - b. Histories of work injuries, work absence / tardiness, arrest records
  - c. Association with drug users or those tolerant of drug use
  - d. Family history of drug use
  - e. History of impulsive behavior in response to distressors

#### **Alcohol Consumption**

- 1. Patterns of persistent binge drinking have similar weight to evidence of alcohol dependence
- 2. Increasing weight should be given to a history of problem drinking with:
  - a. Evidence of financial problems or other personal stressors
  - b. History of persistent solitary drinking
  - c. Histories of work injuries, work absence / tardiness, arrest records
  - d. Association with heavy drinkers or those tolerant of heavy drinking

- e. Family history of problem drinking
- f. History of impulsive behavior in response to distressors

#### REFERENCES

- Adjudicative Guidelines for Determining Eligibility for Access to Classified Information, (2005) Memorandum from the Assistant to the President for National Security Affairs, December 29, 2005.
- Adjudicator's Desk Reference. (2005).
- Abel, G. G. & Osborn, C. (1999). Cognitive behavioral treatment of sexual misconduct. In J. Bloom, C. Nadelson, & M. Notman (Eds.) *Physician Sexual Misconduct*. Washington, DC. American Psychiatric Press.
- Abel, G.G., Osborn, C.A., & Warberg, B. (1995). Cognitive-behavioral treatment for professional sexual misconduct. *Psychiatric Annals*, 25(2), 106-112.
- Adjudicative Guidelines for Determining Eligibility for Access to Classified Information (2005). http://www.rjhresearch.com/ADR/adjguidelines/adjguidtext.htm
- American Psychiatric Association. (1952). *Diagnostic and statistical manual of mental disorders*. Washington, DC: Author.
- American Psychiatric Association. (1968). *Diagnostic and statistical manual of mental disorders* (Rev. ed.). Washington, DC: Author.
- American Psychiatric Association. (1980). *Diagnostic and statistical manual of mental disorders* (3rd ed.). Washington, DC: Author.
- American Psychiatric Association. (1987). *Diagnostic and statistical manual of mental disorders* (Rev. ed.). Washington, DC: Author.
- American Psychiatric Association. (1994). *Diagnostic and statistical manual of mental disorders* (4<sup>th</sup> ed.). Washington, DC: Author.
- American Psychiatric Association. (2000). *Diagnostic and statistical manual of mental disorders* (4<sup>th</sup> ed., text rev.). Washington, DC: Author.
- Ames, G.M., Grube, J.W., & Moore, R.S. (1997). The relationship of drinking and hangovers to workplace problems: An empirical study. *Journal of Studies on Alcohol*, 58(1), 37-47.
- Amos, C. (2006, December 6). Psychiatrist calls sailor in espionage case immature. *Navy Times*, p. 2 [Weinmann].
- Aneshensel, C.S., & Huba, G.J. (1983). Depression, alcohol use, and smoking over one year: A four-wave longitudinal causal model. *Journal of Abnormal Psychology*, 2, 134-150.
- Aquino, K., & Reed, A. (2002). The self-importance of moral identity. *Journal of Personality and Social Psychology*, 83, 1423–1440.
- Aquino, K., Lewis, M. U., & Bradfield, M. (1999). Justice constructs, negative affectivity, and employee deviance: A proposed model and empirical test. *Journal of Organizational Behavior*, 20, 1073–1091.
- Aquino, K., Lewis, M.U., & Bradfield, M. (1999). Justice constructs, negative affectivity, and employee deviance: A proposed model and empirical tests. *Journal of Organizational Behavior*, 20, 1073-1091.

- Archer, J., & Coyne, S.M. (2005). An integrated review of indirect, relational, and social aggression. *Personality and Social Psychology Review*, 9, 212-230.
- Arrigo, B.A. & Shipley, S. (2001). The confusion over psychopathy (I): Historical considerations. *International Journal of Offender Therapy and Comparative Criminology*, 45, 325-344.
- Babiak, P. (1995). When psychopaths go to work: A case study of an industrial psychopath. *Applied Psychology: An International Review*, 44(2), 171-188.
- Babiak, P. (2000). Scanning for Psychopathy. Paper presented in S. Gustafson (Chair) *Personality in the Shadows: A Continuum of Destructiveness*. Symposium presented at the Fifteenth Annual Conference of the Society for Industrial and Organizational Psychology, April 14-16, New Orleans, LA.
- Bailey, D.S., & Taylor, S.P. (1991). Effects of alcohol and aggressive disposition on human physical aggression. *Journal of Research in Personality*, 25, 334-342.
- Balthazard, P. A., Cooke, R. A., & Potter, R. E. (2006). Dysfunctional culture, dysfunctional organization: Capturing the behavioral norms that form organizational culture and drive performance. *Journal of Managerial Psychology*, *21*, 709-732.
- Barrick, M.R., & Mount, M.K. (1991). The "Big Five" personality dimensions and job performance: A meta analysis. *Personnel Psychology*, 44, 1-26.
- Bartone, P.T., Ursano, R.J., Wright, K.M., & Ingraham, L.H. (1989). The impact of military air disaster on the health of assistance workers: A prospective study. *Journal of Nervous and Mental Disease*, 177, 317-328.
- Bass, A.R., Bharucha-Reid, R., Delaplane-Harris, K., Schork, M.A., Kaufmann, R., McCann, D., Foxman, B., Fraser, W., & Cook, S. (1996). Employee drug use, demographic characteristics, work reactions, and absenteeism. *Journal of Occupational Health Psychology*, *1*(1), 92-99.
- Baumeister, R. F., Smart, L., & Boden, J.M. (1996). Relation of threatened egotism to violence and aggression: The dark side of high self esteem. *Psychological Review*, *3*, 5-33.
- Bennett, R. J., & Robinson, S. L. (2000). Development of a measure of workplace deviance. *Journal of Applied Psychology*, 85(3), 349-360.
- Bennett, R. J., Aquino, K., Reed III, A., & Thau, S. (2005). The normative nature of employee deviance and the impact of moral identity. In S. Fox & P. E. Spector (Eds.), *Counterproductive work behavior: Investigations of actors and targets* (pp. 107-125). Washington, DC, American Psychological Association.
- Bennett, R.J., & Robinson, S.L. (2000). Development of a measure of workplace deviance. *Journal of Applied Psychology*, 85, 349-360.
- Berkowitz, L. (1974). Some determinants of impulsive aggression: the role of mediated associations with reinforcements for aggression. *Psychological Review*, 81, 165-176.
- Bies, R. J., Tripp, T.M., & Jramer, R.M. (1997). At the breaking point: Cognitive and social dynamics of revenge in organizations. In R.A., Giacalone & J. Greenberg (Eds.), *Antisocial behavior in organizations* (pp. 18-36). Thousand Oaks, CA: Sage.

- Black, D.W., Kehrberg, L.L.D., Flumerfelt, D.L., & Schlosser, S.S. (1997). Characteristics of 36 subjects reporting compulsive sexual behavior. *American Journal of Psychiatry*, 154, 243-249.
- Black, J. (2000). Personality testing and police selection: Utility of the "Big Five." New *Zealand Journal of Psychology*, 29, 2-10.
- Blackman, M. C., & Funder, D. C. (2002). Effective interview practices for accurately assessing counterproductive traits [Special issue]. *International Journal of Selection and Assessment*, 10(1/2), 109-116.
- Blais, M.A. (1997). Clinician ratings of the five-factor model of personality and the DSM-IV personality disorders. *Journal of Nervous and Mental Disease*, *185*, 388-393.
- Bleich, A., & Solomon, A. (2004). Evaluation of psychiatric disability in PTSD of military origin. Israel *Journal of Psychiatry and Related Sciences*, 41(4), 268-276
- Bloom, J. D., Nadelson, C. & Notman, M. T. (1999) Physician Sexual Misconduct. Washington, DC. American Psychiatric Press.
- Bohne, A., & Meiners, S. (2009, November). How prevalent are impulse-control disorders? An online survey. Paper to be presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from <a href="http://abct2009.abstractcentral.com/planner">http://abct2009.abstractcentral.com/planner</a>.
- Bolin, A., & Heatherly, L. (2001). Predictors of employee deviance: The relationship between bad attitudes and bad behavior. *Journal of Business and Psychology*, 15(3), 405-418.
- Bordia, P., Restubog, S. L. D., & Tang, R. L. (2008). When employees strike back: Investigating the mechanisms between psychological contract breach and workplace deviance. *Journal of Applied Psychology*, *93*(5), 1104-1117.
- Bordia, P., Restubog, S.L.D., & Tang, R.L. (2008). When employees strike back: Investigating the mechanisms between psychological contract breach and workplace deviance. *Journal of Applied Psychology*, *93*(5), 1104-1117.
- Bourgault, C. & Demers, A. (1997). Solitary drinking: A risk factor for alcohol-related problems? *Addiction*, 92(3), 303-312.
- Bracken, K.L., & McDevitt-Murphy, M. (2009, November). The role of experiential avoidance in the relation between PTSD and aggression. Paper presented at the 43<sup>rd</sup> Annual Convention of the Association for Behavioral and Cognitive Therapies, New York City, NY. Abstract retrieved from <a href="http://abct2009.abstractcentral.com/planner">http://abct2009.abstractcentral.com/planner</a>.
- Breslau, N., Davis, G.C., Andreski, P. & Paterson, E. (1991). Traumatic events and posttraumatic stress disorder in an urban population of young adults. *Archives of General Psychiatry*, 48, 216-222.
- Breslin, F.C., Sobell, M.B., Cappell, H., Vakili, S., & Poulos, C.X. (1999). The effects of alcohol, gender, and sensation seeking on the gambling choices of social drinkers. *Psychology of Addictive Behaviors*, *13*(3), 243-252.

- Brewin, C.R., Andrews, B., & Valentine, J.D. (2000). Meta-analysis of risk factors for posttraumatic\_stress disorder in trauma-exposed adults. *Journal of Consulting and Clinical Psychology*, 68(5), 748-766.
- Briggs, K., & Myers, I. (1987). *Myers-Briggs Type Indicator: Form G.* Palo Alto, CA: Consulting Psychology.
- Broadhead, W.E., Blazer, D.G., George, L.K., & Tse, C.H. (1990). Depression, disability days, and days lost from work in a prospective epidemiologic survey. *Journal of the American Medical Association*, 264, 2524-2528.
- Brown, G.B. (1988). *Profile of espionage penetration*. Albuquerque, NM: Sandia National Laboratories.
- Brown, T.S., Jones, J.W., Terris, W., & Steffy, B.D. (1987). The impact of pre-employment integrity testing on employee turnover and inventory shrinkage losses. *Journal of Business and Psychology*, 2(2), 136-149.
- Burt, A.S, & Donnellon, M.B. (2008). Personality correlates of aggressive and nonaggressive anti-social behavior. *Personality and Individual Differences*, 44, 53-63.
- Bybee, J. Luther, S., Zigler, E., & Merisca, R. (1997). The fantasy, ideal, and ought selves: Content, relationships to mental health, and functions. *Social Cognition*, *15*, 37-53.
- Cale, E.M. (2006). A quantitative review of the relations between the "Big Three" higher order personality dimensions and antisocial behavior. *Journal of Research in Personality*, 40, 250-284.
- Carnes, P. (1989). Contrary to love: Helping the sexual addict. Minneapolis, MN: Compcare.
- Carver, C.S. (2005). Impulse and constraint: Perspectives from personality psychology, convergence with theory in other areas, and potential for integration. *Personality and Social Psychology Review*, 9, 312-333.
- Casillas, A., Robbins, S., McKinniss, T., Postlethwaite, B., & Oh, I.-S. (2009). Using narrow facets of an integrity test to predict safety: A test validation study. *International Journal of Selection and Assessment*, 17(1), 119-125.
- Castelda, B. (2009). Analyses of SSBI Issues. Unpublished manuscript.
- Chen, P.Y. & Spector, P.E. (1992). Relationships of work stressors with aggression, withdrawal, theft and substance use: An exploratory study. *Journal of Occupational and Organizational Psychology*, 65, 177-184.
- Cherpitel, C.J. (1999). Substance use, injury, and risk-taking dispositions in the general population. *Alcoholism: Clinical and Experimental Research*, 23, 121-126.
- Christie, R., & Geis, F.L. (1970). Studies in Machiavellianism. New York: Academic Press.
- Church, A.T. (1994). Relating the Tellegen and five-factor models of personality. *Journal of Personality and Social Psychology*, 67, 5, 898-909.
- Cleckley, H. (1941). The mask of sanity (1<sup>st</sup> ed.). St. Louis: Mosby.
- Cleckley, H. (1976). The mask of sanity (5<sup>th</sup> ed.). St. Louis: Mosby.
- Cleckley, H. (1982). The mask of sanity (Rev. ed.). St. Louis: Mosby.

- Cohen, J. (1988). *Statistical power analysis for the behavioral sciences* (2nd ed.). Hillsdale, NJ: Lawrence Earlbaum Associates.
- Coleman, V. I., & Borman, W. C. (2000). Investigating the underlying structure of the citizenship performance domain. *Human Resource Management Review*, 10(1), 25-44.
- Cooke, D.J., & Michie, C. (2001). Refining the construct of psychopath: Towards a hierarchical model. *Psychological Assessment*, *13*, 171-188.
- Cooper, A., Golden, G.H., & Kent-Ferraro, J. (2002). Online sexual behaviors in the workplace: How can Human Resource Departments and Employee Assistance Programs respond effectively? *Sexual Addiction & Compulsivity*, *9*(2), 149-165.
- Cooper, A., Putnam, D.E., Panchon, L.A., & Boies, S.C. (1999). Online sexual compulsivity: Getting tangled in the net. *Sexual Addiction & Compulsivity*, 6(2), 79-104.
- Cooper, A., Scherer, C., & Mathy, R. (2001). Overcoming methodological concerns in the investigation of online sexual activities. *Cyberpsychology and Behavior*, *4*(4), 437-448.
- Cooper, A., Scherer, C., Boies, S.C., & Gordon, B. (1999). Sexuality on the internet: From sexual exploration to pathological expression. *Professional Psychology: Research & Practice*, 30(2), 154-164.
- Cooper, C.L., & Sutherland, V.J. (1987). Job stress, mental health, and accidents among offshore workers in the oil and gas extraction industries. *Journal of Occupational Medicine*, 29, 119-125.
- Cortina, J.M., Doherty, M.L., Schmitt, N., Kaufman, G., & Smith, R.G. (1992). The "Big Five" personality factors in the IPI and MMPI: Predictors of police performance. *Personnel Psychology*, 45, 119-140.
- Costa, P., & McCrae, R. (1992). Revised NEO Personality Inventory (NEO-PI-R) and the NEO Five Factor Inventory (NEO-FFI) professional manual. Odessa, FL: PAR.
- Costa, P.T., & McCrae, R.R.(1995). Primary traits of Eysenck's P-E-N system: Three- and five-factor solutions. *Journal of Personality and Social Psychology*, 69, 2, 308-317.
- Costa, P. T., Jr., & McCrae, R. R. (2002). Looking backward: Changes in the mean levels of personality traits from 80 to 12. In D. Cervone & W. Mischel (Eds.), *Advances in personality science* (pp. 219–237). NewYork: Guilford Press.
- Crocker, A.G., Muesser, K.T., Drake, R.E., & Clark, R.E. (2005). Antisocial personality, psychopathy and violence in persons with dual disorders: A longitudinal analysis. *Criminal Justice and Behavior*, 32(4), 452-476.
- Cullen, M. J., & Sackett, P. R. (2003). Personality and counterproductive workplace behavior. In M. R. Barrick & A. M. Ryan (Eds.), *Personality and work: Reconsidering the role of personality in organizations* (pp. 150–182). San Francisco, CA: Jossey-Bass.
- Dalal, R. S. (2005). A meta-analysis of the relationship between organizational citizenship behavior and counterproductive work behavior. *Journal of Applied Psychology*, 90(6), 1241-1255.

- Davey, J.D., Obst., P.L., & Sheehan, M.C. (2000). Developing a profile of alcohol consumption patterns of police officers in a large scale sample of an Australian police service. *European Addiction Research*, 6, 205-212.
- Davies, W., & Feldman, P. (1981). The diagnosis of psychopathy by forensic specialists. *British Journal of Psychiatry*, 138, 329-331.
- Deming, A.M., Barry, T.D., & Lochman, J.E. (2009, November). *Does social functioning moderate the relation between psychopathy and aggressive behavior in children?* Paper to be presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from <a href="http://abct2009.abstractcentral.cpm/planner">http://abct2009.abstractcentral.cpm/planner</a>.
- Derefinko, K. & Lynam, D.R. (2006). Convergence and divergence among self-report psychopathy measures: A personality-based approach. *Journal of Personality Disorders*, 20, 261-280.
- Derogatis, L.R. (1993). *Brief symptom inventory: Administration, scoring, and procedures manual.* Minneapolis, MN: National Computer Systems.
- Diefendorff, J. M., & Mehta, K. (2007). The relation of motivational traits with workplace deviance. *Journal of Applied Psychology*, 92(4), 967-977.
- Director of Central Intelligence Directive 6/4 (1998). *Personnel security processing*. Washington, DC: U.S. Government Printing Office.
- Donovan, J.E., & Jessor, G. (1985). Structure of problem behavior in adolescence and young adulthood. *Journal of Consulting and Clinical Psychology*, *53*, 890-904.
- Dotlich, D. L., & Cairo, P. C. (2003). Why CEOs fail: The 11 behaviors that can derail your climb to the top-and how to manage them. San Francisco: Jossey-Bass.
- Douglas, S.C, & Martinko, M.J. (2001). Exploring the role of individual differences in the prediction of workplace aggression. *Journal of Applied Psychology*, 86, 547-559.
- Duffy, M. K., Ganster, D. C., & Shaw, J.D. (1998). Positive affectivity and negative outcomes: The role of tenure and job satisfaction. *Journal of Applied Psychology*, 83, 950-959.
- Dunn, J., & Plomin, R. (1990). Separate lives: Why siblings are so different. New York: Basic Books.
- Eisenberger, R., Huntington, R., Hutchison, S., & Sowa, D. (1986). Perceived organizational support. *Journal of Applied Psychology*, 71, 500–507.
- Ellis, A. (1975). The treatment of sexual disturbance. *Journal of Marital & Family Therapy*, *1*(2), 111-121.
- Evans, S., Giosan, C., Patt, I., Spielman, L., & Difede, J. (2006). Anger and its association to distress and social/occupational functioning in symptomatic disaster relief workers responding to the September 11, 2001, World Trade Center disaster. *Journal of Traumatic Stress*, 19(1), 147-152.
- Eysenck, H.J. (1967). The biological basis of personality. Springfield, IL: Charles C. Thomas.

- Eysenck, S.B.G., & Eysenck, H.J. (1978). Impulsiveness and venturesomeness: Their position in a dimensional system of personality description. *Psychological Reports*, 43 (3, Pt 2), 1247-1255.
- Fairbank, J.A., Hansen, D.J., & Fitterline, J.M. (1991). Patterns of appraisal and coping across different stressor conditions among former prisoners of war with and without post-traumatic stress disorder. *Journal of Consulting and Clinical Psychology*, 59, 274-281.
- Finer, J. (2005, January 11). Interpreter pleads guilty to taking data. *The Washington Post*, p. 6.
- Fischer, S. (2009, November). The effects of impulsivity and drinking motives on binge drinking, alcohol abuse, and associated negative consequences in a longitudinal sample of young adult women.). In D.H. Reel (Chair), *The roles of impulsivity and compulsivity in addictive disorders*. Symposium presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from <a href="http://abct2009.abstractcentral.com/planner">http://abct2009.abstractcentral.com/planner</a>.
- Flaherty, S. & Moss, S.A. (2007). The impact of personality and team context on the relationship between workplace injustice and counterproductive work behaviors. *Journal of Applied Social Psychology*, *37*(11), 2549-2574.
- Flaherty, S., & Moss, S. A. (2007). The impact of personality and team context on the relationship between workplace injustice and counterproductive work behavior. *Journal of Applied Social Psychology*, *37*(11), 2549-2574.
- Folger, R. & Baron, R.A. (1996). Violence and hostility at work: A model of reactions to perceived injustice. In G.R. VandenBos & E.Q. Butatao (Eds.), *Violence on the Job: Identifying risks and developing solutions* (pp. 51-85). Washington, DC: American Psychological Association.
- Forth, A.E., Brown, S.L., Hart, S.D., and Hare, R.D. (1996). The assessment of psychopathy in male and female noncriminals: Reliability and validity. *Personality and Individual Differences*, 20(5), 531-543.
- Fox, S., & Spector, P. E. (1999). A model of work frustration-aggression. *Journal of Organizational Behavior*, 20(6), 915-931.
- Fox, S., & Spector, P.E. (1999). A model of work frustration-aggression. *Journal of Organizational Behavior*, 20, 915-931.
- Fox, S., Spector, P.E., & Miles, D. (2001). Counterproductive work behavior (CWB) in response to work stressors and organizational justice: Some mediator and moderator tests for autonomy and emotions. *Journal of Vocational Behavior*, *59*, 291-309.
- Frone, M.R. (1998). Predictors of work injuries among employed adolescents. *Journal of Applied Psychology*, 83(4), 565-576.
- Funk, S.C. (1992). Hardiness: A review of theory and research. *Health Psychology*, 11, 335-345.
- Furnham, A., & Crump, J. (2005). Personality traits, types, and disorders: An examination of the relationship between here self-report measures. *European Journal of Personality*, 19, 167-184.

- Gabbard, G. (1996). Lessons to be learned from the study of sexual boundary violations. *American Journal of Psychotherapy*, *50*, 311-322.
- Gabbard, G.O. (1994). Psychotherapists who transgress sexual boundaries with patients. *Bulletin of the Menninger Clinic*, 58(1), 124-135.
- Garfinkle, P., Bagby, R & Waring, E. (1997). Boundary violations and personality traits among physicians. *Canadian Journal of Psychiatry*, 42, 758-763.
- Gartrell, N., Herman, J., Olarte, S., Feldstein, M., & Localio, R. (1987). Reporting practices of psychiatrists who knew of sexual misconduct by colleagues. *American Journal of Orthopsychiatric*, 57(2), 287-295.
- Gee, D.G., Devilly, G.J., & Ward, T. (2004). The content of sexual fantasies for sexual offenders. *Sexual Abuse: A Journal of Research and Treatment, 16*, 315-331.
- Geen, R.G. (1968). Effects of frustration, attack, and prior training in aggressiveness upon aggressive behavior. *Journal of Personality and Social Psychology*, *9*, 316-321.
- Gentry, W. A., Katz, R. B., & McFeeters, B. B. (2009). The continual need for improvement to avoid derailment: A study of college and university administrators. *Higher Education Research & Development*, 28(3), 335-348.
- Geuze, E., Vermetten, E., de Kloet, C.S., Hijman, R., Westenberg, H.G.M. (2009). Neuropsychological performance is related to current social and occupational functioning in veterans with posttraumatic stress disorder. *Depression and Anxiety*, 26(1), 7-15.
- Gibbs, J. C. (1991). Socioemotional development delay and cognitive distortion: Implications for the treatment of antisocial youth. In W. M. Kurtines & J. L. Gerwitz (Eds.), *Handbook of moral behavior and development* (Vol. 3, *Applications*, pp. 122-165). Hillsdale, NJ: Erlbaum.
- Gillmore, M.R., Hawkins, J.D., Catalano, R.F., Jr., Day, L.E., Moore, M., & Abbott, R. Structure of problem behaviors in preadolescence. *Journal of Consulting and Clinical Psychology*, 59, 499-506.
- Glasser, R.D., & Thorpe, J.S. (1986). Unethical intimacy: A survey of sexual contact and advances between psychology educators and female graduate students. *American Psychologist*, 41, 43-51.
- Glomb, T.M. (2002). Workplace anger and aggression: Informing conceptual models with data from specific encounters. *Journal of Occupational Health Psychology*, 7, 20-36.
- Goldberg, A. (1998). *Monthly users report on adult sexually oriented sites for April 1998*. Washington, DC: Relevant Knowledge.
- Goldberg, L. R. (1990). An alternative "Description of personality": The Big-Five factor structure. *Journal of Personality and Social Psychology*, *59*, 1216-1229.
- Gottfredson, M. K., & Hirschi, T. (1990). *A general theory of crime*. Stanford, CA: Stanford University Press.
- Green, L., Fristoe, N., & Myerson, J. (1994). Temporal discounting and preference reversals in choice between delayed outcomes. *Psychonomic Bulletin & Review, 1*, 383-389.

- Greenberg, J. (1990a). Employee theft as a reaction to underpayment inequity: The hidden costs of pay cuts. *Journal of Applied Psychology*, 75(5), 561-568.
- Greenberg, J. (1990b). Organizational justice: Yesterday, today, and tomorrow. *Journal of Management*, 16(2), 399-432.
- Greenberg, L., & Barling, J. (1999). Predicting employee aggression against coworkers, subordinates and supervisors: The roles of person behaviors and perceived workplace factors. *Journal of Organizational Behavior*, 20, 897-913.
- Gruys, M.L., & Sackett, P.R. (2003). Investigating the dimensionality of counterproductive work behavior. *International Journal of Selection and Assessment*, 11(1), 30-42.
- Gulbrandsen, P., & Aasland, O.G. (2002). Changes in drinking habits among Norwegian physicians 1985-2000 (Norwegian). *Tidsskr. Nor. Laegeforen, 122*, 2791-2794.
- Gustafson, R. (1991). Male physical aggression as a function of alcohol, frustration, and subjective mood. *International Journal of Addiction*, 26, 255-266.
- Gustafson, R. (1993). What do experimental paradigms tell us about alcohol-related aggressive responding? *Journal of Studies on Alcohol: Alcohol and Aggression*, *54*(11), 20-29.
- Hagerty, W.H., & Sims, H.P. (1978). Some determinants of unethical decision behavior: An experiment. *Journal of Applied Psychology*, 63(4), 451-457.
- Hajek, T., Slaney, C., Garnham, J., Ruzickova, M., Passmore, M. & Alda, M. (2005). Clinical correlates of current level of functioning in primary care-treated bipolar patients. *Bipolar Disorders*, 7, 286-291.
- Hamilton, J.C., & Spruill, J. (1999). Identifying and reducing risk factors related to traineeclient sexual misconduct. *Professional Psychology: Research and Practice*, 30(3), 318-327.
- Hare, R.D. (2003). *The Hare Psychopathy Checklist-Revised* (2<sup>nd</sup> Ed.). Toronto: Multi-Health Systems.
- Hare, R.D. (1980). A research scale for the assessment of psychopathy in criminal populations. *Personality and Individual Differences, 1*, 111-119.
- Hare, R.D. (1991). The Hare Psychopathy Checklist-Revised. Toronto: Multi-Health Systems.
- Hare, R.D. (1993). Without conscience: The disturbing world of the psychopaths among us. New York: Pocket Books.
- Hare, R.D. (1996). Psychopathy: A clinical construct whose time has come. *Criminal Justice and Behavior*, 23(1), 25-54.
- Hare, R.D. (1998). Psychopaths and their nature: Implications for the mental health and criminal justice systems. In T. Millon, E. Simonsen, M. Birket-Smith and R. Davis (Eds.), *Psychopathy: Antisocial, criminal and violent behavior* (pp. 188-212). New York: Guilford.
- Harries, J.E., & Knight, R.A. (2008, August). *Examining risk factors, pornography use, and sexual aggression in juveniles*. Paper presented at the 2008 American Psychological Association Convention, Boston, MA.

- Harris, G. (2001). Guideline F: Financial Considerations. Washington, DC: Personnel Security Research Staff.
- Hart, S. D., & Hare, R. D. (1997). Psychopathy: Assessment and association with criminal conduct. In D.M. Stoff, J. Breiling, & J.D. Maser (Eds.), *Handbook of antisocial behavior* (pp. 22-35). New York: Wiley.
- Havill, A. (2001). The spy who stayed out in the cold: The secret life of FBI double agent Robert Hanssen. New York: St. Martin's Press.
- Helson, R., & Moane, G. (1987). Personality change in women from college to midlife. *Journal of Personality and Social Psychology*, *53*, 176–186.
- Herbig, K.L., & Wiskoff, M.F. (2002). Espionage against the United States by American citizens 1947-2001 (Technical Report 02-5). Monterey, CA: Defense Personnel Security Research Center.
- Herbig, K.L. (2008). *Changes in espionage by Americans: 1947-2007* (Technical Report 08-05). Monterey, CA: Defense Personnel Security Research Center.
- Herek, G.M. (1990). Gay people and government security clearances: A social science perspective. *American Psychologist*, 45(9), 1035-1042.
- Hicklin, J. & Widiger, T.A. (2005). Similarities and differences among antisocial and psychopathic self-report inventories from the perspective of general personality functioning. *European Journal of Psychology*, 19, 325-342.
- Hitz, F.P. (2004). *The great game: The myth and reality of espionage*. New York: Alfred A. Knopf.
- Hoffman, B., Meyer, C., Schwarz, B., & Duncan, J. (1990). *Insider Crime: The Threat to Nuclear Facilities and Programs*. Santa Monica, CA: RAND Corporation.
- Hogan, J., Hogan, R., & Kaiser, R. B. (in press). Management derailment: Personality assessment and mitigation. In S. Zedeck (Ed.), *American Psychological Association handbook of industrial and organizational psychology*. Washington, DC: American Psychological Association.
- Hogan, R., & Hogan, J. (1997). *Hogan Development Survey Manual*. Tulsa, OK: Hogan Assessment Centres.
- Hogan, R., & Hogan, J. (2001). Assessing leadership: A view from the dark side. *International Journal of Selection and Assessment*, 9(1/2), 40-51.
- Hogan, R., & Warrenfeltz, R. (2003). Educating the modern manager. *Academy of Management Learning and Education*, 2, 74-84.
- Holcom, M.L. (1994). A structural model of employee deviance, substance use, and performance in the workplace. *Dissertation Abstracts International: Section B: The Sciences and Engineering*. 54(8-B), 4424.
- Holcom, M.L., Lehman, W.E.K., & Simpson, D.D. (1993). Employee accidents: Influences of personal characteristics, job characteristics, and substance use in jobs differing in accident potential. *Journal of Safety Research*, 24, 205-221.

- Hollinger, R.C. (1986). Acts against the workplace: Social bonding and employee deviance. *Deviant Behavior*, 7, 53-75.
- Houston, R. (2009, November). Multimethod assessment of impulse control changes in response to CBT for alcohol dependence. In D.H. Reel (Chair), *The roles of impulsivity and compulsivity in addictive disorders*. Symposium presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from http://abct2009.abstractcentral.com/planner.
- Hull, J.G. (1981). A self-awareness model of the causes and effects of alcohol consumption. *Journal of Abnormal Psychology*, 90, 586-600.
- Inwald, R., Knatz, H., & Shusman, E. (1983). *Inwald Personality Inventory Manual*. New York: Hilson Research.
- Jackson, H., & Nuttall, R.L. (2001). A relationship between childhood sexual abuse and professional sexual misconduct. *Professional Psychology: Research and Practice*, 32(2), 200-204.
- Jakupcak, M. & Tull, M.T. (2005). Effects of trauma exposure on anger, aggression, and violence in a nonclinical sample of men. *Violence and Victims*, 20(5), 589-598.
- Jang, K.L., Livesley, W.J., & Vernon, P.A.(1996). Heritability of the big five personality dimensions: A twin study. *Journal of Personality*, 64, 577-591.
- Jeavons, C.M., & Taylor, S.P. (1985). The control of alcohol-related aggression: redirecting inebriate's attention to socially appropriate conduct. *Aggressive Behavior*, 11, 93-101.
- John, O.P., & Srivastava, S. (1999). The Big Five trait taxonomy: History, measurement, and theoretical perspectives. In L.A. Pervin & O.P. John (Eds.), *Handbook of Personality: Theory and Research* (2<sup>nd</sup> ed., pp. 102-138). New York: Guilford.
- Johnson, R.J., & Kaplan, H.B. (1990). Stability of psychological symptoms: Drug use consequences and intervening processes. *Journal of Health and Social Behavior*, 31, 277-291.
- Jones, F.D., & Koshes, R.J. (1995). Homosexuality and the military. *American Journal of Psychiatry*, 152(1), 16-21.
- Kafka, M.P. (2000). The paraphilia-related disorders: Non-paraphilic hypersexuality and sexual compulsivity/addiction. In S.R. Lieblum & R.C. Rosen (Eds.), *Principles and practice of sex therapy* (3<sup>rd</sup> ed., pp. 471-503) New York: Guilford.
- Kafka, M.P., & Prentky (1994). Preliminary observations of DSM-III-R Axis I comorbidity in men with paraphilias and paraphilia related disorders. *Journal of Clinical Psychiatry*, *55*, 481-487.
- Kagle, J.D., & Giebelhausen, P.N. (1994). Dual relationships and professional boundaries. *Social Work, 39*, 213-220.
- Kaiser, R. B., & Hogan, R. (2007). The dark side of discretion: Leader personality and organizational decline. In R. Hooijberg, J. Hunt, J. Antonakis, & K. Boal (Eds.), *Being there even when you are not: Leading through strategy, systems and structures.*

- Monographs in leadership and management (Vol. 4, pp. 177-197). London: Elsevier Science.
- Kelloway, E. K., Loughlin, C., Barling, J., & Nault, A. (2002). Self-reported counterproductive behaviors and organizational citizenship behaviors: Separate but related constructs. *International Journal of Selection and Assessment, 10*, 143-151.
- Khoo, H.S., & Burch, G. (2008). The "dark side" of leadership personality and transformational leadership: An exploratory study. *Personality and Individual Differences*, 44, 86-97.
- Kingston, D.A., Malamuth, N.M., Fedoroff, P., & Marshall, W.L. (2009). The importance of individual differences in pornography use: Theoretical perspectives and implications for treating sexual offenders. *Journal of Sex Research*, 46(2-3), 216-232.
- Knight, R.A., Prentky, R.A., & Cerce, D.D. (1994). The development, reliability, and validity of an inventory for the Multidimensional Assessment of Sex and Aggression. *Criminal Justice and Behavior*, 21, 72-94.
- Kobasa, S.C. (1979). Stressful life events, personality, and health: An inquiry into hardiness. *Journal of Personality and Social Psychology*, *37*, 1-11.
- Kobasa, S.C., Maddi, S.R., & Kahn, S. (1982). Hardiness and health: A prospective study. *Journal of Personality and Social Psychology*, 42, 168-172.
- Koucky, E., Blain, L., & Galovski, T. (2009, November). Perceived social support as a moderator of the relationship between trauma-related guilt and posttraumatic distress. Paper presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from <a href="http://abct2009.abstractcentral.com/planner">http://abct2009.abstractcentral.com/planner</a>.
- Kramer, L.A., & Heuer Jr., R.J. (2007). America's increased vulnerability to insider espionage. *International Journal of Intelligence and CounterIntelligence*, 20, 50-64.
- Kubany, E.S., Haynes, S.N., Abueg, F.R., Manke, F.P., Brennan, J.M., & Stahura, C. (1996). Development and validation of the Trauma-Related Guilt Inventory (TRGI). *Psychological Assessment*, 8(4), 428-444.
- Langevin, R., Glancy, G., & Curnoe, S. (1999). Physicians who commit sexual offences: Are they different from other sex offenders? *Canadian Journal of Psychiatry*, 44, 775-780.
- Lee, K., & Allen, N. J. (2002). Organizational citizenship behavior and workplace deviance: The role of affect and cognitions. *Journal of Applied Psychology*, 87(1), 131-142.
- Lehman, W.E.K., & Bennett, J.B. (2002). Job risk and employee substance use: The influence of personal background and work environment factors. *American Journal of Drug and Alcohol Abuse*, 28(2), 263-286.
- Lehman, W.E.K., & Simpson, D.D. (1992). Employee substance use and on-the-job behaviors. *Journal of Applied Psychology*, 77(3), 309-321.
- Leigh, B.C. (1996, May). *Peril, chance, adventure: Concepts of risk, alcohol use, and risky behavior in young adults.* Paper presented at the 10<sup>th</sup> Annual International Alcohol Policy Conference, Toronto, Ontario, Canada.

- Leistico, A.M.R., Salekin, R.T., DeCoster, J., & Rogers, R. (2008). A large-scale meta-analysis relating Hare measures of psychopathy to antisocial conduct. *Law and Human Behavior*, 32, 28-35.
- Leitenberg, H. & Henning, K. (1995). Sexual fantasy. Psychological Bulletin, 117, 469-496.
- Lesieur, H.R., & Blume, S.B. (1987). The South Oaks Gambling Screen (SOGS): A new instrument for the identification of problem gamblers. *American Journal of Psychiatry*, 144, 1184-1188.
- Levine, S.Z., & Jackson, C.J. (2004). Eysenck's theory of crime revisited: Factors or primary scales. *Legal and Criminological Psychology*, *9*, 135-152.
- Lynam, D. R., & Widiger, T. A. (2001). Using the Five-Factor Model to Represent the *DSM-IV* Personality Disorders: An Expert Consensus Approach. *Journal of Abnormal Psychology*, 110, 401-412.
- Lynam, D.R., & Widiger, T.A. (2007). Using a general model of personality to identify the basic elements of psychopathy. *Journal of Personality Disorders*, 21(2), 160-178.
- MacKillop, J., Mattson, R.E., Anderson MacKillop, E.J., Castelda, B.A., & Donovick, P.J. (2007). Multidimensional assessment of impulsivity in undergraduate hazardous drinkers and controls. *Journal of Studies on Alcohol and Drugs*, 68, 785-788.
- Mangione, T.W., Howland, J., Amick, B., Cote, J., Lee, M., Bell, N.,& Levine, S. (1999). Employee drinking practices and work performance. *Journal of Studies on Alcohol*, 60(2), 261-270.
- Mangione, T.W., Howland, J., Lee, M. (1998). *New Perspectives for Worksite Alcohol Straegies: Results from a Corporate Drinking Study*. Boston: JSI Research and Training Institute.
- Martin, J.K., Blum, T.C., Beach, S.R.H., & Roman, P.M. (1996). Subclinical depression and performance at work. *Social Psychiatry and Psychiatric Epidemiology*, *31*, 3-9.
- Martinko, M. J., Gundlach, M. J., & Douglas, S. C. (2002). Toward an integrative theory of counterproductive work behavior: A causal reasoning perspective [Special issue]. *International Journal of Selection and Assessment, 10*(1/2), 36-50.
- Mastrangelo, P. (2003). *Misuse of work computers: Not as sexy as you think*. Paper presented at the 2003 APA Annual Convention, Toronto, Ontario: Canada. Abstract retrieved from <a href="http://www.apa.org">http://www.apa.org</a>.
- Mastrangelo, P. M., & Jolton, J. A. (2001). Predicting on-the-job substance abuse with a written integrity test. *Employee Responsibilities and Rights Journal*, 13(2), 95-106.
- Mastrangelo, P.M., & Jolton, J.A. (2001). Predicting on-the-job substance abuse with a written integrity test. *Employee Responsibilities and Rights Journal*, 13(2), 95-106.
- Matano, R.A., Wanat, S.F., Westrup, D., Koopman, C., & Whitsell, S.D. (2002). Prevalence of alcohol and drug use in a highly educated workforce. *The Journal of Behavioral Health Services & Research*, 29(1), 30-44.
- Matthews, L.R. (2005). Work potential of road accidents survivors with post-traumatic stress disorder. *Behaviour Research and Therapy*, 43(4), 475-483.

- Mayfield, D., McLeod, G., & Hall, P. (1974). The CAGE questionnaire: Validation of a new alcoholism screening instrument. *American Journal of Psychiatry*, 131, 1121-1123.
- McAdams, D.P. (2001). The *Person: An integrated introduction to personality psychology* (3<sup>rd</sup> Ed.). Orlando, FL: Harcourt College Publishers.
- McCall, M. W., Jr., & Hollenbeck, G. P. (2002). When things go wrong. In *Developing global executives: The lessons of international experience* (pp. 153-170). Boston: Harvard Business School Press.
- McCrae, R.R. (1996). Social consequences of experiential openness. *Psychological Bulletin*, 120, 323-337.
- McCrae, R.R., & Costa, P.T. (1990). Personality in adulthood. New York: Guilford.
- McCrary, J., & Gutierrez, L. (1980). The homosexual person in the military and in national security employment. *Journal of Homosexuality*, *5*, 115-146.
- McFarlin, S.K., Fals-Stewart, W., Major, D.A., & Justice, E.M. (2001). Alcohol use and workplace aggression: An examination of perpetration and victimization. *Journal of Substance Abuse*, *13*, 303-321.
- Meffert, S.M., Metzler, T.J., Henn-Haase, C., McCaslin, S., Inslicht, S., Chemtob, C., Neylan, T., & Marmar, C.R. (2008). A prospective study of trait anger and PTSD symptoms in police. *Journal of Traumatic Stress*, 21(4), 410-416.
- Meyer, G., & Stadler, M.A. (1999). Criminal behavior associated with pathological gambling. *Journal of Gambling Studies*, 15(1), 29-43.
- Michalak, E.E., Yatham, L. N., Maxwell, V., Hale, S., & Lam, R. W. (2007). The impact of bipolar disorder on work functioning: A qualitative analysis. *Bipolar Disorders*, *9*, 126-143.
- Mignone, T., Klostermann, K., & Chen, R. (2009). The relationship between relapse to alcohol and relapse to violence. *Journal of Family Violence*, 24(7), 497-505.
- Miles, D. E., Borman, W. E., Spector, P. E., & Fox, S. (2002). Building an integrative model of extra role work behaviors: A comparison of counterproductive work behavior with organizational citizenship behavior [Special issue]. *International Journal of Selection and Assessment*, 10(1/2), 51-57.
- Miller, J.D., & Lynam, D. (2001). Structural models of personality and their relationship to antisocial behavior: A meta-analysis. *Criminology*, 39(4), 765-798.
- Miller, J.D., Lynam, D., Zimmerman, R.S., Logan, T.K., Leukefeld, C., & Clayton, R. (2004). The utility of the Five Factor Model in understanding risky sexual behavior. *Personality and Individual Differences*, *36*, 1611-1626.
- Miller, J.D., Lynam, D.R., Widiger, T.A., & Leukefeld, C. (2001). Personality disorders as extreme variants of common personality dimensions: Can the Five-Factor Model adequately represent psychopathy? *Journal of Personality*, 69, 253-276.
- Millon, T. (1981). Disorders of personality DSM III AXIS II. New York: Wiley.
- Mitchell, M. (2004, September 2). Accused GI called bipolar, 'social misfit." *The Seattle Post-Intelligencer*, p. 17.

- Moscoso, S., & Salgado, J. F. (2004). "Dark side" personality styles as predictors of task, contextual, and job performance. *International Journal of Selection and Assessment*, 12(4), 356-362.
- Moyle, P. (1995). The role of negative affectivity in the stress process: Tests of alternative models. *Journal of Organizational Behavior*, *16*, 647-668.
- Myrseth, H., Pallesen, S., Molde, H., Johnsen, B.H., Havik, O.E. (2009, November). *Assessment of personality characteristics with the MMPI-2 of pathological gamblers in a treatment-seeking sample*. Paper presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from <a href="http://doi.org/10.1007/ntm2.1007/n
- Najar, M. J., Holland, B. D., & Van Landuyt, C. R. (2004, April). Individual differences in leadership derailment. Paper presented at the meeting of the Society for Industrial and Organizational Psychology, Chicago, IL.
- Neuman, J.H., & Baron, R.A. (1997). Aggression in the workplace. In R. A. Giacalone & J. Greenberg (Eds.), *Antisocial behavior in organizations* (pp. 37-67). Thousand Oaks, CA: Sage.
- Neuman, J.H., & Baron, R.A. (1998). Workplace violence and workplace aggression: Evidence concerning specific forms, potential causes, and preferred targets. *Journal of Management*, 24, 391-419.
- Newcomb, M.D. & Bentler, P.M. (1988). Consequences of adolescent drug use: Impact on the lives of young adults. Thousand Oaks, CA: Sage Publications, Inc.
- Normand, J., Lempert, R.O., & O-Brien, C.P. (Eds.) (1994). *Under the influence? Drugs and the American Workforce*. Washington, DC: National Academy Press.
- O'Brien, K. E., & Allen, T. D. (2008). The relative importance of correlates of organizational citizenship behavior and counterproductive work behavior using multiple sources of data. *Human Performance*, 21, 62-88.
- O'Connor, R. (2009, November). BIS risk for negative reinforcement alcohol expectancies: Role of anxious mood and impulsivity. In D.H. Reel (Chair), *The roles of impulsivity and compulsivity in addictive disorders*. Symposium presenteded at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from http://abct2009.abstractcentral.com/planner.
- Olweus, D. (1979). Stability of aggressive reaction patterns in males: A review. *Psychological Bulletin*, 86, 852-875.
- Ones, D. S., Viswesvaran, C., & Schmidt, F. L. (1993). Comprehensive meta-analysis of integrity test validities: Findings and implications for personnel selection and theories of job performance. *Journal of Applied Psychology*, 78(4), 679-703.
- Ones, D. S., Viswesvaran, C., & Schmidt, F. L. (2003). Personality and absenteeism: A metaanalysis of integrity tests. *European Journal of Personality*, 17, S19-S38.

- Ones, D.S., Viswesvaran, C., & Schmidt, F.L. (1993). Comprehensive meta-analysis of integrity test validities: Findings and implications for personnel selection and theories of job performance. *Journal of Applied Psychology*, 78, 679-703.
- Organ, D. W. (1988). Organizational citizenship behavior: The good soldier syndrome. Lexington, MA: Lexington Books.
- Organ, D. W., & Konovsky, M. (1989). Cognitive versus affective determinants of organizational citizenship behavior. *Journal of Applied Psychology*, 74(1), 157-164.
- Organ, D. W., & Ryan, K. (1995). Meta-analytic review of attitudinal and dispositional predictors of organizational citizenship behavior. *Personnel Psychology*, 48(4), 775-802.
- Parker J.P., & Wiskoff, M.F. (1991). *Temperament constructs related to betrayal of trust* (PERS-TR-92-002). Monterey, CA: Defense Personnel Security Research Center.
- Parkes, K. R. (1990). Coping, negative affectivity, and the work environment: Additive and interactive predictors of mental health. *Journal of Applied Psychology*, 75, 399-409.
- Pastore, N. (1952). The role of arbitrariness in the frustration-aggression hypothesis. *Journal of Abnormal and Social Psychology*, 47, 728-741.
- Paul, B. (2009). Predicting Internet pornography use and arousal: The role of individual difference variables. *Journal of Sex Research*, 46(4), 344-357.
- Pearlin, L.I. Lieberman, M., Menaghan, E., & Mullan, J. The stress process. *Journal of Health and Social Behavior*, 22, 337-356.
- Penney, L. M., & Spector, P. E. (2002). Narcissism and counterproductive work behavior: Do bigger egos mean bigger problems? [Special issue]. *International Journal of Selection and Assessment*, 10(1/2), 126-134.
- Perlow, R., & Latham, L.L. (1993). Relationship of client abuse with locus of control and gender: A longitudinal study. *Journal of Applied Psychology*, 78, 831-834.
- Perrewe, P. L., & Zellars, K. L. (1999). An examination of attributions and emotions in the transactional approach to the organizational stress process. *Journal of Organizational Behavior*, 20, 739-752.
- Pertman, A. (2001, February 25). Why they spy: Be it etiology, ego or disaffection, almost always a threat connects motive and money. The Boston Globe. Retrieved October 3, 2009, from http://www.fas.org/sgp/news/2001/02/bg)22501.html.
- Pietrzak, R.H., & Petry, N.M. (2005). Antisocial personality disorder is associated with increased severity of gambling, medical, drug and psychiatric problems among treatment-seeking pathological gamblers. *Addiction*, 100(8), 1183-1193.
- Plant, M.A. (1978). Occupation and alcoholism: cause or effect? A controlled study of recruits to the drink trade. *International Journal of Addiction*, 13, 605-626.
- Podsakoff, P. M., MacKenzie, S. B., Moorman, R. H., & Fetter, R. (1990). Transformational leader behaviors and their effects on followers' trust in leader, satisfaction, and organizational citizenship behavior. *Leadership Quarterly*, 1, 107-142.

- Podsakoff, P. M., MacKenzie, S. B., Paine, J. B., & Bachrach, D. G. (2000). Organizational citizenship behaviors: A critical review of the theoretical and empirical literature and suggestions for future research. *Journal of Management*, 26(3), 513-563.
- Pope, K. (1989). Sexual intimacies between psychologists and their students & supervisee's: Research, standards & professional liability. *The Independent Practitioner*, 9, 33-41.
- Pope, K. (1994). Sexual involvement with therapists: Patient assessment, subsequent therapy, forensics. Washington, DC: American Psychological Association.
- Prentiss-Dunn, S., & Rogers, R.W. (1982). Effects of public and private self-awareness of deindividuation and aggression. *Journal of Personality and Social Psychology*, 43, 503-513.
- Preston, L.A. (1998). *Psychopathy and its association with the Five Factor Model of normal personality* (Unpublished Doctoral Dissertation).
- Randazzo, M.R., Keeney, M., Kowalski, E., Capelli, D., & Moore, A. (2004). *Insider Threat Study: Illicit cyber activity in the Banking and Finance sector*. Pittsburgh, PA: Software Engineering Institute and U.S. Secret Service, Carnegie Mellon University.
- Raskin, R. & Hall, C.S. (1979). A Narcissistic Personality Inventory. *Psychological Reports*, 45, 590.
- Ray, J.V., Poythress, N.G., Weir, J.W., & Rickelm, A. (2009). Relationships among psychopathy and impulsivity in the domain of self-reported personality features. *Personality and Individual Differences*, 46, 83-87.
- Reel, D.H. (2009, November). Pathways to vulnerability for alcohol use severity. In D.H. Reel (Chair), *The roles of impulsivity and compulsivity in addictive disorders*. Symposium conducted at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from <a href="http://abct2009.abstractcentral.com/planner">http://abct2009.abstractcentral.com/planner</a>.
- Resick, P. A., Galovski, T. E., Uhlmansiek, M. O., Scher, C.D.; Clum, G.A., & Young-Xu, Y. (2008). A randomized clinical trial to dismantle components of cognitive processing therapy for posttraumatic stress disorder in female victims of interpersonal violence. *Journal of Consulting and Clinical Psychology*, 76(2), 243-258.
- Rhoades, L., & Eisenberger, R. (2002). Perceived organizational support: A review of the literature. *Journal of Applied Psychology*, 8, 698–714.
- Rivera, R. (2004, August 31). Guardsman Anderson accused of "betrayal" as court martial begins. *The Seattle Times*, pp. 3-4.
- Roback, H. B., Strassberg, D., Iannelli, R. J., Finlayson, AJ. R., Blanco, M., & Neufeld, R. (2007). Problematic physicians: A comparison of personality profiles by offence type. *Canadian Journal of Psychiatry*, 52, 315-322.
- Robinson, S. L. & Bennett, R. J. (1995). A typology of deviant workplace behaviors: A multidimensional scaling study. *Academy of Management Journal*, 38(2), 555-572.
- Robinson, S. L., & Greenberg, J. (2003). Employees behaving badly: Dimensions, determinants and dilemmas in the study of workplace deviance. In C. L. Cooper & D. M. Rousseau

- (Eds.), *Trends in organizational behavior, Vol.* 5(pp.1-30). New York: John Wiley & Sons.
- Robinson, S.L. & Bennett, R.J. (1995). A typology of deviant workplace behaviors: A multidimensional scaling study. *Academy of Management Journal*, 38, 555-572.
- Rosa, A. R. et al. (2009). Clinical predictors of functional outcome of bipolar patients in remission. *Bipolar Disorders*, 11, 401-409.
- Ross, C.E., & Mirowsky, J. (1979). A comparison of life-event weighting schemes: Change, undesirability, and effect-proportional indices. *Journal of Health and Social Behavior*, 20(2), 166-177.
- Rotter, J.B. (1966). Generalized expectancies for internal versus external control of reinforcement. *Psychological Monographs*, 80 (Whole no. 609).
- Ruggeri, N.T., & McGinn, L. (2009, November). Persistent PTSD: Cognitive vulnerability after September 11, 2001. Paper to be presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York City, NY. Abstract retrieved from <a href="http://http:
- Ryan G. Anderson (2004, June 10). *CI Centre*. Retrieved from <a href="http://www.cocentre.com/">http://www.cocentre.com/</a>
  Documents/ DOC\_Ryan\_Anderson.htm
- Ryan, A. M., Schmit, M. J., Daum, D., Brutus, S., McCormick, S. A., & Brodke, M. H. (1997). Workplace integrity: Differences in perceptions of behaviors and situational factors. *Journal of Business and Psychology*, 12(1), 67-83.
- Sackett, P. E., Berry, C. M., Wiemann, S. A., & Laczo, R. M. (2006). Citizenship and counterproductive behavior: Clarifying relations between the two domains. *Human Performance*, 19(4), 441-464.
- Sackett, P. R. (2002). The structure of counterproductive work behaviors: Dimensionality and relationships with facets of job performance [Special issue]. *International Journal of Selection and Assessment*, 10(1/2), 5-11.
- Sackett, P. R., & DeVore, C. J. (2001). Counterproductive behaviors at work. In N. Anderson, D. Ones, H. Sinangil, & C. Viswesvaran (Eds.), *Handbook of industrial, work, and organizational psychology* (Vol. 1, pp. 145–164). London: Sage.
- Sackett, P. R., & Wanek, J. E. (1996). New developments in the use of measures of honesty, integrity, conscientiousness, dependability, trustworthiness, and reliability for personnel selection. *Personnel Psychology*, 49, 787-830.
- Sackett, P.R. (2002). The structure of counterproductive work behaviors: Dimensionality and relationships with facets of job performance [Special Issue]. *International Journal of Selection and Assessment*, 10(1/2), 5-11.
- Salekin, R., Rogers, R., & Sewell, K. (1996). A review and meta-analysis of the Psychopathy Checklist and Psychopathy Checklist-Revised: Predictive validity of dangerousness. *Clinical Psychology: Science and Practice*, *3*, 203, 215.
- Salgado, J.F. (2002). The big five personality dimension and counterproductive behaviors. *International Journal of Selection and Assessment, 10*, 117-125.

- Sanford, J.S. (2004). *Policing and psychopathy: The case of Robert Philip Hanssen* (CI04-604). University of North Carolina at Charlotte.
- Sarchione, C.D., Cuttler, M.J., Muchinsky, P.M., & Nelson-Gary, R.O. (1998). Prediction of dysfunctional job behaviors among law enforcement officers. *Journal of Applied Psychology*, 83(6), 904-912.
- Saunders, J.B., Aasland, O.G., Babor, T.F., De La Fuente, J.R., & Grant, M. (1993). Development of the Alcohol Use Disorders Identification Test (AUDIT): WHO collaborative project on early detection of persons with harmful alcohol consumption-II. *Addiction*, 88, 791-804.
- Schinka, J.A., Kinder, B.N., & Kremer, T. (1997). Research validity scales for the NEO-PI-R: Development and initial validation. *Journal of Personality Assessment*, 68, 127-138.
- Schmit, M. J., Kihm, J. A., & Robie, C. A. (2000). Development of a global measure of personality. *Personnel Psychology*, *53*, 153-193.
- Schmitt, N.W., & Colligan, M.J. (1984). Lack of stress-health relationships: A base rate problem? *Journal of Community Psychology*, 12, 245-252.
- Schneider, J.P. (2000). A qualitative study of cybersex participants: Gender differences, recovery issues, and implications for therapists. *Sexual Addiction & Compulsivity*, 7(4), 249-278.
- Schoener, G.R. (1995). Assessment of professionals who have engaged in boundary violations. *Psychiatric Annals*, 25(2), 95-99.
- Schwartz, J.M. (2007) Exploring the mind of a spy. *The Forensic Examiner*, 67-68.
- Schwartz, M.F. (1992). Sexual compulsivity as post-traumatic stress disorder: Treatment perspectives. *Psychiatric Annals*, 22, 333-338.
- Shannon, E., & Blackman, A. (2002). The spy next door: The extraordinary secret life of Robert Philip Hanssen, the most damaging FBI agent in U.S. history. New York: Little, Brown & Co.
- Shaw, E.D., & Fischer, L.F. (2005). Ten tales of betrayal: The threat to corporate infrastructures by information and technology insiders analysis and observations (FOUO). Monterrey, CA: Defense Personnel Security Research Center.
- Sher, K., & Littlefield, A. (2009, November). Developmental trajectories of impulsivity and their association with alcohol use and other outcomes during emerging and young adulthood. In D.H. Reel (Chair), *The roles of impulsivity and compulsivity in addictive disorders*. Symposium presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from <a href="http://abct2009.abstractcentral.com/planner">http://abct2009.abstractcentral.com/planner</a>.
- Shim, J.W., Lee, S., & Paul, B. (2007). Who responds to unsolicited sexually explicit materials on the Internet? The role of individual differences. *CyberPsychology & Behavior*, *10*, 71-79.

- Shipley, S., & Arrigo, B.A. (2001). The confusion over psychopathy (II): Implications for forensic (correctional) practice. *International Journal of Offender Therapy and Comparative Criminology*, 45, 407-420.
- Skarlicki, D. P., Folger, R., & Tesluk, P. (1999). Personality as a moderator in the relationship between fairness and retaliation. *Academy of Management Journal*, 42, 100-108.
- Skarlicki, D. P., van Jaarsveld, D. D., & Walker, D. D. (2008). Getting even for customer mistreatment: The role of moral identity in the relationship between customer interpersonal injustice and employee sabotage. *Journal of Applied Psychology*, *93*(6), 1335-1347.
- Skarlicki, D.P. Folger, R., & Tesluk, P. (1999). Personality as a moderator in the relationship between fairness and retaliation. *Academy of Management Journal*, 42, 100-108.
- Skarlicki, D.P., & Folger, R. (1997). Retaliation in the workplace: The roles of distributive, procedural, and interactional justice. *Journal of Applied Psychology*, 82, 434-443.
- Slaymaker, V.J., & Owen, P.L. (2006). Employed men and women substance abusers: Job troubles and treatment outcomes. *Journal of Substance Abuse Treatment*, 31(4), 347-354.
- Sloan, L., Edmond, T., Rubin, A., & Doughty, M. (1998). Social workers' knowledge of and experience with sexual exploitation by psychotherapists. *Social Work*, *43*, 43-53.
- Smith, C. A., Organ, D., & Near, J. (1983). Organizational citizenship behavior: Its nature and antecedents. *Journal of Applied Psychology*, 68, 653-663.
- Smith, R. J. (1978). Personality and psychopathology: A series of monographs, texts, and treatises. New York: Academic Press.
- Solomon, Z. Mikulincer, M., & Avitzur, E. (1988). Coping, locus of control, social support, and combat-related posttraumatic stress disorder: A prospective study. *Journal of Personality and Social Psychology*, *55*, 279-285.
- Solomon, A., Mikulincer, M., & Benbenishty, R. (1989). Locus of control and combat-related post-traumatic stress disorder: The intervening role of battle intensity, threat appraisal and coping. *British Journal of Clinical Psychology*, 28, 131-144.
- Spector, P.E. (1975). Relationships of organizational frustration with reported behavioral reactions of employees. *Journal of Applied Psychology*, 60, 635-637.
- Spector, P. E. (1988). Development of the Work Locus of Control Scale. *Journal of Occupational Psychology*, 61, 335-340.
- Spector, P.E., (1998). A control model of the job stress process. In C.L. Cooper (Ed.), *Theories of organizational stress* (pp. 153-169). London: Oxford University Press.
- Spector, P. E., & Fox, S. (2005). A model of counterproductive work behavior. In S. Fox & P. E. Spector (Eds.), *Counterproductive workplace behavior: Investigations of actors and targets* (pp. 151–174). Washington, DC: APA.
- Spector, P. E., & Jex, S. M. (1998). Development of four self-report measures of job stressors and strain: Interpersonal Conflict at Work Scale, Organizational Constraints Scale,

- Quantitative Workload Inventory, and Physical Symptoms Inventory. *Journal of Occupational Health Psychology*, *3*, 356–367.
- Spector, P.E. & Fox, S. (2005). The stressor-emotion model of counterproductive work behavior. In S. Fox & P.E. Spector (Eds.) *Counterproductive work behavior: Investigations of actors and targets* (pp. 151-174). Washington, DC: American Psychological Association.
- Spector, P.E., & Goh, A. (2001). The role of emotions in the occupational stress process. In P.L. Perrewe & D.C. Ganster (Eds.), *Research in occupational stress and well-being* (*Volume 1*): Exploring theoretical mechanisms and perspectives (pp. 195-232). Greenwich, CT: JAI Press.
- Spicer, R.S, Miller, T.D., & Smith, G.S. (2003). Worker substance use, workplace problems and the risk of occupational injury: A matched case-control study. *Journal of Studies on Alcohol*, 64(4), 570-578.
- Spielberger, C. D., Krasner, S. S., & Solomon, E.P. (1988). The experience, expression and control of anger. In M.P. Janisse (Ed.), *Health psychology: Individual differences and stress* (pp. 89-108). New York: Springer.
- Spielberger, C. D., Reheiser, E. C., & Sydeman, S. J. (1995). Measuring the experience, expression, and control of anger. *Issues in Comprehensive Pediatric Nursing*, 18, 207-232.
- Spielberger, C.D., & Sydeman, S.J. (1994). State-trait anxiety inventory and state-trait anger expression inventory. In M.E. Maruish (Ed.), *The use of psychological testing for treatment planning and outcome assessment* (pp. 292-321). Hillsdale, NJ: Erlbaum.
- Stein, J.A., Smith, G.M., Guy, S.M., & Bentler, P.M. (1993). Consequences of adolescent drug use on young adult job behavior and job satisfaction. *Journal of Applied Psychology*, 78(3), 463-474.
- Sterud, T., Hem, E., Ekeberg, O., & Lau, B. (2007). Occupational stress and alcohol use: A study of two nationwide samples of operational police and ambulance personnel in Norway. *Journal of Studies on Alcohol and Drugs*, 68(6), 896-904.
- Stone, L.A. (1992). Canonical correlation between security clearance adjudication concerns and later motivational causes for espionage behavior. *Forensic Reports*, *5*, 305-316.
- Storms, P. L., & Spector, P. E. (1987). Relationships of organizational frustration with reported behavioural reactions: The moderating effect of locus of control. *Journal of Occupational Psychology*, 30, 227-234.
- Storms, P.L., & Spector, P.E., (1987). Relationships of organizational frustration with reported behavioral reactions: The moderating effect of perceived control. *Journal of Occupational Psychology*, 60, 227-234.
- Stulhofer, A., Jelovica, V., & Ruzic, J. (2008). Is early exposure to pornography a risk factor for sexual compulsivity? Findings from an online survey among young heterosexual adults. *International Journal of Sexual Health*, 20(4), 270-280.

- Sullivan, M.J.L., & Conway, M. (1989). Negative affect leads to low-effort cognition: Attributional processing for observed social behavior. *Social Cognition*, 7, 315-337.
- Summary and Explanation of 2005 Changes to the Adjudicative Guidelines. http://www.rjhresearch.com/ADR/summary/summarytext.htm.
- Sutker, P.B., Davis, J.M., Uddo, M., & Ditta, S.R. (1995). War zone stress, personal resources, and PTSD in Persian Gulf War returnees. *Journal of Abnormal Psychology*, 104(3), 444-452.
- Szklo, M. & Nieto, F.J. Epidemiology: Beyond the Basics. Gaithersburg, MD: Aspen.
- Taylor, S., Wald, J., & Asmundson, G.J.G. (2006). Factors associated with occupational impairment in people seeking treatment for posttraumatic stress disorder. *Canadian Journal of Community Mental Health*, 25(2), 289-301.
- Tellegen, A. (1985). Structures of mood and personality and their relevance to assessing anxiety, with an emphasis on self-report. In A. H. Tuma & J. Maser (Eds.), *Anxiety and the anxiety disorders* (pp. 681-706). Hillsdale, NJ: Lawrence Erlbaum.
- Tellegen, A., Lykken, D.J., Bouchard, T.J., Jr., Wilcox, K.J., Segal, N.L., & Rich, S. (1988). Personality similarity in twins reared apart and together. *Journal of Personality and Social Psychology*, *54*, 1031-1039.
- Terpstra, D.E., Rozell, E.J., & Robinson, R.K. (1993). The influence of personality and demographic variables on ethical decisions related to insider trading. *The Journal of Psychology*, 127(4), 375-389.
- Thompson, T. (2003). A study of vulnerability factors in espionage by the trusted insider. Dissertation Abstracts International: Section B: The Sciences and Engineering. 64(11-B), 5841.
- Tiefenwerth, T.J. (2008). Criminal sexuality and psychopathology: Pornography as a contributory risk factor in the psycho-social development of violent sex offenders. [Online]. *Dissertation Abstracts International Section A: Humanities and Social Sciences*, 68(8-A), pp.3602. Abstract from: PsychINFO Item: 2008-99030-028.
- Tillman, W.A., & Hobbs, G.E. (1949). The accident prone automobile driver: A study of the psychiatric and social background. *American Journal of Psychiatry*, 106, 321-332.
- Tizon, T. (2004, February 23). Spy suspect was devoted to God, guns. *The Los Angeles Times*, p. 26.
- Toneatto, T., Leo, G., & Gunaratne, M. (2009, November). *Mindfulness meditation and treatment of pathological gambling: A pilot study*. Paper presented at the 43<sup>rd</sup> Annual Convention of the Association for Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from http://abct2009.abstractcentral.com/planner.
- Toomey, K., Broman-Fulks, J.J., Bondy, C., & Price, C.A. (2009, November). *Effects of anxiety sensitivity on gambling*. Paper presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from <a href="http://abct20009.abstractcentral.com/planner">http://abct20009.abstractcentral.com/planner</a>.

- Trevino, L.K., & Youngblood, S.A. (1990). Bad apples in bad barrels: A causal analysis of ethical decision making behavior. *Journal of Applied Psychology*, 75(4), 378-385.
- Trice, H.M. & Sonnenstuhl, W.J. (1988). Drinking behavior and risk factors related to the work place: Implications for research and prevention. *Journal of Applied Behavioral Science*, 24, 327-346.
- Trice, H.M., & Beyer, J.M. (1982). Social controls in work settings: using the constructive confrontation strategy with problem-drinking employees. *Journal of Drug Issues*, 12, 21-49.
- Tull, M.T., Barrett, H.M., McMillan, E.S., & Roemer, L. (2007). A preliminary investigation of the relationship between emotion regulation difficulties and posttraumatic stress symptoms. *Behavior Therapy*, 38(3), 303-313.
- Tull, M.T., Jakupcak, M., Paulson, A., & Gratz, K.L. (2007). The role of emotional inexpressivity and experiential avoidance in the relationship between posttraumatic stress disorder symptom severity and aggressive behavior among men exposed to interpersonal violence. *Anxiety, Stress, & Coping: An International Journal*, 20(4), 337-351.
- Ugrin, J.C., Pearson, J.M., & Odom, M.D. (2008). Profiling cyber-slackers in the workplace: Demographic, cultural, and workplace factors. *Journal of Internet Commerce*, 6(3), 75-89
- Vaillant, G.E. (1975). Sociopathy as a human process. *Archives of General Psychiatry*, 32, 178-183.
- Van Fleet, D. D., & Griffin, R. W. (2006). Dysfunctional organization culture: The role of leadership in motivating dysfunctional work behaviors. *Journal of Managerial Psychology*, 21(8), 698-708.
- Vega, V., & Malamuth, N.M. (2007). Predicting sexual aggression: The role of pornography in the context of general and specific risk factors. *Aggressive Behavior*, 33(2), 104-117.
- Venkataramani, V., & Dalal, R. S. (2007). Who helps and harms whom? Relational antecedents of interpersonal helping and harming in organizations. *Journal of Applied Psychology*, 92(4), 952-966.
- Vise, D.A. (2002). The bureau and the mole: The unmasking of Robert Philip Hanssen, the most dangerous double agent in FBI history. New York: Grove Press.
- Vitulano, M.L., Fite, P.J., & Rathert, J.L. (2009, November). *The role of impulsivity in the association between peer delinquency and child delinquency*. Paper presented at the 43<sup>rd</sup> Annual Convention of the Association of Behavioral and Cognitive Therapies, New York, NY. Abstract retrieved from http://abct2009.abstractcentral.com/planner.
- Waghorn, G. (2007). Employment functioning and disability among community residents with bipolar affective disorder: Results from an Australian community survey. *Bipolar Disorders*, 9, 166-182.
- Walker, R., Cole, J., & Logan, T.K. (2008). Identifying client-level indicators of recovery among DUI, criminal justice, and non-criminal justice treatment referrals. *Substance Use and Misuse*, 43(12-13), 1785-1801.

- Warren, G.C., & Clarbour, J. (2009). Relationship between psychopathy and indirect aggression use in a noncriminal population. *Aggressive Behavior*, *35*, 408-421.
- Washburn, J.J., Romero, E.G., Welty, L.J., Abram, K.M., Teplin, L.A., McClelland, G.M., & Paskar, L.D. (2007). Development of antisocial personality disorder in detained youths: The predictive value of mental disorders. *Journal of Consulting and Clinical Psychology*, 75(2), 221-231.
- Watson, D., & Clark, L.A. (1984). Negative affectivity: The disposition to experience aversive emotional states. *Psychological Bulletin*, *96*, 465-490.
- Wells, K.B., Stewart, A., Hays, R.D., Burnam, M.A., Rogers, W., Daniels, M., Berry, S., Greenfield, S., & Ware, J. (1989). The functioning and well-being of depressed patients: Results from the medical outcomes study. *Journal of the American Medical Association*, 262, 914-919.
- Welte, J.W., Wieczorek, W.F., Barnes, G.M., & Tidwell, M-C.O. (2006). Multiple risk factors for frequent and problem gambling: individual, social, and ecological. *Journal of Applied Social Psychology*, 36(6), 1548-1568.
- Whiteside, S.P., & Lynam, D.R. (2001). The Five Factor Model and impulsivity: Using a structural model of personality to understand impulsivity. *Personality and Individual Differences*, *30*, 669-689.
- Widiger, T. A., Livesley, W. J., & Clark, L. A. (2009). An Integrative Dimensional Classification of Personality Disorder. *Psychological Assessment*, 21, 243-255.
- Widiger, T.A., Trull, T.J., Clarkin, J.F., Sanderson, C., & Costa, P.T. (2002). A description of the DSM-IV personality disorders with the five-factor model of personality. In P.T. Costa, & T.A. Widiger (eds.), *Personality disorders and the five factor model of personality* (2<sup>nd</sup> ed., pp. 89-99). Washington, DC: American Psychological Association.
- Widom, C.S. (1977). A methodology for studying non-institutionalized psychopaths. *Journal of Counseling and Clinical Psychology*, 45, 674-683.
- Wiebe, R.P. (2004). Delinquent behavior and the Five Factor Model of personality: Hiding in the adaptive landscape? *Individual Differences Research*, *2*(1), 38-62.
- Williams, K.M., Cooper, B.S., Howell, T.M., Yuille, J.C., & Paulhus, D.L. (2009). Inferring sexually deviant behavior from corresponding fantasies: The role of personality and pornography consumption. *Criminal Justice and Behavior*, *36*, 198-222.
- Williams, K.M., Nathanson, C., & Paulhus, D.L. (2003, August). *Structure and validity of the Self-Report Psychopathy Scale-III in normal populations*. Poster presented at the meeting of American Psychological Association, Toronto, Canada.
- Williams, K.M., Paulhus, D.L., & Hare, R.D. (2007). Capturing the four-facet structure of psychopathy in college students via self-report. *Journal of Personality Assessment*, 88, 205-219.
- Williams, L. J., & Anderson, S. E. (1991). Job satisfaction and organizational commitment as predictors of organizational citizenship and in-role behaviors. *Journal of Management*, 17(3), 601-617.

- Wolfe, J., Keane, T.M., Kaloupek, D.G., Mora, C.A., & Wine, P. (1993). Patterns of positive stress adjustment in Vietnam combat veterans. *Journal of Traumatic Stress*, 6, 179-193.
- Zhang, Z., & Snizek, W.E. (2003). Occupation, job characteristics, and the use of alcohol and other drugs. *Social Behavior and Personality*, 31(4), 395-412.
- Zimbardo, P.G., & Boyd, J.N. (1999). Putting time in perspective: A valid, reliable individual-differences metric. *Journal of Personality and Social Psychology*, 77, 1271-1288.
- Zwerling, C., Sprince, N.L., Wallace, R.B., Davis, C.S., Whitten, P.S., & Heeringa, S.G. (1996). Risk factors for occupational injuries among older workers: An analysis of the health and retirement study. *American Journal of Public Health*, 86, 1306-1309.

# APPENDIX A: ANTISOCIAL PERSONALITY DISORDER AND PSYCHOPATHY

One psychological construct that deserves attention in the examination of psychological conditions that impact the risk of security violation behavior is that of psychopathy. While many researchers consider psychopathy its own entity, others have used the term interchangeably with Antisocial Personality Disorder (ASPD), which appears in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV; American Psychiatric Association, 1994). What follows is the distinction between psychopathy and ASPD, reasons for its importance in this paper, and an evaluation of an actual espionage case with the psychopathy construct.

Cleckley's (1941) views are considered the beginning of the modern clinical construct of psychopathy. Cleckley's description of psychopathy is generally accepted to this day. Interpersonally, psychopaths are grandiose, arrogant, callous, superficial, and manipulative. Affectively, they are short-tempered, unable to form strong emotional bonds with others, and lacking in empathy, guilt or remorse. Behaviorally, they are irresponsible, impulsive, and prone to violate social and legal norms and expectations.

Significantly, Cleckley (1941) made it clear that psychopaths may or may not become involved in the criminal justice system. In fact, psychopaths could to be successful in business or other careers that offered considerable material success. Quoting Cleckley on his observations on the differences between nonoffending psychopaths and those who criminally offend:

The true difference between them and the psychopaths who continually go to jails or psychiatric hospitals is that they [i.e., the nonoffenders] keep up a far better and more consistent outward appearance of being normal." (pp. 198-199).

Specifically, the psychopathic characteristics of glibness, superficial charm, emotional detachment, and lack or remorse or guilt could present as quite useful in both criminal and non-criminal or more traditional careers. A lack of concern about how their actions might affect others around them would make psychopaths less hesitant to pursue their own interests. However, Cleckley (1941) stressed that it was the *impulsive behavior* of psychopaths that would ultimately be detrimental to them.

With regard to the Diagnostic and Statistical Manual (DSM), psychopathy has never appeared as an official diagnosis. However, this is where the distinction between psychopathy and antisocial personality disorder becomes important. In the first edition of the DSM (1952), Sociopathic Personality Disturbance was used to describe a condition that included many of the personality characteristics described by Cleckley (1941) as psychopathic. The criteria included *internal* processes and personality traits (i.e., lack of guilt, anxiety or a sense of responsibility). The Sociopathic Personality Disturbance also included the existence of antisocial and dyssocial sociopaths.

When the DSM-II was published in 1968, the dyssocial sociopath distinction was eliminated. Arrigo & Shipley (2001) reported that the psychopathic personality characteristics were not conveyed in the dissocial sociopath. The antisocial classification remained, however, and it did contain similarities to Cleckley's psychopathic personality traits.

By the time the DSM-III (1980) and DSM-III-R (1987) were published, explicit diagnostic criteria were laid out and the diagnosis for psychopathy was called Antisocial Personality Disorder (ASPD). The diagnostic criteria, however, shifted from a focus on personality traits, to an emphasis on behaviors (Arrigo and Shipley, 2001). This shift appears due to the concern about the making the diagnosis more reliable; achieving this result is more likely to result from a focus on observable/measurable behaviors than the personality factors (Hare, 1996). Millon (1981, as cited in Arrigo & Shipley, 2001) was critical of the ASPD diagnosis, stating that it did not address personality characteristics at all and focused instead on antisocial behaviors that result from the personality traits. Millon also noted that the emphasis on the delinquent and criminal behaviors did not adequately capture those psychopaths who may express themselves in socially appropriate ways. The new diagnosis required the presence of Conduct Disorder or a history of deviant behavior prior to age 15. For the ASPD diagnosis in the DSM-III (APA, 1980), 4 of 10 behavioral criteria must be met and included symptoms such as: inability to sustain consistent work behavior, failure to conform to social norms with respect to lawful behavior, feelings of irritability, and aggressive behavior (e.g., physical fights or assaults). The DSM-III-R also included the following behavioral criteria: lying, impulsive conduct, inability to establish lasting, stable relationships and a disregard for personal safety (APA, 1987).

Hart and Hare (1997, as cited in Shipley & Arrigo, 2001) point out that the focus on behavioral symptoms in making the diagnosis of ASPD may lead to the over diagnosis of psychopathy in criminal populations and an underdiagnosis in noncriminal populations.

The DSM-IV (1994) reflected small changes in the diagnosis of ASPD. The text describing the diagnostic features of ASPD states that "this pattern has also been referred to as psychopathy, sociopathy, or dyssocial personality disorder" (p. 645). The core symptom is a pervasive pattern of disregard for and violation of the rights of others since the age of 15. Three of 7 criteria are required for a diagnosis and include: failure to conform to social norms with respect to lawful behaviors, deceitfulness, impulsivity or failure to plan ahead, irritability and aggressiveness, reckless disregard for the safety of self or others, consistent irresponsibility, and lack of remorse. There must also be evidence of a conduct disorder with onset prior to age 15. Hare (1998, as cited in Arrigo & Shipley, 2001) posits that greater confusion exists between ASPD and psychopathy because the DSM-IV emphasizes antisocial behavior, yet many who are diagnosed may not be psychopathic. Hare stresses that if a DSM-IV diagnosis is required (as it may in community or forensic environments), it might be more meaningful to diagnose severe ASPD with psychopathic traits for those individuals thought to be psychopathic.

In order to assess psychopathy, Hare (1980) developed the Psychopathy Clecklist (PCL) and later the PCL-R (Hare, 1991) based on Cleckley's (1941) original criteria. The PCL-R is a

20-item instrument that approaches psychopathy from a two-factor perspective. Factor 1 reflects the interactional/emotional style of the psychopath and consists of items that reflect personality traits. Items that load on Factor 1 include: glibness and superficial charm, grandiose sense of self-worth, pathological lying, conning/manipulative, lack of remorse, shallow affect, callous lack of empathy, and failure to accept responsibility for one's own actions (Hare, 1991). This factor has been referred to as aggressive narcissism (Meloy, 1988 as cited in Arrigo & Shipley, 2001).

Factor 2 addresses the behavioral style or behaviors of psychopaths. The following items are examples of these behaviors: proneness to boredom, parasitic lifestyle, poor behavioral controls, early behavioral problems, lack of realistic long-term goals, impulsivity, irresponsibility, juvenile delinquency, and revocation of conditional release (Hare, 1991).

Hare (1996) reports that Factor 1 items (interactional/emotional style) remain relatively stable over time, while Factor 2 (behavioral style) items can diminish with age. Hare's research also finds that the DSM-IV diagnostic criteria for ASPD are only correlated with Factor 2 items. The finding that Factor 2 behavioral style characteristics diminish with age is consistent with the text in the DSM-IV (1994) that the ASPD "has a chronic course but may become less evident or remit as the individual grows older, particularly by the fourth decade of life. Although this remission tends to be particularly evident with respect to engaging in criminal behavior, there is likely to be a decrease in the full spectrum of antisocial behavior and substance use" (p. 648).

In terms of making diagnoses of these similar disorders, the DSM-IV provides guidance for the ASPD diagnosis, but the PCL-R is recommended for determining whether an individual is psychopathic (Arrigo and Shipley, 2001). In addition, Shipley and Arrigo (2001) in their analysis of psychopathy and ASPD in light of forensic issues, suggest that psychopathy be included as a separate personality disorder, which should include specific guidelines on how to best assess psychopathy.

Earlier research indicates that the prevalence rate for ASPD and psychopathy are different. Hare (1991) and Hart & Hare (1997) found that 50-80% of offenders and forensic patients are diagnosed with ASPD using the DSM-IV criteria, while only 15-30% of those same individuals meet the PCL-R criteria for psychopathy.

In their conclusions about the history of psychopathy, Arrigo and Shipley (2001) find that two features of this disorder have remained relatively stable over time. First, psychopaths are in touch with reality and evidence no sign of psychosis. Second, psychopaths are considered untreatable.

In addition, psychopaths are disproportionately more likely to commit violent crime in comparison with the general population (Hare & Hart, 1993 and Monahan, 1998 as cited in Shipley & Arrigo, 2001). In fact, Hare (1993, as cited in Shipley & Arrigo, 2001) found that psychopaths commit more than 50% of all serious crimes. Yet, not all psychopaths commit serious crime and instead live within the law, instead manipulating people and the system to meet their own needs (Cleckley, 1982). Shipley and Arrigo (2001) summarize that these findings illustrate the differences between psychopaths who never interact with the criminal

justice system and are therefore not diagnosed with ASPD, and the psychopath who does break the law and is subsequently diagnosed with ASPD.

The implication of this analysis is that psychopath who has no criminal history and is not ASPD may be a high risk for committing security violation behavior. In contrast, individuals with prior criminal histories will be less likely to obtain a security clearance, therefore eliminating some proportion of those who may present with ASPD.

The importance of psychopathy for security violation behavior results from Hare's 1993 findings that while psychopaths make up only 1% of the general population, they are responsible for more than 50% of all serious crimes committed. It seems necessary, therefore, to be aware of common traits of psychopaths in the adjudicative process in order to identify those at risk for security violation behaviors in the intelligence community.

# APPENDIX B: SUMMARY OF RESEARCH ON POST-TRAUMATIC STRESS DISORDER

#### **Post-Traumatic Stress Disorder**

Given the large number of security clearances required in Department of Defense positions and the increasing numbers of soldiers and civilians encountering traumatic combat or war zone experiences, the adjudicative process is likely to adjudicate an increasing number of individuals showing symptoms of post-traumatic stress disorder (PTSD).

PTSD is an anxiety disorder characterized by persistent and frightening thoughts or memories, "survivor" guilt, emotional numbness, traumatic dreams and a lack of involvement with reality. DSM-IV specifies the following criteria for a diagnosis of PTSD.

- ♦ The person has experienced a traumatic event that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others, and the person's response involved intense fear, helplessness, or horror
- ◆ The traumatic event(s) is-experienced in specific ways such as recurrent and intrusive distressing recollections or dreams of the event
- ◆ Persistent avoidance of stimuli associated with the trauma or numbing of general responsiveness
- Persistent symptoms of increased arousal, such as hyper vigilance or irritability
- ◆ Duration of the disturbance (symptoms in Criteria B, C, and D) is more than one month
- ♦ The disturbance causes clinically significant distress or impairment in functioning.

The diathesis-stress model of PTSD proposes a genetic vulnerability or predisposition (diathesis) that intereacts with the traumatic experiences to trigger the symptomatic behaviors. The greater the predisposition, the less stress is needed to trigger the behaviour/disorder.

### PTSD and Aggression, Hostility, Anger and Emotional Regulation

Research has identified an association between PTSD and levels of aggression (e.g., Jakupcak & Tull, 2005), such that more severe PTSD is associated with higher levels of aggression. In a sample of civilian male college students assessing the impact of traumatic exposure and PTSD symptoms on anger, aggression, and violence, Jakupcak and Tull (2005) found that those men exposed to a potentially traumatic event (PTS) and report symptoms of PTSD report more trait anger, more internal anger and hostility, and more aggression and violence than men who do not report symptoms of PTSD.

Tull et al. (2007) investigated whether the way one responds to emotions accounts for the relationship between PTSD symptom severity and self-reported aggressive behavior in a sample

of 113 men with past exposure to interpersonal violence. They found that experiential avoidance (responding to emotions with avoidance) and emotional inexpressivity (active suppression of emotional expression) each accounted for a significant amount of unique variance in aggressive behavior, above and beyond PTSD symptom severity and trait anger. The authors suggested that aggressive behavior may function as a means of regulating emotions and that experiential avoidance and emotional inexpressivity may heighten emotional dysregulation, increasing the risk of aggressive behavior as individuals attempt to regulate their emotional state.

Tull et al. (2007) also examined the relationship between emotional regulation difficulties and posttraumatic stress symptoms. The sample consisted of 198 ethnically diverse trauma-exposed undergraduates from an urban university. Results indicate that PTS symptom severity was associated with lack of emotional acceptance, difficulty engaging in goal-directed behavior when upset, impulse-control difficulties, limited access to effective emotion regulation strategies and lack of emotional clarity. After controlling for negative affect, overall difficulties in emotional regulation were associated with PTSD symptom severity. In addition, those who reported PTS symptoms indicative of a PTSD diagnosis reported greater difficulty with emotion regulation than did those reporting sub-threshold PTSD symptomatology.

Meffert et al.(2008) examined the relationship between anger and PTSD in a sample of 180 police recruits. Trait anger and PTSD symptoms were assessed during training and again one year later. Results indicated that greater trait anger during training predicted greater PTSD symptoms at one year and that greater PTSD symptoms at one year predicted greater state anger at one year. The authors conclude that trait anger is a risk factor for PTSD symptoms and PTSD symptoms are also associated with an increase in state anger.

Bracken and McDevitt-Murphy (2009) also examined the role of experiential avoidance (EA) in the relationship between PTSD and aggression but in a sample of 43 trauma-exposed undergraduates. The authors defined experiential avoidance as having a negative evaluation of unwanted thoughts, feelings or somatic experiences and subsequently attempting to control or escape these experiences. The mean age of the sample was 23 years, 83.7% were women, and 41% were Caucasian. Again, significant correlations were found between PTSD symptom severity and aggression (r=.55) and EA (r=.35). Aggression was also correlated with EA (r=.45). Regression analyses revealed that PTSD and EA contributed unique variance in the prediction of aggression. An overall negative evaluation and unwillingness to experience unwanted negative events contributes to the development of aggressive behavior above and beyond PTSD symptom severity.

#### PTSD and "Hardiness"

Sutker et al.(1995) examined the relationship between personal and environmental resources and psychological outcomes following exposure to war zone stress. Specifically, the authors studied stress vulnerability against the backdrop of stress resistance by comparing two groups of Persian Gulf returnees: 97 troop members with self-reported PTSD symptoms sufficient to meet PTSD diagnosis, and 484 troop members who did not report symptoms of

PTSD or other psychological distress. Following discriminant function analyses, the following variables consistently predicted which subjects received a PTSD diagnosis: hardiness (commitment), avoidance coping, and perceived family cohesion.

Of particular interest to us was the concept of personal hardiness examined in this study. Personality hardiness was introduced by Kobasa (1979; Kobasa et al., 1982) to explain childhood-derived personal resilience to stress and adversity. In this study it was measured by the Dispositional Resilience Scale (DRS; Bartone et al., 1989), which is a 45-item scale that assesses the characteristic manner in which individuals interpret and approach experiences. Three scale scores assess the following three facets: 1) *commitment*, or sense of meaning, purpose and perseverance attributed to one's existence, 2) *control*, or sense of autonomy and ability to influence one's destiny and manage experiences, and 3) *challenge*, or perception of change as an exciting growth opportunity. The measure has been effective in differentiating Army disaster workers who remained healthy from those who developed stress-related symptoms (Bartone et al., 1989).

The total sample consisted of 775 troops assigned to Marine, Air Force, Navy, Army Reserve, and National Guard units deployed to combat in the Persian Gulf as part of Operation Desert Storm (ODS). This subsample completed assessment instruments during debriefing exercises completed within a year of returning from the Persian Gulf. The sample was 61% White, 13 % female, 90% were enlisted personnel, mean age was 30 years, and average years of formal education was 13.5 years. The sample consisted of troops in a variety of functions, such as members of a mobile surgical hospital, fighter pilots, military police, infantry, and graves registration units. Mean days of Persian Gulf duty was 151. The types of stressors included: risk of SCUD missile and other enemy attack, exposure to injury and death, and the discomforts of the war environment. All troops were at risk of injury and death and were exposed at a minimum to the baseline stress of war zone duty. As a whole, the participants viewed their stress as moderately severe.

The personality characteristics and resources assessed in this study included: hardiness (commitment, control, challenge), coping strategies (problem focused, self-blaming, seeking social support, wishful thinking, and avoidance coping), intellectual sophistication, social support and satisfaction, and family support (cohesion, expressiveness, and conflict). PTSD and psychological distress were each measured with two different measures. Stress severity was measured by the number of days in the war zone and by a 10-item measure specific to Persian Gulf veterans.

Two subsets were identified for comparison: those with symptoms of PTSD and those free of PTSD and other symptoms of psychological distress. Some 194 troops who did not fall into either category were excluded from the analyses. The two groups were predominantly men, and minorities were overrepresented in the PTSD group. Group members with PTSD included fewer officers and individuals with less formal schooling than the no distress group. Those classified with PTSD reported greater perceived stress and scored higher on global measures of negative affect and psychological discomfort.

Results indicate that the Persian Gulf troops showed minimal psychological distress overall. Troops with PTSD showed more avoidance, wishful thinking, and self-blame coping and less problem-focused coping strategies than those who reported no psychological distress. The PTSD group also had lower scores on the hardiness dimensions of commitment, control and challenge. These individuals also reported fewer social supports and less satisfaction with that support; they also reported less perceived family cohesion and expressiveness than those with no psychological distress.

Discriminant function analyses were conducted to identify the variables that contributed significantly to subset membership. Four variables differentiated the subgroups: hardiness commitment (26% of the variance), avoidance coping (9%), family cohesion (4%) and satisfaction with social support (1%). Use of all four variables resulted in correct assignment of 87% of the sample.

Overall, PTSD diagnosis was associated with less commitment, more avoidance coping, less family cohesion, and lower satisfaction with social support. The authors conclude that personal resource variables were more strongly related to psychological vulnerability or resistance to the negative impact of war zone stress than the environmental variables they selected. The results also support the conclusions of Kobasa et al. (1982) and Bartone et al. (1989) that the commitment component of hardiness exhibited by involving oneself in activities and experiencing purposefulness may offer protection from the negative impact of stressful events. Kobasa et al. (1982) explain that those high in commitment exhibit a sense of purpose that allows them to find meaning in life experiences. They hypothesize that their perceptions of events render experiences as less stressful, lead to more active coping strategies, and have an impact on social support. Sutker et al. report that the association of PTSD and avoidance strategies has been found in Vietnam combat veterans and WWII POW survivors. Wolfe et al. (1993) examined non-treatment-seeking Vietnam combat vets who perceived they had adjusted well and noted that those veterans who reported externalization, wishful thinking, and extreme avoidance coping strategies were more symptomatic than whose who used more active forms of coping. In a sample of former POWs with PTSD, Fairbank et al. (1991) found that these vets reported less control over their traumatic memories and more frequent use of self-isolation, wishful thinking, self-blame and social support to cope with their memories. Along similar lines, Solomon and her colleagues (Solomon, Mikuliner, & Avitzur, 1988; Solomon, Mikulincer, & Benbenishty, 1989) found that soldiers who used problem-focused coping were less likely to suffer from PTSD.

The findings of this study support the diathesis-stress model of PTSD. The presence of stress alone is not sufficient to trigger psychopathology; some individuals are more inclined to mental health stability than others. It appears that hardiness and cohesive family relationships may have functioned to inoculate the non-PTSD group from developing PTSD and other psychopathology.

Sutker et al. site the work of Funk (1992) who argued that hardiness scales actually measure neuroticism, the underlying disposition toward negative affectivity, and that neuroticism

has been identified as a risk factor for developing PTSD following traumatic events (Breslau, Davis, Andreski, & Peterson, 1991).

#### PTSD and Social Support

Koucky, Blain, and Galovski (2009) examined the role of perceived support as a moderator of the relationship between trauma-related guilt and posttraumatic distress. The authors cite a meta-analysis by Brewin, Andrews and Valentine (2000) examining risk factors that predict PTSD. They found that lack of social support had the strongest weighted average effect size (r = .40) of the 14 commonly studied variables. The issue of trauma-related guilt has also been explored and found to be significantly correlated with PTSD symptoms (Kubany et al., 1996) and as a clinically relevant factor in decreasing distress following trauma (Resick et al., 2008). Koucky et al. examined the potential interaction between these two variables in predicting PTSD. The sample consisted of 47 participants from a larger, NIMH-funded grant evaluating the effectiveness of Cognitive Processing Therapy.

Results indicated that posttraumatic symptom severity and perceived social support significantly predicted trauma-related distress/guilt. The authors conclude that the data thus far indicate that social support may serve as a protective factor against the development of PTSD.

#### PTSD and Occupational Functioning

Geuze et al. (2009) examined the role of deficits associated with PTSD and social and occupational functioning. Their sample consisted of 50 Dutch veterans of UN peacekeeping missions (25 with PTSD and 25 without PTSD) who were free of medication and substance abuse. Results indicated that the veterans with PTSD had similar total intelligence quotient scores as controls, but they displayed deficits of figural and logical memory. Those with PTSD also performed significantly lower on measures of learning and immediate and delayed verbal memory. Of significance was the finding that memory performance accurately predicted current social and occupational functioning. Deficits in memory performance were not related to intelligence quotient, length of trauma exposure, or time since trauma exposure. The authors conclude that cognitive performance accurately predicted current social and occupational functioning in veterans with PTSD.

Taylor et al. (2006) examined predictors of occupational impairment in 60 individuals seeking cognitive-behavioral treatment for PTSD. Results indicated that symptoms of reexperiencing, hyperarousal, and depression predicted occupational impairment. Following completion of treatment, reductions in reexperiencing, hyperarousal, and depression were also associated with improvements in occupational functioning. These results point the success of CBT in reducing PTSD symptoms that interfere with work performance.

Evans et al.(2006) explored the role of anger and its relationship with distress and occupational functioning in a sample of disaster relief workers with PTSD symptoms who were deployed to the World Trade Center after September 11, 2001. The sample consisted of 626

utility workers, most of whom were male (96%), who completed measures of anger, distress, PTSD symptoms, and social/occupational functioning. Results indicated that workers with PTSD symptoms had higher anger scores and in this group, anger, distress, PTSD severity and social/occupational functioning were significantly correlated.

In assessing work potential in those with PTSD, Matthews (2005) evaluated adult survivors of road accidents. Accident survivors with and without PTSD were examined at a mean of 8.6 months post accident. All had been working prior to the accident. Results indicated that those with PTSD had significantly less work potential post-accident than those without PTSD. The specific variables that contributed to problems with employability for those with PTSD included: high levels of depression, reduced time-management ability, and an over-concern or anxiety associated with physical injuries. Interestingly, those survivors with PTSD reported significantly greater extrinsic motivation to work than those without PTSD. Given the success of various forms of therapy for PTSD, in addition to the motivation to return to work, these individuals appear to have good prognosis for returning to work and functioning well.

Bleich and Solomon (2004) studied Israeli veterans applying for disability and compensation secondary to PTSD in terms of their clinical features and functional impairment. The sample consisted of 294 veterans with PTSD. Relationships between severity of PTSD, psychiatric comorbidity, and level of disability were assessed. Results indicate that 53% of the PTSD sample had psychiatric comorbidity, predominantly depression (31%) and anxiety (15%). When functional impairment was examined, these subjects had significantly more problems with occupational functioning than interpersonal or activities of daily living. Several PTSD symptoms were correlated with functional impairment in the occupational and interpersonal areas and with the global disability score, while the comorbid diagnoses were not.

# APPENDIX C: EVIDENCE RELATING TO POSITIVE SECURITY BEHAVIOR

### Introduction

Appendix C reviews a limited amount of research about organizational citizenship behavior (OCB), which is the only analog to positive security behavior that was located in the literature search. This Appendix addresses the issue of whether antecedents to analogs of negative security behavior, e.g., CWB, are the same as antecedents to positive security behavior such as organization citizenship behavior.

### Organizational Citizenship Behavior

Organizational citizenship behavior is defined as "behavior that is discretionary, not directly or explicitly recognized by the formal reward system, and in the aggregate promotes the efficient and effective functioning of the organization" (Organ, 1988, p. 4). Some examples of organizational citizenship behavior include above average attendance at work, trying to prevent problems with coworkers, orient new employees, helping others who have been absent, attends non-required functions to improve the organizations image, and does not spend time complaining about trivial matters (Podsakoff, MacKenzie, Moorman, & Fetter, 1990). Because organizational citizenship behavior has been examined within an organization and involves workplace behavior that helps the organization or its members, organizational citizenship behavior is considered an analog of security citizenship behavior for the purposes of this paper. counterproductive work behavior, organizational citizenship behavior is commonly divided into behaviors that are intended to help the organization and behaviors that are intended to help individuals (Smith, Organ, & Near, 1983; Williams & Anderson, 1991). Organizational citizenship behavior is also commonly divided into five dimensions: altruism, courtesy, conscientiousness, civic virtue, and sportsmanship (Organ, 1988). These five dimensions can also be grouped into two dimensions which are analogous to the models advocated by Smith et al. (1983) and Williams and Anderson (1991): interpersonal (altruism, courtesy, and conscientiousness) and generalized compliance or organizational (civic virtue sportsmanship) (Coleman & Borman, 2000).

The antecedents of organizational citizenship behavior are grouped in three categories: personality traits, attitudes, and work environment/situations/context.

#### **Personality Traits**

#### Conscientiousness

Conscientiousness is a tendency to be dutiful, achievement-oriented, and disciplined. Individuals who are high on conscientiousness tend to be careful, organized, deliberate, and self-disciplined. Individuals who are high on conscientiousness are more likely to engage in organizational citizenship behaviors. Conscientiousness was positively related to both altruism and generalized compliance (Organ & Ryan, 1995; Podsakoff et al., 2000). In a meta-analysis of the attitudes and personality traits that predict organizational citizenship behavior, Organ and Ryan found moderate relationships for conscientiousness with altruism ( $\rho = .22$ , k = 11) and generalized compliance ( $\rho = .21$ , k = 10).

#### Agreeableness

Agreeableness is a tendency to be cooperative, helpful, easy to get along with, and compassionate. Agreeableness is related to organizational citizenship behavior such that individuals who are high on agreeableness are more likely to engage in organizational citizenship

behavior. Altruism and generalized compliance dimensions of organizational citizenship are positively related to agreeableness (Organ & Ryan, 1995; Podsakoff et al., 2000). Organ and Ryan found small relationships for agreeableness with altruism ( $\rho$  = .13, k = 6) and generalized compliance ( $\rho$  = .11, k = 6).

#### Extraversion

Extraversion is a tendency to be outgoing, sociable, enthusiastic, and assertive. Extroverted individuals are more likely to engage in organizational citizenship behavior. Cullen and Sackett (2003) reported that extraversion is positively related both to moods at work and helping behaviors.

#### Positive affect

Positive affect is the extent to which individuals experience high levels of positive emotions such as interested, determined, enthusiastic, inspired, and proud. Positive affect is thought to be related to organizational citizenship behavior because individuals will help or put forth extra effort to maintain their positive moods and emotions. Individuals who are high on positive affect are more likely to engage in organizational citizenship behavior. Positive affectivity is related specifically to the altruism dimension of organizational citizenship behavior (Organ & Ryan, 1995; Podsakoff et al., 2000). Organ and Ryan found a moderate relationship for positive affect with altruism ( $\rho = .15$ , k = 7). Organ and Konovsky (1989) supported the relationship between positive affect and both the altruism (r = .13) and compliance (r = .17) dimensions of organizational citizenship behavior.

#### Negative affect

Negative affectivity is the extent to which individuals experience high levels of distressing emotions like anger, fear, hostility, and anxiety. Podsakoff et al. (2000) found a small negative relationship between negative affectivity and generalized compliance ( $\rho = -.12$ , k = 5) and a small, non-significant relationship between negative affectivity and altruism ( $\rho = -.06$ , k = 6).

# Integration of Counterproductive Work Behavior and Organizational Citizenship Behavior

While counterproductive work behavior and organizational citizenship behavior are both forms of extra-role organizational behavior, an important question is how these domains of behavior related. Are counterproductive work behaviors and organizational citizenship behavior opposite ends of a single continuum to represent extra-role organizational behavior? Or are counterproductive work behavior and organizational citizenship behavior separate continuums (e.g., an individual can engage in both, engage in neither, or engage in one but not the other)? Research tends to find a negative relationship between counterproductive work behavior and organizational citizenship behavior. Miles et al. (2002) showed that there was a small negative, but non-significant, relationship between counterproductive work behavior and organizational citizenship behavior (r = -.11). The research that has attempted to directly answer this question supports the view that counterproductive work behavior and organizational citizenship behavior Using meta-analysis, Dalal (2005) determined that organizational are distinct constructs. citizenship behavior and counterproductive work behavior are separate constructs. Sackett, Berry, Wiemann, and Laczo (2006) found that organizational citizenship behavior and counterproductive work behavior are distinct constructs and they are not the opposite ends of behavior that is represented by a single continuum. Sackett et al. also found that 8.7% of their sample engaged in both organizational citizenship behavior and counterproductive work behavior and another 8.1% was engaged in neither organizational citizenship behavior nor counterproductive work behavior. Another distinction that Sackett et al. found was concerning age; older individuals were more likely to engage in organizational citizenship behavior while younger individuals were more likely to engage in counterproductive work behavior. When considering only interpersonally directed behaviors, Venkataramani and Dalal (2007) supported organizational citizenship behavior and counterproductive work behavior as separate, independent constructs that are not opposing ends of a single continuum. O'Brien and Allen (2008) also concluded that organizational citizenship behavior and counterproductive work behavior are different constructs.

The articles that have investigated the relationship between organizational citizenship behavior and counterproductive work behavior have taken the approach that both of these global constructs can be further refined by separating behaviors that can be directed at the organization from behaviors directed at another individual. Dalal (2005) concluded that the distinction between organizational citizenship behavior and counterproductive work behavior was more important than between the targets of those behaviors (individuals or the organization). Dalal also found that organizational citizenship behavior and counterproductive work behavior were more strongly related on a global level than on a facet level, except for the relationship between organizational citizenship behavior directed toward the organization and counterproductive work behavior directed toward the organization. On the other hand, O'Brien and Allen (2008) concluded that it was useful to distinguish between behaviors directed at the organization and

behaviors directed at individuals as they have different correlates for both organizational citizenship behavior and counterproductive work behavior.

The research investigating the relationship between counterproductive work behavior and organizational citizenship behavior has focused on what psychological constructs are related to both domains of extra-role behavior. From the previous sections on counterproductive work behavior and organizational citizenship behavior, there seem to be a number of antecedents common to both domains. These antecedents appear to have somewhat different relationships to counterproductive work behavior compared to organizational citizenship behavior.

Even though research has found common antecedents which have directly opposite relationships to the forms of extra-role behavior, counterproductive work behavior and organizational citizenship behavior are separate constructs that represent different sets of behavior. Dalal (2005) noted that for two constructs to be the opposite ends of a single continuum, two conditions have to be met. The first condition is that the two constructs would have to be strongly related to each other. The research has not found a strong relationship between counterproductive work behavior and organizational citizenship behavior. Dalal (2005) and Sackett et al. (2006) found a moderate negative relationship between counterproductive work behavior and organizational citizenship behavior, whereas Miles et al. (2002) found a small negative relationship. Venkataramani and Dalal (2007) found a small positive relationship between counterproductive work behavior and organizational citizenship behavior.

The second condition is that the two constructs would need to show the same pattern of relationships to other variables. Research has found differences in the strength and pattern of the relationships between the shared antecedents and counterproductive work behavior and organizational citizenship behavior, which lead to the conclusion that counterproductive work behavior and organizational citizenship behavior are separate constructs (Dalal, 2005; O'Brien & Allen, 2008; Sackett et al., 2006; Venkataramani & Dalal, 2007). Miles et al. (2002) found that the variables that predicted organizational citizenship behavior did not also predict counterproductive work behavior and vice versa.

Research has also looked to confirmatory factor analysis to determine the relationship between counterproductive work behavior and organizational citizenship behavior (O'Brien & Allen, 2008; Sackett et al., 2006). A one-factor model would indicate that counterproductive work behavior and organizational citizenship behavior represent a single continuum of behavior. A two-factor model where counterproductive work behavior and organizational citizenship behavior are separate factors would indicate that they represent distinct constructs. Both Sackett et al. and O'Brien and Allen specifically tested models that would address this question and found that a one-factor model did not fit the data well. A two-factor model was a better fit for the data in both studies.

If counterproductive work behavior and organizational citizenship behavior represented opposite ends of behavior, then individuals would not engage in both forms of extra-role behavior. Sackett et al. reported that almost 9% of their sample engaged in both counterproductive work behavior and organizational citizenship behavior.

For each of the relevant personality traits a brief integrated summary is provided about its relationship to positive and negative workplace behavior.

#### Conscientiousness

In general, the research has found a positive relationship between conscientiousness and organizational citizenship behavior and a negative relationship between conscientiousness and counterproductive work behavior. In other words, individuals who are high on conscientiousness are more likely to display organizational citizenship behavior while individuals who are low on conscientiousness are more likely to display counterproductive work behavior. Dalal (2005) showed that organizational citizenship behavior and counterproductive work behavior are moderately related to conscientiousness ( $\rho = .30$ , k = 10 and  $\rho = -.38$ , k = 10, respectively). At both the global and facet level, organizational citizenship behavior (personal support, organizational support, conscientious initiative) is positively related to conscientiousness whereas counterproductive work behavior (interpersonal, organizational) is negatively related to conscientiousness (Sackett et al., 2006). O'Brien and Allen (2008) found that conscientiousness was the dominant predictor among the personality traits for both organizational citizenship behavior (organizational and interpersonal) and counterproductive work behavior directed at the organization. At the global level, Sackett et al. (2006) found that counterproductive work behavior was most strongly related to the Big Five dimensions thought to underlie integrity (conscientiousness: r = -.41, agreeableness: r = -.30, and emotional stability: r = -.32 vs. extraversion: r = -.11 and openness to experience: r = -.06).

#### Agreeableness

In general, the research has found a positive relationship between agreeableness and organizational citizenship behavior and a negative relationship between agreeableness and counterproductive work behavior. At both the global and facet level, organizational citizenship behavior (personal support, organizational support, conscientious initiative) is positively related to agreeableness whereas counterproductive work behavior (interpersonal, organizational) is negatively related (Sackett et al., 2006).

#### **Emotional Stability (Neuroticism) and Extraversion**

Research has found a positive relationship between emotional stability and extraversion to experience and organizational citizenship behavior and a negative relationship between these traits and counterproductive work behavior. At both the global and facet level, organizational citizenship behavior (personal support, organizational support, conscientious initiative) is positively related to emotional stability and extraversion whereas counterproductive work behavior (interpersonal, organizational) is negatively related (Sackett et al., 2006).

#### Trait anger

Trait anger has a different relationship to counterproductive work behavior and organizational citizenship behavior compared to the Big Five personality traits. Trait anger is positively related to counterproductive work behavior. On the other hand, trait anger is negatively related to organizational citizenship behavior. Miles et al. (2002) found that trait anger predicted counterproductive work behavior above and beyond work environment factors. Trait anger was the dominant predictor among the personality traits for interpersonally-directed counterproductive work behavior and supervisor ratings of organizationally-directed organizational citizenship behavior (O'Brien & Allen, 2008).

#### Positive affect

Positive affect is similar to the Big Five in that positive affect is positively related to organizational citizenship behavior and negatively related to counterproductive work behavior. Dalal's (2005) meta-analysis found that positive affect demonstrates a similar degree of correlation to organizational citizenship behavior and counterproductive work behavior even though the relationships were in the opposite direction ( $\rho$  = .34 and  $\rho$  = -.34, respectively). Lee and Allen (2002) showed that positive affect predicted both organizational citizenship behavior and counterproductive work behavior. Positive affect was more strongly related to interpersonal helping behaviors (organizational citizenship behavior) than to interpersonal harming behaviors (counterproductive work behavior) (Venkataramani & Dalal, 2007).

### **Negative affect**

Negative affect is similar to trait anger in that negative affect is positively related to counterproductive work behavior and negatively related to organizational citizenship behavior. Lee and Allen (2002) concluded that organizationally-directed organizational citizenship behavior reflects planned and deliberate behavior which is motivated by reciprocity needs while interpersonally-directed organizational citizenship behavior is slightly more related to job affect (negative affect, positive affect, and emotions relating to both positive and negative affect – shyness, fatigue, serenity, and surprise) than to job cognitions (job characteristics and organizational justice – distributive, procedural, and interactional). Lee and Allen also found that different negative emotions can lead to different behaviors, such as fear for interpersonally-directed organizational citizenship behavior and hostility for workplace deviance behavior. Negative affect is more strongly related to counterproductive work behavior ( $\rho$  = .41) than to organizational citizenship behavior ( $\rho$  = -.10; Dalal, 2005). Similarly, Venkataramani and Dalal (2007) found that negative affect was more strongly related to interpersonal harming behaviors (counterproductive work behavior) than to interpersonal helping behaviors (organizational citizenship behavior).

### Summary of Evidence for Extra-Role Organizational Behavior

The evidence for counterproductive work behavior and organizational citizenship behavior, points to certain psychological attributes as major factors for these guidelines and relevant security behavior. Conscientiousness, Agreeableness, positive and negative affect, job satisfaction, and organizational justice are consistently related to both forms of extra-role organizational behavior.

Positive and negative affect are relevant as the tendency to experience positive or negative emotions has been shown to influence organizational behavior directly and indirectly through influencing perceptions of work environments or situations. Individuals who have a tendency to experience negative affect are more likely to perceive violations in justice and focus on the negative aspects of a situation which may make them a greater risk for security violations.

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# Examination of the Adjudicative Guidelines

Appendix B Part 4
Adjudicative Guidelines Literature Review: the "Criminal Behavior" Cluster

LEADING INTELLIGENCE INTEGRATION

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#### **EXECUTIVE SUMMARY**

### **Purpose**

A review of current social science research was undertaken to provide evidence about the meaning and effectiveness of the Adjudicative Guidelines for making security clearance decisions. This White Paper reviews that evidence for three Guidelines, D. (Criminal) Sexual Behavior, J. Criminal Conduct, and M. Use of Information Technology Systems. These three Guidelines focus on different types of evidence of criminal and counter-normative behavior that may manifest personal attributes predictive of future security violation behavior.

### **Approach**

The literature review covered a wide range of social science literatures including counterproductive work behavior, workplace safety behavior, white collar crime, and studies of espionage cases. Given the almost complete lack of research on national security behavior itself, the primary strategy of this review was to review research in other work behavior domains similar to security behavior to draw inferences about the Guidelines as measures of antecedents of security behavior.

### **Key Findings**

- ♦ Evidence across a range of types of workplace behavior shows that past criminal behavior is a predictor of future counter-normative behavior. There is no direct experimental evidence, however, showing the magnitude of this effect on security violation behavior.
- ♦ Considerable evidence shows that criminal behavior is a function of, among other things, a core set of psychological attributes, the most important of which appear to be Self-Control, Excitement-Seeking, Neuroticism, Conscientiousness and Agreeableness.
- Evidence suggests that people high in Neuroticism (especially Aggressive Hostility), low in Self-Control, and low in Conscientiousness and Agreeableness are most likely to engage in criminal behavior and analogs to security violation behaviors such as counterproductive work behavior.
- ♦ Considerable recidivism data about criminal behavior has been gathered indicating that demographics and lifestyle of the offender, associations with others, and characteristics of the offenses influence the likelihood that offenders will repeat. For example, recency of last offense and number of previous offenses both predict future offenses. But these influences are complex and interactive.
- Generally, adjudicators are trained to decrease the weight placed on criminal history to the extent there is companion evidence indicating decrease likelihood of repeat offenses. The apparent underlying assumption is that those less likely to reoffend are also less

likely to commit future security violations. No direct evidence was found that evaluated this assumption.

#### THE CRIMINAL BEHAVIOR CLUSTER

D. Sexual Behavior (Criminal)J. Criminal ConductM. Use of Information Technology Systems

#### Introduction

This paper evaluates the social science research literature relevant to the effectiveness of the three Adjudicative Guidelines focusing on criminal behavior. This evaluation describes the extent to which research evidence provides rationales supporting or questioning the current meaning and use of these Guidelines. In addition, potential modifications and alternatives are described where the research evidence points to such adjustments.

For the purposes of this White Paper, Guidelines D, J and M are clustered into a group described as criminal behavior. Two acknowledgements are important. First, we recognize that only a portion of the evidence associated with Guideline D, Sexual Behavior, represents criminal behavior. Guideline D also includes non-criminal behavior that is of interest in the adjudication process because it may reflect disordered thinking or unreliable, poor judgment, even if not criminal. This White paper only considers social science evidence relating to that portion of Guideline D behavior that is criminal. Second, Guideline M, Use of IT Systems, includes a wide range of counter-normative behavior relating to the misuse of IT systems in a wide range of settings. This range of IT behavior includes criminal behavior as well as non-criminal behavior that may "only" be unauthorized or represent violations of organizational policies or rules. The full range of behaviors captured by Guideline M is covered by this White Paper.

The social science evidence evaluated here focuses on understanding, explaining and predicting individual human behavior relating to US national interests and, more specifically, the protection of classified information. The purpose of this project is to evaluate social science evidence about the meaning and use of the Guidelines. That is, are the Guidelines effective tools for minimizing security violations and maximizing pro-security behavior? The questions being answered by this project are (a) "Does social science evidence support the current meaning and use of the Adjudicative Guidelines?" and (b) "What changes does the evidence suggest to improve the meaning and use of the Guidelines?"

This project is not intended to evaluate support for the Guidelines based on policy considerations. This is a moderately important point for the criminal behavior Guidelines because policy arguments alone may provide strong support for some of the risk conditions captured by these three Guidelines. For example, evidence that an individual has committed certain types of crimes might, itself, be a sufficient basis for disqualification. The policy-based justification of such a Guideline condition may have no need for social science evidence about the predictive value of previous criminal behavior for future security violations. Nevertheless,

this White Paper will take note where apparent rationales for the Guidelines are grounded in policy considerations and where social science evidence is also relevant.

#### The Criminal Behavior Guidelines

The three Guidelines clustered in this white paper are referred to as the criminal behavior cluster for the purposes of this project. This label stems from the commonality among these three Guidelines that all address evidence about individuals' history of criminal behavior, or criminal-like behavior, for example unauthorized uses of an organization's IT systems. Social science evidence is directly relevant to the weight given to such evidence of criminal behavior because the personal history evidence covered by these Guidelines is not typically a direct manifestation action against US national interests. Rather, this personal history evidence is better viewed as providing signs of underlying beliefs, motives, attitudes, dispositions and temperaments that may be predictive of future security violation behavior if the individual is granted or retains a clearance for access to protected information. Relevant social science evidence provides the best information about the prediction value such evidence has for future security risk.

In an effort to capture the extent to which social science evidence is relevant to each of these criminal behavior Guidelines, a table is presented below for each Guideline. Each table lists the conditions (evidence) within that Guideline that could raise security concerns as described in the Adjudicative Guidelines for Determining Eligibility for Access to Classified Information (Adjudicative Guidelines, 2005). For each condition, the table also indicates whether the presumed supporting rationale for that condition rests primarily on social science evidence or primarily on an apparent underlying policy position or both. The judgment about the supporting rationale was made by the authors based on a review of the social science evidence and the nature of the condition. These judgments were not made by national security clearance officials / experts.

In each of these tables, a policy-based supporting rationale is judged to be important where the personal history events constitute a criminal or unauthorized act demonstrating a history of behavior that violates the individual's legal/contractual/moral responsibilities toward the US or employers or other organizations. Policy alone may be sufficient to establish that clearances should not be granted especially where the action is comparable in intent and severity to security violation behavior. Such policy rationales may be based on the principle that a history of such criminal/unauthorized action constitutes an unacceptable risk due to the evident violation of trust. Policy rationales may also be based on other principles having to do with the US government's responsibility to provide a safe, non-threatening workplace. Admittedly, this latter principle relates more closely to employment decisions; but it may also carry some weight in security clearance decisions.

In contrast, many conditions imply risk for security violation behavior on the assumption that the psychological and/or situational factors that gave rise to the condition will also increase the likelihood of security violations. The weight given to such conditions should depend to a great extent on the social science evidence supporting the assumed relationships between psychological and situations factors and security violation behavior. These science-dependent conditions associated with Guidelines D, J and M are the primary focus of this White Paper.

It should also be noted that policy and evidence-based rationales are not mutually exclusive. The weight given to some conditions may be influenced by both the policy rationale as well as the social science evidence rationale.

Table 1 shows that all the potentially disqualifying risk conditions associated with Guideline D, Sexual Behavior. The table shows the authors' judgment about the relevance of evidence-based and policy-based rationales in support of the use of each condition. However, for Guideline D only Condition (a) refers to criminal behavior. Conditions (b) – (d) refer to non-criminal sexual behavior and are not within the scope of this White Paper. Condition (a) is quite broad, encompassing all sexual behavior of a criminal nature, regardless of prosecution. Clearly, the US government, like private sector employers, has a strong policy interest in excluding many types of sex criminals from its workplace in the interest of safe, non-threatening work environments. However, the rationale for Condition (a) may also depend on social science evidence. The risk associated with criminal sexual behavior would increase to the extent evidence showed that sex criminals have the same dispositions of impulsivity and lack of self control that are associated with security violators.

Table 1. Supporting Rationales for Guideline D. Sexual Behavior (Criminal)

	Important Supporting	
Condition triggering security concern	Rationale	
	Evidence-	Policy-
	based	based
(a) Sexual behavior of a criminal nature, whether or not the individual	X	X
has been prosecuted		
(b) A pattern of compulsive, self-destructive, or high risk sexual		
behavior that the person is unable to stop or that may be symptomatic	NA	NA
of a personality disorder		
(c) Sexual behavior that causes an individual to be vulnerable to	NA	NA
coercion, exploitation, or duress		
(d) Sexual behavior of a public nature and/or that reflects lack of	NA	NA
discretion or judgment	INA	INA

Table 2 shows that 4 of the 5 conditions of concern for Guideline J, Criminal Conduct, depend on assumed psychological/situational factors that require social science evidence to be confirmed. For example, Condition (e) refers to parole or probation violations. Evidence showing that parole violators are more likely to be repeat offenders increases the assessment of risk associated with the individual criminal history. Certainly, evidence showing that security violators have disproportionate histories of parole violation would provide even more direct evidence of increased risk. An underlying assumption of the adjudicative guidelines process is that the degree to which such indicators predict future security violations depends, at least in part, on personal attributes and situational factors underlying the personal history evidence produced by the investigations. Social science evidence is necessary to identify the critical personal and situational factors that are likely to be antecedents of security violation behavior.

Table 2. Important Supporting Rationales for Guideline J, Criminal Conduct

Condition triggering security concern	Important Supporting Rationale	
	Evidence-	Policy-
	based	based
(a) a single serious crime or multiple lesser offenses	X	X
(b) discharge or dismissal from the Armed Forces under dishonorable conditions		X
(c) allegation or admission of criminal conduct, regardless of whether the person was formally charged, formally prosecuted or convicted	X	
(d) individual is currently on parole or probation	X	X
(e) violation of parole or probation, or failure to complete a court-mandated rehabilitation program	X	X

Table 3 shows that 6 of the 8 distinct conditions for Guideline M, Use of IT Systems, have an assumed rationale based, at least in part, on social science evidence.

**Table 3. Important Supporting Rationales for Guideline M. Use of Information Technology Systems** 

	Important Supporting Rationale	
Condition triggering security concern	Evidence-	Policy-
	base	based
(a) illegal or unauthorized entry into any IT system or component thereof	X	X
(b) illegal or unauthorized modification, destruction, manipulation or		
denial of access to information, software, firmware, or hardware in an	X	X
IT system		
(c) use of any IT system to gain unauthorized access to another systemwithin the same system	X	
(d) downloading, storing, or transmitting classified information on or to any unauthorized software, hardware, or IT system		X
(e) unauthorized use of a government or other IT system	X	X
(f) introduction, removal, or duplication of hardware, firmware, software, or media to or from any IT system without authorization, when prohibited by rules, procedures, guidelines or regulations	X	X
(g) negligence or lax security habits in handling IT that persist despite counseling by management	X	
(h) any misuse of IT, whether deliberate or negligent, that results in damage to the national security		X

All eight conditions share the common features that they reflect a violation of trust in some fashion and that this violation involves the misuse of protected information. Two of these conditions, (d) and (h), are specific to classified information or information that damages national security. In effect, these conditions are themselves US-related security violations. Clearly, a personal history of the very security violations clearances are intended to minimize could, by policy, be treated as a disqualifier. The remaining six conditions represent information-based violations of trust but not in the context of US security. The weight attached

to these six conditions should depend to some extent on the evidence that such IT behaviors reflect personal attributes associated with security violations.

### The Approach Used in This Literature Review

As noted above, the overall purpose of this literature review is to describe and evaluate the extent to which the social science literature supports the current meaning and use of the criminal behavior Guidelines. The approach taken to accomplish this purpose is defined by six features.

#### 1. All Three Guidelines as a Group

Except for the reviews of scarce Levels 1 and 2 evidence, the literature review is integrated across all three Guidelines as a group. Because each Guideline describes a specific category of behavior representing some form of criminality or unauthorized behavior, much of the relevant Level 3 social science literature has similar implications for all three Guidelines. As a result, a more coherent summary can be provided by focusing on all three Guidelines collectively rather than independently reviewing literatures for each Guideline separately.

#### 2. Prediction Perspective

This literature review adopts the prediction perspective of social science. A Guideline is viewed as related to security behavior to the extent there is evidence that the behaviors targeted by a Guideline predict future security behavior. This prediction perspective underlies the large majority of behavioral, social science research investigating relationships between psychological attributes and outcomes. Evidence of prediction is the primary type of evidence used to infer or conclude that a particular psychological attribute leads to or causes a subsequent outcome. However, evidence of prediction does not require empirical evidence. Prediction may be demonstrated by both empirical data as well as compelling, plausible conceptual arguments. Since there is virtually no direct empirical evidence about the predictive relationship between these Guidelines and subsequent security behavior, this review will focus primarily on indirect evidence of prediction that is sometimes empirical and sometimes conceptual or theoretical.

### 3. Scope of Security Behavior

As with all the White Papers produced in this project, a critical consideration is the scope of security behavior to be targeted by the literature search and review. The guidance surrounding the use of the criminal behavior Guidelines clearly identifies two forms of security behavior the criminal behavior Guidelines are intended to impact. First, as with all 13 Adjudicative Guidelines, the criminal behavior Guidelines are designed to identify individuals who pose too great a risk for security violations if given responsibility for classified information or technology. The criminal behavior Guidelines should operate to "select out" individuals who are too risky. However, the criminal behavior Guidelines, like all other Guidelines, also are applied with the intention of awarding clearances to people who are reliable, trustworthy and having good judgment.

#### Negative Security Behavior Only

In general, the guidance surrounding the meaning and use of these Guidelines (Adjudicative Guidelines, 2005) appears to view these two forms of security behavior – (a) security violations and (b) reliability, trustworthiness and good judgment – as opposite ends of the same continuum of security-related behavior. This view implies that by disqualifying those who are too risky, the remainder who are awarded clearances will be reliable, trustworthy and of good judgment. The assumption underlying this perspective is that the same psychological and situational factors explain behavior at both ends of this continuum. For example, if lack of selfcontrol contributes to security violations, then self-control contributes reliability, trustworthiness and good judgment. Or, more specifically, if criminal sexual behavior is a risk factor for security violations then the absence of criminal sexual behavior is an indicator of reliability, trustworthiness and good judgment. But substantial research in workplace behavior (e.g., Miles, et al, 2002; Dalal, 2005) shows that positive and negative workplace behaviors are not likely to be opposite ends of the same continuum. While some of the same psychological and situational factors drive both behaviors, other factors differ between the two types of behavior. This evidence indicates that one cannot assume the absence of extreme negative workplace behavior implies the presence of strongly positive behavior.

The general point that the absence of negative evidence does not predict positive outcomes is perhaps especially true for criminal behavior, which represents a relatively extreme form of negative behavior, particularly in an organizational context. The absence of such extreme negative behavior is not likely to be a reliable indicator of strongly positive behavior. In the context of national security, the absence of prior criminal behavior cannot be assumed to be a predictor of strongly positive future security behavior. Perhaps for this reason, the social science literature that addresses the relationships between past criminal behavior and future behavior virtually always focuses on negative future behaviors. As a result, in the domain of criminal behavior, we have found virtually no research on criminal behavior that addresses its relationship to future positive security behavior. For this practical reason, this White Paper addresses research only about negative forms of security behavior and analogs to security violations.

#### Analogs to Security Behavior

Little social science research addresses national security behavior directly. But significantly more research investigates other workplace behaviors that are similar to security behavior in certain important ways. This White Paper reports social science research about workplace behaviors that are analogous to security behaviors so that insights about security behavior may be gained from these "neighboring" domains of work behavior.

All four White Papers in this project report evidence about work behaviors that are analogs to security behavior. For the purposes of these White Papers, a domain of work behavior is regarded as an analog to security behavior if it is: (a) in an organization context; (b) counternormative in its negative form; (c) intentional (voluntary); and (d) directed toward a person or

entity for harm or for good. It should be noted that, for this project, "betrayal of trust" is not a necessary feature of an analog to security behavior. There is one primary reason for this. As a practical matter, relatively few other work behaviors share a "public trust" obligation similar to that of national security behavior. Perhaps only public service, public safety and some categories of health care work share a "public trust" obligation similar to that of national security behavior where the public's national safety may be at stake.

Research about analogs to security behavior is reviewed below in the sections reporting Level 2 and Level 3 Evidence. Two analogs manifest themselves in Level 2 evidence, counterproductive work behavior and Insider Threat behavior. Three analogs were located for Level 3 evidence, counterproductive work behavior, white collar crime and workplace safety behavior. Evidence about workplace safety behavior is reported even though it fails two of the analog requirements. Unsafe work behavior often is not intentionally unsafe and it is typically not directed at an individual or organization. Nevertheless, it is included here because research on the antecedents of unsafe work behavior contributes to a broad conclusion that "deviance proneness" is a general syndrome that is predictive of a wide range of counter-normative behavior and it likely to be a predictive antecedent of many forms of security violation behavior.

#### 4. Three Levels of Evidence

As with the other White Papers produced in this project, this review and evaluation of social science research related to the criminal behavior Guidelines will review three levels of evidence. These three levels of evidence are described in detail in the Foundations paper that accompanies the four White Papers in this project.

#### Level 1 Evidence

Level 1 evidence addresses direct relationships between Guidelines-based behaviors such as criminal conduct and the security-related behavior targeted by the Guidelines. For example, Thompson (2003) compared caught spies to non-spies on past criminal record. Although this is not a true experiment, it does evaluate the extent to which spies differed from non-spies on Guidelines-based behaviors. Very little Level 1 evidence is available for the criminal behavior Guidelines. The primary Level 1 source is Thompson (2003).

#### Level 2 Evidence

Level 2 evidence addresses relationships between Guidelines-based criminal behavior and outcome behaviors that are not themselves security behaviors but are workplace behaviors analogous to security behaviors in important ways. While Level 2 evidence does not provide direct evidence about security behavior, it does have implications for security behavior to the extent that the analog behavior has important features in common with security behavior. Two forms of analog behavior, counterproductive work behavior and insider threat behavior have

been linked to past criminal behavior. Somewhat more Level 2 evidence is available than Level 1 evidence.

#### Level 3 Evidence

Level 3 evidence addresses relationships between psychological factors that underlie Guidelines-based criminal behaviors and outcome behaviors that are analogs to security behavior. For example, evidence showing that lack of self-control (a psychological antecedent of criminal sexual behavior) is associated with workplace theft (an analog to security violation behavior) is Level 3 evidence. Two analogs, counterproductive behavior and white collar crime have been investigated in Level 3 evidence and one quasi-analog, workplace safety behavior, is also reported because of the insight about the likely role of "deviance proneness" in the prediction of security violation behavior. Considerably more Level 3 evidence is available than either Level 1 or 2 evidence.

In spite of the apparent distinctiveness between the three levels of evidence, not all studies clearly belong to one category or another or, for that matter, any of the three categories. For example, if white collar crime is regarded solely as a Criminal Conduct behavior, then studies investigating antecedents to white collar crime would not satisfy the definition of any of Level 1, 2 or 3 evidence. However, by regarding white collar crime as an analog to security violation behavior, studies of its antecedents may be considered Level 2 or Level 3 evidence depending on the nature of the antecedents in the study. For the purposes of this White Paper, white collar crime is considered to be an analog to security violation behavior.

#### 5. Mitigator Evidence

Following the Level 1, 2 and 3 evidence sections a significant amount of evidence is reported related to potential mitigators of criminal history. A long tradition of large-scale research on criminal behavior itself provides a source of considerable information about factors that may mitigate for or against the weight adjudicators should give to evidence of criminal history. Far more evidence about potential mitigators is available for this Criminal Behavior cluster of Guidelines than for any of the other Guidelines clusters. Indeed the sheer volume of evidence allows detailed analyses of interacting factors which, in turn, increases the difficulty with which clear, unambiguous conclusions can be drawn about possible mitigators of individual factors such as age of first offense.

#### 6. Effect Size Measures

Where possible and meaningful, this White paper reports statistical estimates of the size of important effects relating to the magnitude of an antecedent's effect on a security violation behavior or an analog of the same. Unfortunately, empirical studies can vary considerably in the statistics used to describe the size of an effect. Such statistics may include effect size measures

such as frequencies, percentages, mean differences, correlation coefficients, d-values, and several others. Also, many studies provide very little information about effect size at all.

This can become a burden in any review of the literature, especially to the person unfamiliar with a variety of statistical techniques. To reduce reader burden and facilitate understanding, the results of individual studies were translated, wherever possible, into a common statistic—Pearson's r—using the formulas provided by Rosenthal and Rosnow (1991). Pearson's r provides a measure of the strength and direction of a relationship between two variables. It can range from -1.00 to 1.00. A negative Pearson r value indicates that an increase in one variable is associated with a decrease in another, while a positive Pearson r value indicates that an increase in one variable is associated with an increase in the other. It is important to remember that a significant relationship between two variables does not mean that one variable causes change in another. Association can be an important precondition of causality but such inferences must be made cautiously, tempered by the reasonable, alternative explanations for the relationship.

In addition to the direction of a relationship between two variables, Pearson's r provides an indication of the strength of the relationship (i.e., how much a variable varies along with changes in another variable). The relationship between two variables gets stronger as it approaches the *absolute* value of 1.00. A value of -1.00 is indicative of a perfect negative relationship, while a value of +1.00 indicates a perfect positive relationship. In either case, as a Pearson r gets closer to 0, the relationship gets weaker. For the social sciences, Cohen (1992) proposed *absolute* Pearson r values of .10-.23, .24-.36, and .37 or larger as "weak," "moderate" and "strong" relationships, respectively.

This White paper on Criminal Behavior Guidelines identified a substantial number of meta-analytic studies which routinely reported results not only for Pearson's r values but also for confidence intervals (CI) around those r values. Confidence intervals provide evidence about the precision of each coefficient. The 95% CI is a range of values which has a 95% probability of including the true population coefficient. The 95% CI draws attention to the fact that the Pearson r of any given study is a sample-based estimate of the size and direction of the relationship between two variables in the larger population. It also draws attention to the relationship between precision and sample size, with Pearson r's based on larger samples being more precise than those based on smaller samples. The precision of an estimate is reflected in the range of CI values, with narrower ranges reflecting more precise estimates. Pearson r's based larger samples have narrower CI than those based on smaller samples. Because this White Pare reviewed a substantial number of meta-analytic studies, confidence intervals are reported here for those studies that reported them and for similar studies where confidence intervals could be estimated from other statistical information reported in the study.

This White Paper about criminal behavior has the advantage that many meta-analysis studies have been completed about criminal behavior, its antecedents and its consequences. The advantage for this White paper is that virtually all meta-analyses in this research domain rely on the Pearson's r as the measure of effect size that is aggregated across studies. Meta-analysis is a

statistical procedure that involves compiling and statistically aggregating the results of several individual studies. Meta-analyses can provide more precise estimates of the relationship between variables than individual studies by accounting for and reducing methodological factors (e.g., sample characteristics, study design, measurement reliability) that introduce error and imprecision in individual studies. For each meta-analysis presented, several statistics are provided. These include  $\rho$  (rho), k, N, and the 95% confidence interval.  $\rho$  (rho) is the sample-weighted mean effect size. As with Pearson's r,  $\rho$  (rho) describes the direction and strength of the relationship between two variables. It is calculated by weighting the results of several empirical studies according to sample size and averaging them.  $\rho$  (rho) is also adjusted for the measurement error (i.e., the unreliability in variable measurement that reduces observed relationships). k refers to the number of studies used to calculate  $\rho$  (rho), and N is the aggregate sample size. As with the Pearson r, the 95% confidence interval of  $\rho$  (rho) is also presented to reflect its precision.

Some studies do not provide sufficient information to provide any effect size measure. This is relatively uncommon in this White paper but is considerably more common in the White paper on Financial Considerations and the White paper on Psychosocial Considerations. The effect sizes reported in the vast majority of studies reviewed in this White Paper can be expressed as Pearson's r. A smaller number can only be expressed as mean differences, frequencies, percentages, odds ratios, or in some other form.

# Setting the Stage: Incidents of Criminal Behavior Issues in SSBI Investigations

Castelda (2009) and the Foundations Paper (2009) submitted as a precursor to these White Papers presented and analyzed issues identified in two samples of Single Scope Background Investigations (SSBI) that were open in 2008. The larger Sample A (N=4,247) included issues sourced from electronic data providers but not self-report issues from polygraph exams. Conversely, Sample B (N=1,437) included issues sourced from self-report polygraph exams but not from electronic data providers. Both samples included issues derived from interview sources and the usual range of background records such as police and employment records.

Two main points are summarized here about SSBI issues associated with the criminal behavior Guidelines. The first point is that Guideline J produces dramatically more investigative issues than do either Guideline D or Guideline M. In Sample A, Guideline J yielded 707 issues (fourth among all Guidelines) whereas Guidelines D and M yielded 16 and 19 issues, respectively. Only Guidelines A and L yielded fewer issues at 1 each. A similar patter was observed in Sample 2. Guideline J yielded 549 issues (more than any other Guideline) and Guidelines D and M yielded 33 and 8 issues, respectively, which were among the least frequent Guidelines. The second point is that less than 2% of the individuals with at least one issue among these three Guidelines produced issues in more than one of these three Guidelines. In effect, these Guidelines yielded issues that were virtually mutually exclusive of one another.

The net result of this pattern of SSBI issues among the three criminal behavior Guidelines is that, as a practical matter, this White Paper has its implications for the adjudicative process via the high volume Guideline J, Criminal Conduct. Conclusions from this White Paper about criminal sexual behavior or about IT misuse will impact only a very small percentage of clearance decisions.

#### LEVEL 1 EVIDENCE

A review of the literature found virtually no empirical studies that investigated whether criminal behavior (sexual or non-sexual) or the misuse of information technology is predictive of later security violation behavior. The sole exception was the doctoral dissertation of Thompson (2003) who provided evidence suggesting that past criminal conduct is associated with espionage. Thompson (2003) compared forty admitted spies with forty nonspies on five factors outlined by the Director of Central Intelligence Directive 6/4--criminal history, illicit drug use, alcohol abuse, financial issues, and emotional issues. Information on spies was taken from Project Slammer, an intelligence community research project involving structured interviews with 40 known spies. The non-spy information was collected from members of the intelligence community presumed to be non-spies. Analyses of the data indicated that there was a positive relationship between criminal behavior and espionage. Thompson found that 35% (14/40) of admitted spies had a pre-espionage arrest history compared to 5% (2/40) of the non-spies, indicating that spies were seven times more likely to have an arrest history than non-spies (r = .38, p < .001; 95% CI = .18 to .56).

Thompson's (2003) quasi-experimental study provided evidence suggesting that those with a criminal history are more likely to engage in espionage—arguably the most serious form of security violation behavior. However, the sample used in this study was relatively small, so the estimate for this relationship is not particularly precise. The 95% confidence interval indicates that this relationship could be small to moderately large. While informative, Thompson's study has two major limitations. First, he measured the criminal history of non-spies by simply asking them to indicate whether or not they had committed an offense in the past for which they could have been arrests (i.e., "Yes" or "No"). This provides for a very limited understanding of the relationship between espionage and past criminal behavior. If, and the extent to which, this relationship varies according to different characteristics of the offense, such as seriousness (felony vs. misdemeanor) and type, is unclear. This relationship may be stronger for some offenses than others. Secondly, this study does not provide evidence for the relationship between criminal conduct and more minor security violation infractions. These results make it impossible to determine if the relationship between criminal conduct is constant or varied across the range of security violation behavior.

#### LEVEL 2 EVIDENCE

As with Level 1, a review of the literature indicated that there were very few studies providing evidence that criminal conduct or the misuse of information technology were associated with, or predictive of, security violation behavior. Of the studies that were available, the majority provided evidence for a link between criminal conduct and analogs of security violation behavior. Only one study was identified that provided evidence for IT misuse as a predictor of analogs of security violation behavior.

#### Criminal Conduct and Counterproductive Work Behavior

Two studies have provided evidence for a relationship between criminal conduct and CWB. Sarchione, Cuttler, Muchinsky, and Nelson-Gray (1998) examined the predictability of dysfunctional job behaviors using a personality inventory and three life history scales. Among the life history scales was an index of past criminal behaviors. This index consisted of several criminal behaviors which were sorted and weighted by subject matter experts for offense severity, It is presented in Table 4. The authors used this index to discriminate between two groups of police officers from 13 law enforcement agencies. The first group (N = 109) included officers that had been disciplined for a variety of behaviors including substance abuse, insubordination, theft, fraud, and sexual misconduct, use of excessive force, and responsibility violations. The second group (N = 109) included officers that had never been disciplined for such behavior. The groups were matched on age, gender, and ethnicity. Comparing these groups indicated that the disciplined group of officers reported greater involvement in criminal activity in the past than the undisciplined group (r = .24, p < .01; 95% CI = .11 to .37). The 95% confidence interval suggests that the relationship between criminal history and CWB is small to moderate in magnitude.

Table 4. Sarchione et al.'s (1998) Offense Severity Index

Expert Weighting	Criminal Behavior			
	DUI conviction in past 2 years			
4	More than 1 DUI arrest in past two years			
(Most Savara)	More than 1 DUI arrest in past 5 years			
(Most Severe)	More than 1 domestic-related arrest in past 2 years			
	One domestic-related arrest in past 12 months			
	Any domestic-related arrest			
3	Any DUI conviction			
	Any domestic-related conviction			
	Significant juvenile arrest record for anyone who is under 25 years of age			
	(focus on larceny, drugs, or assault)			
2	More than 1 nontraffic-related arrest			
	More than 3 moving violations			
1	More than 3 automobile accidents			
(Least Severe)	Nontraffic-related arrest			

Roberts, Harms, Caspi, and Moffit (2007) tested a series of hypotheses proposing that childhood and adolescent factors are predictive of counterproductive workplace behavior in young adulthood. To test these hypotheses, the authors analyzed the data of 930 participants from the Dunedin study—a longitudinal investigation of the health and behavior of a cohort born between 1972 and 1973 in Dunedin, New Zealand. This information was collected on this cohort up to the age of 26. To measure CWB, the participants were interviewed at age 26 and asked 11 questions pertaining to their work behavior. Criminal behavior was measured by collecting official conviction data for each participant up to the age of 18. Zero-order correlations indicated that past criminal behavior was unrelated to CWB (r = -.01, 95% CI = -.05 to .07). However, when the scale was broken down (See Table 5), convictions were negatively related to several counterproductive behaviors, including using things at work without permission (r = -.08, p < .05, 95% CI = -.14 to -.02), stealing things from work (r = -.07, 95% CI = -.13 to -.01), and being under the influence of alcohol or drugs at work (r = -.08, 95% CI = -.14 to -.02). This suggests that the more convictions a person had up to age 18, the less likely they were to engage in these counterproductive behaviors at age 26.

Roberts et al.'s (2007) findings are clearly at odds with those of Sarchione et al. (1998). This could be explained by a number of factors, such as differences in the measurement of criminal behavior. Robert's et al. relied on a measure of convictions for various offenses up to age 18, while Sarchione et al. (1998) included both arrests and convictions at different time periods, such as 12 months prior, 2 years prior, and adolescence.

Table 5. Roberts et al.'s (2007) Counterproductive Work Behavior and Correlations with Adolescent Convictions

Counterproductive Work Behaviors	Correlation with Adolescent Convictions
How many times in the past year	
1have you been late to work?	02
2have you pretended you were sick or injured, or gave another false excuse so you could get time off work?	.01
3have you used things at work without permission (like using the telephone, Xerox machine, computer, tools or a company car without permission)?	08*
4have you had a conflict with your boss or supervisor (like refusing to carry out an assignment, told them a lie, or some other trouble with the boss)?	.01
5have you lost your temper, had a fight, or got into an argument with someone at work?	.06
6have you done your job in a way that could cause you to lose it (like taking shortcuts, missing deadlines, breaking safety rules)?	.06
7did you steal money from the place where you worked?	04
8have you reported working hours or days (so that you could get paid) that you really did not work?	.01
9did you steal things from work, such as office supplies, tools, or merchandise?	07*
10did you purposely damage or destroy property, equipment, tools or merchandise where you work?	01
11have you been under the influence of alcohol or drugs while you were at work?	08*
Total CWBs	01

p < .05

#### **Criminal Conduct and Insider Threat**

In 2002, Carnegie Mellon's Software Engineering Institute CERT program and the United States Secret Service's National Threat Assessment Center started a joint project—The Insider Threat Study (ITS). To date, the ITS has resulted in a series of reports intending to provide a clearer picture of the psychological and technical factors surrounding incidents where insiders—current or former employees or contractors—intentionally exceed or misuse an authorized level of network, system, or data access in a manner that affects the security of an organization's data, systems, or daily business operations. These reports have included case analysis of over 150 insider incidents occurring between 1996 and 2002. Several of these reports have suggested that that malicious insiders have a criminal history. In one of ITS's first reports, Randazzo, Keeney, Kowalski, Capelli, and Moore (2004) analyzed 23 insider incidents carried out in the Banking and Finance Sector. Analysis showed that twenty seven percent (27%) of these malicious insiders had a prior arrest. Unlike Randazzo et al. 2004, who focused on a particular industry, Keeney, Kowalski, Capelli, Moore, Shimeall, and Rogers (2005) focused on cases where a trusted insider intentionally sabotaged company systems, networks, or data across several industries. Their analyses indicated that in just under a third (31%) of the cases, the insider had a prior criminal arrest. These arrests included those for violent offenses (18%), alcohol or drug-related offenses (11%) and nonfinancial/fraud-related offenses. Kowalski, Cappelli, and Moore (2008) analyzed 52 cases of insider sabotage and theft in the Information Technology and Telecommunications Sector. In this analysis, 38% of the insiders had a history of arrest. These offenses included larceny and aggravated assault (39%), financial/fraud-related offenses (33%), and alcohol or drug-related offenses (28%). In addition, over half (56%) of insiders with an arrest history had multiple prior arrests or convictions. Kowalski, Conway, Keverline, Williams, Cappelli, Wilke, and Moore (2008) focused on 36 insider events occurring in the Government sector. The authors found that just under one-third (31%) of malicious insiders had prior arrest histories for financial/fraud-related offenses (14%), non-financial/fraudrelated theft offenses (6%), alcohol or other drug-related offenses (3%), violent offenses (3%), and other offenses (3%).

Insider threat research indicates that somewhere between 27-38% of malicious insiders have criminal histories. Because malicious insider activity, such as theft of company property and acts of sabotage, closely resemble severe forms of security violation behavior, this research provides some support for the notion that individuals with a criminal past are more likely to engage in security violation behavior. However, unlike Thompson (2003), these studies do not include an appropriate comparison group against which to gauge the significance and strength of this relationship.

#### Misuse of Information Technology and Insider Threat

The available literature contained virtually no studies with evidence for an association between the misuse of IT systems and analogs of security violation behavior. The lone exception was Randazzo et al. (2004) who provided evidence suggesting that those with a history of IT violations are more likely to engage in insider sabotage. In their analysis of 23 cases of insider sabotage in the Banking and Finance industries, the authors found that in 9% (2) of the cases, the insider had a known history of electronic abuses or violations. Furthermore, in 13% (3) of the cases, there was evidence that the insider showed an interest in, possessed materials on, or engaged in hacking.

#### LEVEL 3 EVIDENCE

Because of the scarcity of Level 1 and Level 2 evidence, a literature review was conducted on personality traits underlying the behaviors encompassed by the Criminal Behavior Guidelines and analogs of security violations. Personality traits refer to characteristic ways of thinking, feeling, and behaving that account for consistency between past and future behavior (Costa & McCrae, 1995). The rationale for presenting this line of evidence was that shared personality traits provide indirect evidence for the predictability of security violation behavior from the behaviors encompassed by the Criminal Behavior Guidelines. If, for example, criminal behavior and counterproductive work behavior share a common underlying personality trait, then there is some basis for inferring that past criminal conduct is predictive of counterproductive work behavior. Compared to Levels 1 and 2, this is a weaker form of evidence, requiring more inferences and assumptions. Despite the relative weaknesses of this line of evidence, it provides some basis for the inference that the behaviors encompassed by the Criminal Behavior Guidelines are predictive of security violation behavior.

A review of the available research resulted in the identification of several personality traits associated with both criminal conduct and analogs of security violation behavior. However, there is relatively little research on personality traits associated with IT misuse. Much of the IT misuse research has focused on its prevention through computer security awareness training and deterrents, such as the implementation of sanctions (Lee & Lee, 2002; Lee, Yoon, & Kim, 2008). This research has included psychological variables, such as internet addiction, but these do not appear in the analog research, making it impossible to indirectly link IT misuse and security violation behavior. Based on this assessment of the literature, it was decided that the Level 3 section would deal with criminal behavior alone. Before proceeding into a review of this literature, however, an overview of personality traits is provided.

#### Personality Traits: An Overview

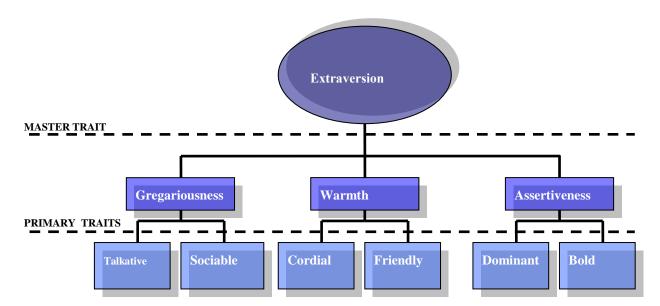
Personality traits have at least three important characteristics. First, they are continuous. Personality psychologists conceive of people as situated along a given trait in a relatively normal distribution, with a bulk of people falling toward the center and fewer lying at the extremes (McAdams, 2001). Traits are also bipolar. The poles of a trait continuum are marked by descriptors opposite in meaning. For example, the trait of sociability is characterized by adjectives such as outgoing or talkative on the high pole and reserved or shy on the low pole. As with other traits, most of the population falls toward the middle of this continuum, with very few people described as extremely outgoing or painfully shy.

A second important characteristic of personality traits is they describe, and are thought to explain or cause, stability in thoughts, feelings, and behavior. Personality researchers have found that individuals' personalities are remarkably stable over the course of their lives. This stability is due, at least in part, to the genetic basis of personality traits, which researchers have

estimated at around 40% (Dunn & Plomin, 1990). Heritability estimates do vary, however, with the trait under consideration. Estimates can range from 37% to 65% (Jang, Lively, & Vernon, 1996; Tellegen, Lykken, Bouchard, Wilcox, Segal, & Rich, 1988).

Though personality is consistent over the course of one's life, there is evidence for at least some change, with the greatest stability reached around age 30 (Costa & McCrae, 2006). For example, research has shown that people become more responsible and demonstrate higher levels of self-control as they get older (Helson & Moane, 1987). Such malleability is likely due to environmental influences which Dunn and Plomin (1990) estimate to be in the neighborhood of 40%. While a person's standing on a trait may change slightly over the course of his life, his ranking relative to others in his own age cohort is quite stable (McAdams, 2003). That is, a person high in responsibility will remain high relative to others in the cohort, even as the entire cohort population experiences change in this trait.

A third characteristic of traits is their structure or organization. Over the past few decades, personality researchers have sought to identify the most fundamental traits. This work shows that traits can be organized hierarchically, with the narrowest and most specific traits at the bottom of the hierarchy and the broadest and most general traits at the top (e.g., Costa & McCrae, 1992; Goldberg, 1990; Tellegen, 1985). To illustrate, the hierarchical organization of Extraversion is presented in Figure 1.



CHARACTERISTIC THOUGHTS, FEELINGS, BEHAVIORS

Figure 1. Structure of Personality Traits: The Example of Extraversion

At the bottom of this hierarchy are *Characteristic Thoughts*, *Feelings and Behaviors* such as talkative and dominant. Typically, characteristic thoughts, feelings, and behaviors are captured by items that a person uses to describe themselves or significant others. For example, a

person may be asked to respond to a survey item reading "I am happiest when I am alone" by indicating the extent to which it describes him or her. At the next level are *Primary Traits*. Primary Traits represent clusters of characteristic thoughts, feelings and behaviors. These clusters are based on underlying commonalities among characteristic thoughts, feelings, and behaviors. For example, a person describing himself as talkative is also likely to indicate that he prefers social interaction and that he does not like to be alone. At the next level are *Master Traits* which are clusters of primary traits. As with clusters of characteristic thoughts, feelings, and behaviors, these clusters are based on underlying commonalities. With Master Traits, however, these groupings are based on commonalities among primary traits. For example, a person that describes herself as high in the primary trait of Gregariousness is also likely to describe herself high in the primary traits of Warmth and Assertiveness.

While the hierarchical structure of personality has been replicated consistently across studies, the number and content of master and primary traits has been the subject of considerable debate. Some personality psychologists have found evidence for three master traits (e.g., Eysenck, 1967; Tellegen, 1985), while others have found evidence for five (Costa & McCrae, 1992). There has also been disagreement about the number of primary trait dimensions. Tellegen (1985) has found evidence for 10 primary trait dimensions, while Costa and McCrae (1992) have found evidence for 30. While there has been some controversy over the number and content of fundamental traits, empirical comparisons of alternative taxonomies have indicated that the differences are more apparent than real. Research indicates that major personality taxonomies overlap considerably, and differences are due primarily to measurement issues, such as differential emphasis on trait content or the blending of traits more clearly delineated in alternative taxonomies (Church, 1994; Costa & McCrae, 1995).

A review of the available literature indicates that there are five personality traits linked to both criminal behavior and one or more of the analogs of security violation behavior. The first trait—Self-Control—has its roots in the field of Criminology (Gottfredson & Hirschi, 1990). Self-Control has also appeared research involving analogs of security violation behavior. The remaining personality traits—Extraversion, Neuroticism, Conscientiousness, and Agreeableness—have their roots in the field of Personality Psychology. These four traits belong to one of the most widely agreed-upon and empirically established personality taxonomies in the field—The Big Five (Costa & McCrae, 1992). Each trait has also appeared in the field of Criminology, with several studies exploring their contributions to criminal and delinquent behavior.

In the following section, these traits are briefly described and evidence linking them to criminal behavior and analogs of security violation behavior is presented. Because each of these traits is a master trait, empirical evidence for associations between the primary traits subsumed

<sup>&</sup>lt;sup>1</sup> Openness to Experience is also a trait appearing in the Big Five. It is not included here, however, because research indicates that it's relationships with criminal behavior and analogs of security violations are trivial.

by them, criminal behavior, and analogs of security violation behavior is presented when it is available. This latter research provides a clearer picture of the character of individuals that engage in these types of behaviors and may ultimately inform the development and/or provision of better/additional indicators for risk assessment.

# Personality Traits Associated with Criminal Conduct and Analogs of Security Violation Behavior

#### **Self-Control**

Self-control is a trait reflecting one's "ability to resist easy, immediate gratification" (Gottfredson & Hirschi, 1990). People with little self-control are described as impulsive, insensitive to others, easily frustrated, risk-taking, short-sighted, and self-centered. Table 6 describes a self-report measure of self-control developed by Grasmick, Tittle, Bursick, and Arneklev (1993). Grasmick et al.'s (1993) scale is one of the most widely used measures of Self-Control. Table 6 provides a description of the six primary traits subsumed by Self-Control and example items used to measure each trait.

#### Self-Control and Criminal Conduct

The General Theory of Crime posits that individual differences in Self-Control account for a majority of the variation in criminal and antisocial behavior (Gottfredson & Hirschi, 1990). Gottfredson and Hirschi drew on two consistent empirical observations in support their theory: (a) the generality of deviance and (b) the stability of criminal behavior. The generality of deviance refers to the positive relationships commonly found among different forms of crime and imprudent/risky behavior. In other words, people who engage in crimes tend to engage in a variety of different crimes as well as a variety of different forms of imprudent and risky behavior, such as excessive alcohol use, fighting, gambling, and sexual promiscuity (Paternoster & Brame, 1998, 1999; Tittle, Ward, & Grasmick, 2003). Gottfredson and Hirschi (1990) proposed that these behaviors co-occur because each provides for some form of immediate gratification. For example, a person might steal money because it will allow him or her to purchase something of value, drink because of the enjoyment of intoxication, and speed because of the rush of going 100 mph on the open road. In addition to the generality of deviance, Gottfredson and Hirschi noted the stability of criminal behavior—people who engage in crime at young ages also tend to do so throughout adolescence and adulthood. Gottfredson and Hirschi argued that the generality and stability of deviance is attributable to individual differences in Self-Control—the ability to resist immediate gratification. In other words, some people tend to engage in a variety of criminal and imprudent/risky behavior over the course of their lives because of a relative inability to resist the immediate gratification provided by these behaviors.

Over the past two decades, several studies have evaluated The General Theory of Crime. In general, the theory's major propositions have been supported. Empirical work has shown that Self-Control is positively related to various forms of criminal and imprudent, risky behavior.

While the individual studies provided support for the relationship between Self-Control and criminal and imprudent/risky behavior, differences in sampling, measurement, and research design made it difficult to obtain precise estimates of these relationships. Therefore, Pratt and Cullen (2000) conducted a meta-analysis of 21 studies on Self-Control. In total, the authors analyzed 126 correlations from a pooled sample of almost 50,000 participants. Their analyses

provided support for a positive relationship between Self-Control and both crime ( $\rho$  = .24, k = 62, p < .05) and analogous behavior ( $\rho$  = .35, k = 20, p < .001). In addition, the magnitude of these relationships did not vary by the demographic makeup of research samples. The relationship between Self-Control, crime, and imprudent/risky behavior was approximately equal in magnitude, whether the sample was male or female, racially homogenous or integrated, adult or juvenile. According to Pratt and Cullen (2000), this provided support for the generality of these relationships.

#### Self-Control and Analogs of Security Violation Behavior

Research has provided evidence that Self-Control is related to two analogs of security violation behavior—Counterproductive Work Behavior and White Collar Crime.

**COUNTERPRODUCTIVE WORK BEHAVIOR (CWB)**. Three studies have provided evidence suggesting that those low in Self-Control are more likely to engage in CWB. Marcus and Schuler (2004) tested the relationship between Self-Control and CWB in a sample of 170 employees from two organizations in Germany. After accounting for situational factors, the authors found a negative relationship between Self-Control and CWB (r = -.49, p < .01, 95% CI = -.61 to -.37). In addition, Self-Control was a much stronger predictor of CWB than situational variables, explaining approximately 10 times more variance in CWB. These results suggest that Self-Control is a more important predictor of CWB than situational variables. In fact, the authors concluded that promoting a work force high in self-control (presumably through recruitment and selection efforts) would be the most effective way to reduce CWB.

Table 6. Grasmick et al.'s (1993) Measure of Self-Control

Facets	Description	Items
1. Impulsivity	The tendency to focus on and be motivated by the here-and-now rather than the future.	<ul> <li>I often do whatever brings me pleasure here and now, even at the cost of some distant goal.</li> <li>I often act on the spur of the moment</li> <li>I don't devote much thought and effort to planning for the future.</li> </ul>
2. Risk-Seeking	The tendency to seek out, take, and derive enjoyment from risk.	<ul> <li>Excitement and adventure are more important for me than security</li> <li>Sometimes I like to take a risk just for the fun of it.</li> <li>I like to test myself every now and again by doing something a little risky.</li> <li>I sometimes find it exciting to do things for which I might get in trouble.</li> </ul>

Facets	Description	Items
3.Preference for Simple Tasks	The tendency to dislike expending great amounts of or sustained effort.	<ul> <li>I frequently avoid projects that I know will be difficult.</li> <li>I dislike hard tasks that stretch my abilities to the limit.</li> <li>The things in my life that are easiest to do bring me the most pleasure.</li> <li>When things get complicated, I tend to quit or withdraw.</li> </ul>
4. Self-Centeredness	The tendency to place greater importance on one's own interests and disregard those of others.	<ul> <li>I will try to get the things I want, even when I know it is causing problems to other people.</li> <li>I try to look out for myself, even when it is making things difficult for other people.</li> <li>If things I do upset people, it is their problem not mine.</li> <li>I am not very sympathetic to other people when they are having problems.</li> </ul>
5. Physicality	The tendency to prefer activities that require physical as opposed to mental effort.	<ul> <li>I almost always feel better when I am on the move rather than sitting and thinking.</li> <li>If I had a choice, I would rather do something physical than mental.</li> <li>I seem to have more energy and a greater need for activity than most people my age.</li> <li>I like to get out and do things more than I like to read books or contemplate.</li> </ul>
6. Volatile Temper	The tendency to become frustrated and angry easily.	<ul> <li>I lose my temper pretty easily</li> <li>When I have a disagreement with someone, it is hard for me to talk calmly about it without getting upset.</li> <li>When I am really angry, other people better stay away from me.</li> <li>Often, when I am angry at people I feel more like hurting them than talking to them about why I am angry.</li> </ul>

Marcus and Schuler's (2004) study used a global measure of CWB. However, CWB has been conceptualized as either organizationally- or interpersonally-targeted (Robinson & Bennett, 1995). Becholdt, Welk, Hartig, and Zapf (2007) provided evidence that Self-Control is negatively related to both organizational (r = -.50, p < .01, 95% CI = -.56 to -.44) and interpersonal CWB (r = -.27, p < .01, 95% CI = -.35 to -.19) in a sample of over 559 employees from organizations spanning several industries. These relationships account for perceptions of fairness in how the organization distributes rewards and organizational procedures. Bordia, Tang, and Restubog (2008) found evidence for a negative relationship between Self-Control and organizational (r = -.21, p < .01, 95% CI = -.34 to -.07) and interpersonal CWB (r = -.15, p < .05, 95% CI = -.29 to -.01) in sample of 200 employees from a commercial bank in the Philippines. These relationships account for revenge cognitions. Taken together, the results of Becholdt et al. (2007) and Bordia et al. (2008) suggest that those lower in Self-Control are more

likely to engage in counterproductive work behavior targeted toward the organization and individuals in the organization.

Marcus, Schuler, Quell, and Hümpfer (2002) provided evidence suggesting that individuals low in Self-Control are more likely to engage in organizationally- and interpersonally-targeted CWB in a sample of 98 retail employees and 76 manufacturing employees. As shown in Table 7, low Self-Control was positively related to organizational CWB in both samples but was only related to interpersonal CWB in the manufacturing sample. The authors also broke organizationally and interpersonally targeted CWB down into specific behaviors. Table 7 shows that low Self-Control was positively related to several of these behaviors, including absenteeism/withdrawal, substance abuse, and theft/property violations. Perhaps the most important of these relationships is the relationship between low Self-Control and theft/property violations. Theft/property violations are arguably most analogous to security violation behaviors, such as theft of classified information. In support of this argument, one theft item reads, "I have helped someone to steal company property" and another reads, "I took work materials home without permission." Scales items are provided in the appendix of this article. Low self-control was positively related to theft/property violations in the retail sample but not the manufacturing sample. The reason for this difference is unclear, but could be due to a number of factors, such as the personality makeup of the samples, and differential levels of organizational sanctions and controls.

Table 7. Relationships between low Self Control, Organizational and Interpersonal CWB, and Specific CWB Behaviors

Counterproductive Work Behavior	Retail Sample (N = 98)		Manufacturing S (N = 76)	Sample
Bellavior	r	95% CI	r	95% CI
Organizational CWB	.72**	.62 to .81	.55**	.38 to .70
Interpersonal CWB	.41**	.23 to .57	.22ns	01 to .43
Absenteeism/Withdrawal	.73**	.62 to .83	.52**	.34 to .67
Substance Abuse	.50**	.34 to .64	.55**	.38 to .70
Aggression	.41**	.23 to .57	.34**	.12 to .53
Theft/Property Violations	.33**	.14 to .50	.17ns	06 to .38

<sup>\*\*</sup> p < .01 ns = Not statistically significant

WHITE COLLAR CRIME. Three studies provided evidence suggesting that white collar criminals are low in Self-Control. Collins and Schmidt (1993) conducted a construct validity study of a personality scale, a personality-based integrity test, and a biodata scale. The purpose of this study was to identify variables that discriminate between white collar offenders and nonoffenders. The sample was comprised of 329 white collar criminals convicted of a variety of white collar offenses (e.g., counterfeiting, fraud, forgery, embezzlement) and 320 white collar nonoffenders. The overall sample was broken down into validation and cross-validation subsamples. Comparison of the mean differences revealed that white collar offenders rated themselves significantly lower on a measure of Self-Control that white collar nonoffenders in the validation sample (r = -.18, p < .05, 95% CI = -.28 to -.09) but not the cross-validation sample (r = -.11,

ns, 95% CI = -.25 to .02). In her doctoral dissertation, Herbert (1997) tested the hypothesis that Self-Control is positively associated with white collar offending. To measure white collar offending, she asked over 1000 college students to indicate how frequently they engaged in several behaviors, including lying on a job application, stealing from an employer, lying to an employer about a job-related matter, filling out a time sheet for more hours than were worked, and lying on a tax application. Her analyses indicated that low Self-Control was positively associated with white collar offending (r = .46, p < .001, 95% CI = .42 to .51). Blickle, Schlegel, Fassbender, and Klein (2006) compared the personality characteristics of 76 inmates convicted of various white collar offenses (e.g., bribery, embezzlement, fraudulent bankruptcy) and 200 non-criminal managers. Among their findings, the non-criminal managers described themselves as significantly higher in self-control than the white collar criminals (r = .14, p < .05, 95% CI = .02 to .26). This relationship remained significant after accounting for several other personality traits.

#### Extraversion

Extraversion encompasses several primary traits, including warmth, gregariousness, assertiveness, activity, excitement-seeking and positive emotions. People high in Extraversion are described as talkative, friendly, enthusiastic, bold, assertive, and spontaneous, whereas people low in Extraversion (i.e., Introverts) tend to be described as reserved, aloof, quiet, inhibited, passive, and timid. Table 8 provides descriptions of the primary traits subsumed by Extraversion. Items representative of the high and low poles of each trait are also provided. These items are taken from the NEO-PI (Costa and McCrae, 1992)—one of the most widely used and validated personality assessments in the field of Psychology.

#### Extraversion and Criminal Conduct

Extraversion's association with criminal conduct was first proposed by personality psychologist Hans Eysenck. According to Eysenck (1996), abstinence from criminal or antisocial conduct is supported by the development of conscience. Conscience is a conditioned response molded by rewards and punishments over the course of one's life, particularly one's early life (Eysenck, 1970). When a person engages in socially appropriate and/or prosocial forms of behavior, s/he is rewarded by teachers, parents, and peers, whereas when s/he engages in socially inappropriate or antisocial forms of behavior, s/he is punished. These reinforcements and punishments ultimately contribute to the development of a sense of right and wrong (i.e., conscience) that deters a person from criminal behavior. According to Eysenck, this conditioning process is less effective in those high in Extraversion because they require a great deal of stimulation to learn.

Evidence for Eysenck's (1977) hypothesis has been reviewed by several researchers over the past few decades (Cale, 2006; Cochrane, 1974; Eysenck & Gudjonssen, 1989; Miller & Lynam, 2001; Passington, 1972). In one of the most recent and comprehensive of these efforts,

Cale (2006) conducted a meta-analysis of 52 published and unpublished studies. These studies differed in method, samples, and measurement, including comparisons of prisoners and nonprisoners, juvenile delinquents and nondelinquents. They also included assessments of conduct and antisocial personality disorder, and self-, peer-, teacher, and parent-reported delinquency. From these studies, Cale identified 71 empirical relationships between Extraversion and antisocial behavior. Statistical aggregation of this data indicated that there was a positive, albeit weak, relationship between Extraversion and criminal behavior ( $\rho$  = .09, k = 85, N = 14,992, 95% CI = .06 to .12).<sup>2</sup>

**Table 8. Extraversion: Primary Traits and Example Items** 

Primary Traits	Description	Example	Items		
Timary Traits	Description	High	Low		
1. Warmth	The capacity for affection, friendliness, and cordiality.	<ul> <li>I find it easy to smile and be outgoing with strangers</li> <li>I take a personal interest in people I work with.</li> </ul>	<ul> <li>Many people think I am somewhat cold or distant.</li> <li>I do not get much pleasure from chatting with people.</li> </ul>		
2. Gregariousness	The preference for being around other people.	<ul> <li>I like to have a lot of people around me.</li> <li>I really feel the need for other people if I am by myself for a long period of time.</li> <li>I would rather vacation at a popular beach than an isolated cabin in the woods.</li> </ul>	<ul> <li>I prefer jobs that let me work alone without being bothered by other people.</li> <li>I shy away from crowds of people.</li> </ul>		
3. Assertiveness	The tendency to express oneself forcefully and without reluctance	<ul> <li>I am dominant, forceful, and assertive.</li> <li>In conversations, I tend to do most of the talking.</li> <li>I have often been the leader of groups I have belonged to.</li> </ul>	<ul> <li>I don't find it easy to take charge of a situation.</li> <li>In meetings, I usually let other people do the talking.</li> </ul>		
4. Activity	One's level of energy and tendency toward a fast-paced lifestyle.	<ul> <li>I often feel as though I am bursting with energy.</li> <li>I usually seem to be in a hurry.</li> <li>My life is fast-paced.</li> </ul>	<ul> <li>I have a leisurely style in work and play.</li> <li>I am not as quick and lively as other people.</li> </ul>		
5. Excitement- Seeking	One's appetite for the thrills and excitement.	<ul> <li>I have sometimes done things just for "kicks" or "thrills."</li> <li>I like to be where the action is.</li> <li>I am attracted to bright colors and flashy styles.</li> </ul>	<ul> <li>I tend to avoid movies that are shocking or scary.</li> <li>I wouldn't enjoy vacationing in Las Vegas.</li> </ul>		

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 $<sup>^{2}</sup>$   $\rho$  refers the estimated true effect size. It is calculated as the weighted average of corrected observed correlations, r, where each r is corrected for study artifacts such as unreliability and weighted by its sample size.

Primary Traits	Description	Example Items				
Filliary Traits	Description	High	Low			
6. Positive Emotions	The capacity for laughter, joy, love, optimism, and happiness.	<ul> <li>I have sometimes experienced intense joy or ecstasy.</li> <li>I am a cheerful, high- spirited person.</li> <li>I laugh easily.</li> </ul>	<ul> <li>I am not a cheerful optimist.</li> <li>I have never literally "jumped for joy."</li> </ul>			

Cale's (2006) findings are largely consistent with those preceding it—Extraversion is positively related to criminal behavior, although the strength of this relationship is weak. Several studies have provided evidence suggesting that stronger relationships are found at the primary trait level, particularly with Excitement-Seeking. Heaven (1996) asked 90 college students complete the NEO-PI and self-report measures of vandalism/theft and interpersonal violence. Analysis of the resulting data indicated that Excitement-Seeking positively related to vandalism/theft (r = .26, p < .05, 95% CI = .06 to .45) and interpersonal violence (r = .22, p < .05.05, 95% CI = .01 to .45), even after controlling for other personality traits. Levine and Jackson (2004) examined the relationship between Extraversion, as measured by Eysenck's EPQ-R (Eysenck & Eysenck, 1991), and self-reported crime in a sample of 101 college students. Their analyses indicated that Extraversion was unrelated to self-reported crime (r = .11, ns, 95% CI = -.09 to .31); however, Need for Stimulation—a primary trait largely redundant with Excitement-Seeking—was positively associated with self-reported crime (r = .20, p < .05, 95% CI = 0.01 to .38). Samuels, Bienvenu, Cullen, Costa, Eaton, and Nestadt (2004) examined the relationship between personality, personality disorders, substance and alcohol abuse, and arrest history in a sample of 611 individuals ranging in age from 30 to 87. Arrest histories were identified by searching through a criminal database spanning a period of 13 years. The authors' analyses indicated that those high Excitement-Seeking were more likely to report having history of arrest than those low in Excitement-Seeking (r = .19, p < .001, 95% CI = .11 to .27). None of the other primary traits subsumed by Extraversion were related to arrest history. Additional analysis indicated that the odds of reporting a history of criminal arrest increased by 7% for each unit increase in Excitement-Seeking. The magnitude of this relationship did not change appreciably when participant age, gender, race, alcohol/drug use disorders, and personality disorders were accounted for.

#### Extraversion and Analogs of Security Violation Behavior

Several studies have provided evidence suggesting that those higher in Extraversion or Excitement-Seeking are more likely to engage in counterproductive work behavior and white collar crime.

**COUNTERPRODUCTIVE WORK BEHAVIOR.** Salgado (2002) conducted a meta-analysis of 17 CWB studies appearing in the literature between 1990 and 1999. The results showed that Extraversion was unrelated to a measure of CWB encompassing workplace theft, admissions of

workplace theft, disciplinary problems, substance abuse, property damage, and organizational rule-breaking ( $\rho$  = -.01, k = 17, N = 2383, 95% CI = -.05 to .03). Though Salgado's (2002) work suggests that Extraversion is unrelated to CWB, Berry, Sackett, and Ones (2007) found evidence suggesting that Salgado's use of a general measure of CWB may have masked Extraversion's differential relationships with interpersonal and organizational CWB. In particular, Berry et al. conducted a meta-analysis of 31 published and unpublished CWB studies and found evidence that Extraversion was negatively related to organizational CWB ( $\rho$  = -.09 k = 5, N = 1836, 95% CI = -.14 to -.04) but was unrelated to interpersonal CWB ( $\rho$  = .02, k = 8, N = 2360, 95% CI = -.02 to .06). Comparison of these confidence intervals indicates that Extraversion is more strongly related to organizational deviance than interpersonal deviance. Furthermore, the results indicate that highly Extraverted people are less likely to engage in organizational CWBs, such as intentionally withholding effort, stealing from the company, and sharing classified company information, than those lower in Extraversion.

Three studies have provided data on the relationship between the primary traits subsumed by Extraversion and CWB. Hastings and O'Neill (2009) asked 189 college students to complete a personality measure and indicate how often they engaged in a number of CWBs. Correlation analysis indicated that Extraversion was unrelated to CWB (r = .12, ns. 95% CI = 0.00 to .24). However, Excitement-Seeking was positively related to CWB (r = .17, p < .05, 95% CI = .06 to .29). Hastings and O'Neill also found evidence that Warmth was negatively related to CWB (r = -.15, p < .05, 95% CI = -.27 to -.04). That Excitement-Seeking and Warmth were related to CWB in opposing ways might explain why Extraversion is not consistently associated with CWB, as their effects may cancel each other out. Marcus and Schuler (2004) found evidence that Excitement-Seeking was positively related to a general measure of CWB (r = .27, p < .05, 95% CI = .11 to .39) in a sample of 174 employees from two organizations in Germany. Diefendorff and Mehta (2007) tested a series of hypotheses proposing that different motivational traits are related to counterproductive work behavior. Included among these traits was Behavioral Activation System (BAS) Sensitivity. The BAS is a physiologically-based system manifest in perceptual readiness for and strong emotional reactions to cues of nonpunishment or reward (Gray, 1982). Individuals high in BAS sensitivity are chronically under stimulated and seek novel activities that will increase their arousal (Carver & White, 1994). Activation of the BAS is associated with impulsivity, sensation seeking, a strong drive to attain goals, and the experience of positive emotions (Torrubia, Avila, Motto, & Caseras, 2001). BAS sensitivity overlaps both conceptually and empirically with the primary trait of Excitement-Seeking. Diefendorff and Mehta hypothesized that BAS sensitivity would be positively related to both interpersonal and organizational deviance because such behaviors, being risky in nature, increase arousal and can provide one with a sense of novelty. The results indicated that BAS sensitivity was positively related to both interpersonally- and organizationally-targeted CWB (r = .36, p < .05, 95% CI = .28 to .45 and r = .23, p < .05, 95% CI = .13 to .32) in a sample of 392 employed undergraduates. These relationships accounted for organizational frustrations and other motivational traits, such as feelings of personal mastery and competitiveness.

WHITE COLLAR CRIME. In their study of personality and behavioral differences of white collar criminals and noncriminals, Collins and Schmidt (1993) used a biodata scale to measure Extraversion. This scale asked participants to answer several questions about their past. Each question tapped behaviors characteristic of Extraversion, included friendships, popularity, and involvement in and leadership of groups. Analysis of the responses to this instrument indicated that white collar criminals were more Extraverted than white collar noncriminals in both the validation (r = .38 p < .0001, 95% CI = .31 to .46) and cross-validation samples (r = .21, p < .05, 95% CI = .08 to .24).

Alalehto (2003) set out to identify the personality differences among white collar offenders and nonoffenders by conducting in-depth structured interviews with 128 businessmen in the construction, engineering, and music industries in Sweden. Interviewees were asked to describe the behavior and personalities of colleagues that had engaged in white collar crimes and those that had not. The results indicated that the informants were more likely to describe colleagues that had committed white collar offenses as socially competent, talkative, spontaneous, and adventurous. Because each of these characteristics is indicative of Extraversion, Alalehto referred to these white collar criminals as Positive Extraverts.

#### Neuroticism

Neuroticism is a personality trait reflecting emotional stability and adjustment. People high in Neuroticism tend to be distressed and upset in many realms of their lives. They are chronically worried, nervous, insecure, hold a low opinion of themselves and view the world through a pessimistic lens. People who score low on Neuroticism, on the other hand, are generally calm, relaxed, secure, self-satisfied, and rather unemotional (McAdams, 2003). Neuroticism, as measured by the NEO Personality Inventory (Costa & McCrae, 1992), subsumes six primary traits—Anxiety, Angry Hostility, Depression, Self-Consciousness, Impulsiveness and Vulnerability. Table 9 provides a brief description of each primary trait and example items tapping the high and low poles of each trait.

#### Neuroticism and Criminal Conduct

Eysenck (1977) proposed that Neuroticism can contribute to criminal behavior by amplifying Extraversion's impact on the conditioning processes necessary to the development of conscience (Eysenck, 1970). Extraverted people may condition poorly, but those high in both Extraversion and Neuroticism condition most poorly of all and are thus most likely to engage in criminal behavior. More recently, Eysenck (1996) suggested the those high in Neuroticism are prone to criminal behavior because they are more likely to experience anger (Angry Hostility) and react in in impulsive ways (i.e., allowing emotion to overtake reason).

Table 9. Neuroticism: Primary Traits and Example Items

D . T	D '.'	Examp	le Items
Primary Trait	Description	High	Low
1. Anxiety	Worry and fear about how things will turn out	<ul> <li>I often worry about things that might go wrong.</li> <li>I am easily frightened.</li> </ul>	<ul> <li>I am seldom apprehensive about the future.</li> <li>I have fewer fears than most people.</li> </ul>
2. Angry Hostility	How quickly one comes to feel anger and bitterness	<ul> <li>I often get angry over the way people treat me.</li> <li>Even minor annoyances are frustrating to me.</li> </ul>	<ul> <li>It takes a lot to get me mad.</li> <li>I am not considered a touchy or temperamental person.</li> </ul>
3. Depression	The tendency to feel sad and hopeless	<ul> <li>Sometimes things look pretty bleak and hopeless to me.</li> <li>I blame myself when anything goes wrong.</li> </ul>	<ul> <li>I rarely feel lonely or blue.</li> <li>I am seldom sad or depressed.</li> </ul>
4. Self- Consciousness	Tendency to feel embarrassment or shame in awkward social situations	<ul> <li>In dealing with other people, I often dread making a social blunder.</li> <li>If I have said or done something wrong to someone I know, I can hardly bear to face them again.</li> </ul>	<ul> <li>If doesn't embarrass me too much if people tease or ridicule me.</li> <li>I feel comfortable in the presence of my boss or other authority figures.</li> </ul>
5. Impulsiveness	The tendency to yield to temptation (food, drink, tobacco, drugs, etc.)	<ul> <li>Sometimes I do things on impulse that I later regret.</li> <li>I have trouble resisting my cravings.</li> </ul>	<ul> <li>I have little difficulty resisting temptation.</li> <li>I am always able to keep my feelings under control.</li> </ul>
6. Vulnerability	The tendency to lose focus in emergency or stressful situations	<ul> <li>I often feel helpless and want someone else to solve my problems.</li> <li>When I am under a great deal of stress, sometimes I feel like I am going to pieces.</li> </ul>	<ul> <li>I feel I am capable of coping with most of my problems.</li> <li>When everything seems to be going wrong, I can still make pretty good decisions.</li> </ul>

Surprisingly, little research has tested the proposed Extraversion-Neuroticism interaction. There is a substantial amount of evidence, however, on the direct relationship between Neuroticism and criminal behavior. As with Extraversion, several reviews of the literature over the past few decades have addressed this relationship (Cale, 2006; Cochrane, 1974; Eysenck & Gudjonssen, 1989; Miller & Lynam, 2001; Passington, 1972). Eysenck and Gudjonssen's (1989) review indicated that Neuroticism was more strongly related to criminal behavior in older samples. They speculated that Neuroticism becomes more predictive at later ages because conditioned tendencies, those Neuroticism is thought to amplify, are more established at that time. Miller and Lynam (2001) conducted a meta-analysis of 48 studies published between 1963 and 2000. The authors defined criminal behavior rather broadly, including scales and questionnaires measuring antisocial personality disorder, conduct disorder, psychopathy, and

self-, peer-, parent- and teacher-reported delinquency. The results indicated that Neuroticism was positively associated with criminal behavior ( $\rho$  = .20, N = 19, 262, 95% CI = .19 to .22). Cale's (2006) meta-analysis also provided support for a positive relationship between Neuroticism and criminal behavior ( $\rho$  = .19, k = 82, N = 14, 468, 95% CI = .15 to .23).

Like Extraversion, a few studies have examined the relationship between the primary traits subsumed by Neuroticism and criminal behavior. Miller, Lynam, and Leukefeld (2003) asked 481 20 year-old men and women to complete measures of personality and indicate the frequency to which they engaged in different types of criminal and aggressive behaviors since the fifth grade. Accounting for gender and primary traits subsumed by Conscientiousness and Agreeableness (see below), the authors did not find a significant relationship between any of the primary traits subsumed by Neuroticism and the frequency of criminal behavior during this time. However, Angry Hostility was positively related to interpersonally aggressive behavior (r = .11,p < .05, 95% CI = .02 to .20). This suggests that people prone to anger are more likely to engage in acts of interpersonal aggression. Samuels et al. (2004) found Angry Hostility and Impulsiveness were related to arrest history. Those with a history of criminal arrest were higher in Angry Hostility (r = .19, p < .001, 95% CI = .11 to .27) and Impulsiveness (r = .13, p < .01, 95% CI = .05 to .21). Additional analyses showed that the odds of a person having been arrested increased by 6% and 4% with each unit increase in Angry Hostility and Impulsiveness, respectively. The magnitude of these relationships did not change appreciably when participant age, gender, race, alcohol/drug use disorders, and personality disorders were accounted for. None of Neuroticism's other primary traits were related to arrest history. This suggests that people prone to anger and who tend to act on the spur of the moment are more likely to engage in criminal behavior than those who are more calm and thoughtful—a finding consistent with Eysenck's most recent explanation for the relationship between Neuroticism and criminal behavior.

#### Neuroticism and Analogs of Security Violation Behavior

Neuroticism has been linked to three analogs of security violations—counterproductive work behavior, white collar crime, and workplace safety.

**COUNTERPRODUCTIVE WORK BEHAVIOR.** Research suggests that those high in Neuroticism, or one of the primary traits subsumed by it, are more likely to engage in CWB. Berry, Ones, and Sackett's (2007) meta-analysis indicated that Neuroticism was positively related to both interpersonally- and organizationally-targeted CWB ( $\rho$  = .24, k = 10, N = 2,842, 95% CI = .21 to .28 and  $\rho$  = .23, k = 7, N = 2,300, 95% CI = .19 to .28, respectively).

Two studies have provided evidence suggesting that those prone anger and hostility are more likely to engage in CWB. Hastings and O'Neill (2009) found that while Neuroticism was unrelated to CWB (r = .12, ns, 95% CI = -.02 to .26), Angry Hostility was positively related (r = .33, p < .05, 95% CI = .20 to .46) to it. Hershcovis, Turner, Barling, Arnold, Dupré, Inness, LeBlanc, and Sivanathan (2007) conducted a meta-analysis of 57 studies including data on

situational and personality correlates of CWB. Personality variables included Negative Affectivity and Trait Anger. Each of these variables overlaps both conceptually and empirically with Neuroticism. Negative Affectivity is the tendency to experience negative emotional states, such as hostility, anxiety, and fear (Watson & Clark, 1985). Watson and colleagues argue that Negative Affectivity is a central component of Neuroticism and have found a correlation of .58 between the two constructs (Watson, Wiese, Vaidya, & Tellegen, 1999). Negative Affectivity touches directly on several primary traits subsumed by Neuroticism, particularly Angry Hostility and Anxiety, but not others (i.e., Vulnerability), so it is narrower in scope than Neuroticism. Trait Anger is the predisposition to perceive situations as frustrating and respond with hostility (Spielberger, 1991). This personality trait overlaps with Angry Hostility but none of the other primary traits subsumed by Neuroticism (e.g., Stress Reaction, Anxiety), so it is narrower in scope than both Neuroticism and Negative Affectivity. Herschcovis et al.'s (2007) review indicated that Trait Anger was positively related to interpersonally- and organizationally-targeted CWB ( $\rho = .43$ , k = 10, N = 2,648, 95% CI = .40 to .46 and  $\rho = .33$ , k = 7, N = 2,032, 95% CI = .29 to .38, respectively). Negative Affectivity was also positively related to interpersonal and organizational CWB ( $\rho = .29$ , k = 5, N = 1,532, 95% CI = .25 to .32 and  $\rho = .28$ , k = 4, N = 1,168, 95% CI = .23 to .34, respectively). With this data in hand, the authors proceeded to conduct a meta-analytic path analysis including several personality and situational predictors of interpersonally- and organizationally-targeted CWB. Controlling for perceptions of organizational justice, interpersonal conflict, situational constraints, and gender, the authors found that Trait Anger was positively related to both interpersonally- and organizationallytargeted CWB ( $\rho = .29$ , p < .001, 95% CI = .26 to .43 and  $\rho = .16$ , p < .01, 95% CI = .12 to .20, respectively), whereas Negative Affectivity was not. One reason that Negative Affectivity may have failed to predict workplace deviance it is that it is broader in scope than Trait Anger and encompasses emotions, like anxiety and worry, unrelated to CWB.

WHITE COLLAR CRIME. Three studies have provided evidence for a relationship between Neuroticism and White Collar Crime. Alalehto's (2003) research indicated that white collar offenders were more likely to be described with Neurotic descriptors (e.g., anxious, nervous, unstable) than those that did not engage in such crimes. Alalehto described the Neurotic white collar criminal as self-critical, self-pitying, quick to take offense, and unbalanced in his/her behavior because of frequent mood swings. Informant reports indicated that this type was more likely to engage in white collar offenses because they are in search of the approval of others and are therefore more likely to be persuaded into conspiring in such crimes. Weisburd and Waring (2001) found that those high in Neuroticism were more likely to have multiple arrests for white collar offenses. Although not including a measure of Neuroticism, Collins and Schmidt (1993) did find that the Anxiety subscale of the California Psychological Inventory discriminated between white collar criminals and noncriminals. White collar criminals indicated that they experienced higher levels of anxiety than white collar noncriminals in both the validation and

cross-validation samples (r = .18, p < .001, 95% CI = .09 to .28 and r = .29, p < .001, 95% CI = .16 to .41, respectively).

WORKPLACE SAFETY. Eysenck (1970) proposed that people high in Neuroticism are more accident prone because they tend to be more preoccupied with their own worries and therefore are more likely to be distracted from the task at hand. The hypothesis has been supported in two meta-analyses of the workplace safety literature. The results of Clarke and Robertson's (2005) meta-analysis indicated that Neuroticism was positively associated with workplace accidents (p = .28, k = 13, N = 1,958, 95% CI = .24 to .32). A more recent meta-analysis conducted by Christian, Bradley, Wallace, and Burke (2009) also revealed a positive relationship between Neuroticism and workplace accidents. ( $\rho = .19$ , k = 12, N = 5,129, 95% CI = .16 to .22). In support of Eysenck's (1970) account of the relationship between Neuroticism and accident risk, Wallace and Chen (2005) found that Neuroticism was positively associated with a measure of Workplace Cognitive Failure (WCF). WCF is a cognitively-based error that occurs during the performance of a task that a person usually executes successfully (Martin, 1983). WCF failure encompasses lapses in memory (e.g., forgetting workplace procedures, forgetting where things are placed) and attention (e.g., not listening fully to instruction, not focusing attention on work activities, failing to notice postings or notices on bulletin boards). Research has found that WCF is positively related to occupational accidents and a variety of safety-related behaviors. Wallace and Chen found that Neuroticism was positively associated with both the memory and attention facets of WCF (r = .24, p < .05, 95% CI = .14 to .34 and r = .33, p < .05, 95% CI = .23 to .43, respectively) in a sample of 323 full-time employees in production, construction, and plant operations in the United States.

#### Conscientiousness

Conscientiousness subsumes several characteristics, including self-discipline, responsibility, reliability, dutifulness, organization, and perseverance (McAdams, 2001). People high in Conscientiousness approach tasks in a systematic and orderly fashion, analyze problems logically, are responsible and reliable in their dealings with other people and are self-disciplined. At the other end of the continuum are people who are disorganized, haphazard, negligent, and undependable. Those low in conscientiousness have little regard for serious standards of work or morality and are unable to stand by anyone or anything in the long-run (Goldberg, 1990). Costa and McCrae (1992) have found evidence that Conscientiousness subsumes six primary traits. These primary traits and example items reflecting the high and low poles of each trait are presented in Table 10.

Table 10. Conscientiousness: Primary Traits and Example Items

Primary Trait	Description	Example Items				
Primary Trait	Description	High	Low			
1. Competence	Feelings of preparedness and capability, level of self-esteem, and feelings of control	<ul> <li>I am known for my prudence and commonsense.</li> <li>I pride myself on my sound judgment.</li> </ul>	<ul> <li>I often come to situations not completely prepared.</li> <li>I don't take civic duties like voting very seriously.</li> </ul>			
2. Order	The tendency to be well-organized and methodical	<ul> <li>I keep my belongings neat and clean.</li> <li>I like to keep everything in its place so I know just where it is.</li> </ul>	<ul> <li>I never seem able to get organized.</li> <li>I spend a lot of time looking for things that I have misplaced.</li> </ul>			
3. Dutifulness	Strict adherence to one's conscience; reliability	<ul> <li>When I make a commitment, I can always be counted on to follow through.</li> <li>I pay my debts promptly and in full.</li> </ul>	<ul> <li>Sometimes I am not as dependable or reliable as I should be.</li> <li>I don't always adhere to my ethical principles.</li> </ul>			
4. Achievement Striving	The tendency to set high goals and focus on them	<ul> <li>I am something of a "workaholic."</li> <li>I strive for excellence in everything I do.</li> </ul>	<ul> <li>I am easy-going and lackadaisical.</li> <li>I don't feel like I am driven to get ahead.</li> </ul>			
5. Self-Discipline	The capacity to motivate oneself to get the job done and resist distractions	<ul> <li>I am pretty good about pacing myself so as to get things done on time.</li> <li>I am a productive person who always gets the job done.</li> </ul>	<ul> <li>I have trouble making myself do what I should.</li> <li>When a project gets to difficult for me, I am inclined to start a new one.</li> </ul>			
6. Deliberation	The ability to think something through before acting on it.	<ul> <li>I always consider the consequences before I take action.</li> <li>I think things through before coming to a decision.</li> </ul>	<ul> <li>Occasionally I act first and think later.</li> <li>I often do things on the spur of the moment.</li> </ul>			

#### Conscientiousness and Criminal Conduct

Miller and Lynam's (2001) meta-analysis indicated that Conscientiousness was negatively related to criminal behavior. ( $\rho$  = -.25, k = 14, N= 4,584, 95% CI = -.28 to -.23). This suggests that people who are hardworking, reliable, planful and self-disciplined are less likely to engage in criminal behavior.

Three studies have provided evidence suggesting that not all of the primary traits subsumed by Conscientiousness are related to criminal behavior. Accounting for primary traits subsumed by Agreeableness (described below) and Extraversion, Heaven (1996) found Self-Discipline was negatively related to self-reported vandalism/theft (r = -.25, p < .05, 95% CI = -.44 to -.05). None of the other five primary traits subsumed by Conscientiousness were related to vandalism/theft. Interestingly, none of the primary traits subsumed by Conscientiousness were

related to self-reported interpersonal violence, suggesting that Conscientiousness, and the primary traits comprising it, may be more important in crimes involving property than people.

Miller et al. (2003) found Deliberation was negatively related to the stability and variety of criminal behavior (r = -.16, p < .01, 95% CI = -.25 to -.07 and r = -.10, p < .05, 95% CI = -.19 to -.01, respectively). These relationships accounted for gender and primary traits subsumed by Neuroticism and Agreeableness. None of the other primary traits subsumed by Conscientiousness were significantly related to these criteria. This suggests that people who fail to think before acting are more likely to engage in a variety of criminal behavior and/or do so over a longer period of time. Samuels et al. (2004) found those scoring high in Deliberation and Dutifulness were less likely to have a criminal arrest history than those low in these traits (r = -.14, p < .001, 95% CI = -.22 to -.06 and r = -.16, p < .001, 95% CI = -.24 to -.08). Additional analyses indicated that a unit increase in Dutifulness and Deliberation both decreased the odds of having a previous arrest by 4%. The magnitude of these relationships did not change appreciably when age, gender, race, alcohol/drug use and personality disorders, and primary traits subsumed by other master traits were controlled.

#### Conscientiousness and Analogs of Security Violation Behavior

COUNTERPRODUCTIVE WORK BEHAVIOR. Three meta-analyses have provided evidence that Conscientiousness is negatively related to CWB. Salgado (2002) found that Conscientiousness was negatively related to a composite measure of workplace deviance encompassing theft, admissions of theft, disciplinary problems, substance abuse, property damage, organizational rule-breaking and other irresponsible behaviors ( $\rho = -.26$ , k = 13, N = 6,276, 95% CI = -.29 to -.24). Dalal (2005) conducted a meta-analysis of CWB studies published between 1995 and 2004. From this literature, he found 10 studies that provided data on the relationship between Conscientiousness and CWB. Aggregating the results of these studies indicated that Conscientiousness was negatively related to CWB ( $\rho = -.38$ , N = 3,280, 95% CI = -.41 to -.36). Berry, Ones, and Sackett's (2007) meta-analysis included studies spanning from the mid-1990s to 2006. Unlike Salgado (2002) and Dalal (2005), who each focused on Conscientiousness's relationship with a general CWB measure the authors looked at Conscientiousness's relationship with both interpersonally- and organizationally-targeted CWB. The analysis showed that Conscientiousness was negatively related to both interpersonally- and organizationally-targeted CWB ( $\rho = -.23$ , k = 11 N = 3458, 95% CI = -.27 to -.20 and  $\rho = -.42$ , k = 8 N = 2934 95% CI = -.45 to -.39, respectively). Comparison of these confidence intervals indicates that the Conscientiousness's relationship with organizationally-targeted CWB is stronger than interpersonally-targeted CWB.

WHITE COLLAR CRIME. Two studies provided data on the relationship between Conscientiousness and white collar crime, but the results are contradictory. Collins and Schmidt (1993) found that the Responsibility subscale of the California Psychological Inventory (CPI) and the Performance subscale of the Employment Inventory (EI) discriminated between white

collar offenders and nonoffenders. Both scales are conceptually similar to Conscientiousness. The Responsibility subscale of the CPI refers to dependability, reliability, and commitment to moral and civic values. Individuals that score high on the Performance subscale of the EI are described as dependable, reliable, responsible, motivated to high performance, rule-abiding, and conscientious in their work behavior (Paajanen, 1988). A comparison of the scale means between white collar criminals and noncriminals indicated that that white collar offenders rated themselves lower on the Responsibility scale than nonoffenders in both the validation and crossvalidation samples (r = -.40, p < .001, 95% CI = -.48 to -.32 and r = -.28, p < .05, 95% CI = -.40 to -.15, respectively). Likewise, white collar criminals rated themselves lower on the Performance subscale of the EI in both the validation and cross-validation samples (r = -.61, p < .001, 95% CI = -.66 to -.55 and r = -.57, p < .05, 95% CI = -.67 to -.48, respectively). This suggests that workers who are reliable, dependable, and rule-abiding are less likely to engage in white collar crimes than those who are unreliable, undependable, and rule-breaking. Contrary to these findings, Blickle et al. (2006) found white collar criminals were higher in Conscientiousness than noncriminals (r = .23, p < .01, 95% CI = .10 to .36). Blickle et al. attributed these opposing results to differences in how white collar crime is defined in the United States and Germany. Blickle and his colleagues included white collar crime committed on behalf of the organization, which is consistent with the definition of white collar crime in Germany, whereas Collins and Schmidt (1993) include more self-serving types of white collar crime. Blickle et al. hypothesized that white collar criminals in their study were acting as reliable, dependable employees, conducting crime for the good of the organization, whereas those in Collins and Schmidt's study engaged in behaviors in their own self-interests. This suggests that Conscientiousness's relationship with white collar crime is complex and likely dependent on social psychological factors such as organizational norms.

**WORKPLACE SAFETY.** Research suggests Conscientious people are less likely to have accidents in the workplace. Clarke and Robertson's (2005) meta-analysis provided evidence—that Conscientiousness was negatively related to workplace accidents ( $\rho$  = -.30, k = 9, N = 1,105, 95% CI = -.36 to -.25). Christian et al.'s (2009) meta-analytic path analysis of the safety literature suggested that Conscientiousness is associated with reduced workplace accidents because highly conscientious people are more likely to be motivated to comply with and actively promote rules and regulations pertaining to workplace safety. Wallace and Chen (2005) found Conscientiousness was negatively associated with the Memory and Attention facets of Workplace Cognitive Failure (r = -.24, p < .05, 95% CI = -.24 to -.14 and r = -.33, p < .05 95% CI = -.43 to -.23, respectively). This suggests that Conscientious people are less likely to experience workplace accidents because they are more likely to remember and pay attention to important safety-related information (e.g., safety procedures) and are more highly focused on the task at hand.

#### Agreeableness

Agreeableness is a personality trait incorporating the expressive qualities of love and empathy, friendliness, cooperation, and care (McAdams, 2001). Individuals high in Agreeableness are described as interpersonally warm, cooperative, accommodating, helpful, patient, cordial, empathic, kind, understanding, natural, and sincere (Goldberg, 1990). They are also seen as honest, ethical, and selfless. Those low in Agreeableness are antagonistic, belligerent, harsh, untrustworthy, unsympathetic, manipulative, disingenuous, scornful, crude, and cruel (Goldberg, 1990). Costa and McCrae (1992) found that Agreeableness subsumes six primary traits including Trust, Straightforwardness, Altruism, Compliance, Modesty, and Tender-Mindedness. These primary traits and example items for the high and low poles of each trait are presented in Table 11.

#### Agreeableness and Criminal Conduct

Miller and Lynam's (2001) meta-analysis demonstrated that Agreeableness was negatively related to criminal behavior ( $\rho$  = -.41, k = 15, N = 4,673. 95% CI = -.43 to -.39). This suggests that those who are trusting of others, straightforward in their dealings with people, altruistic, cooperative, modest, and tenderminded are less likely to engage in criminal behavior. However, research that has focused on the relationship between Agreeableness and criminal behavior at the primary trait level indicates that not all of these traits are significantly related to criminal behavior. Heaven (1996) found Trust was negatively related to self-reported vandalism/theft and interpersonal violence (r = -.31, p < .05, 95% CI = -.49 to -.11 and r = - .34, p < .05, 95% CI = -.51 to -.41, respectively), after accounting for primary traits subsumed by Extraversion and Conscientiousness. None of the other primary traits subsumed by Agreeableness were significantly related to these outcomes. These results suggest that those who believe other people are well-intentioned and honest are less likely to engage in these acts than those that question or are suspicious of other people's motives.

Table 11. Agreeableness: Primary Traits and Example Items

Primary Traits	Description	Examp	le Items
_	Description	High	Low
1. Trust	The tendency to regard others as well-intentioned	<ul> <li>I think most of the people I deal with are honest and trustworthy.</li> <li>I have a good deal of faith in human nature.</li> </ul>	<ul> <li>I tend to be cynical and skeptical of other peoples' intentions.</li> <li>I am suspicious when someone does something nice for me.</li> </ul>
2. Straightforwardness	Lack of deception or manipulation	<ul> <li>I couldn't deceive someone even if I wanted to.</li> <li>I would hate to be thought of as a hypocrite.</li> </ul>	<ul> <li>If necessary, I am willing to manipulate people to get what I wanted.</li> <li>At times I bully or flatter people into doing what I want them to do.</li> </ul>
3. Altruism	Generosity, consideration, and willingness to help others	<ul> <li>I try to be courteous to everyone I meet.</li> <li>I go out of my way to help others if I can.</li> </ul>	<ul> <li>Some people think I am cold and calculating.</li> <li>Some people think I am selfish and egotistical.</li> </ul>
4. Compliance	The desire to be cooperative rather than compete	<ul> <li>I would rather cooperate with people than compete with them.</li> <li>I hesitate to express my anger, even when it is justified.</li> </ul>	<ul> <li>I often get into fights with my family and coworkers.</li> <li>I'm hard-headed and stubborn.</li> </ul>
5. Modesty	Humility or the lack of arrogance	<ul> <li>I would rather not talk about myself and my accomplishments.</li> <li>I try to be humble.</li> </ul>	<ul> <li>I don't mind bragging about my talents and accomplishments.</li> <li>I am better than most people, and I know it.</li> </ul>
6. Tender-Mindedness	The capacity to feel concern, pity, and sympathy for others.	<ul> <li>I believe all human beings are worthy of respect.</li> <li>Human need should always take priority over economic considerations</li> </ul>	<ul> <li>I am hard-headed and tough-minded in my attitudes.</li> <li>I have no sympathy for panhandlers.</li> </ul>

Miller et al. (2003) found Straightforwardness and Compliance were related to the stability and variety of criminal behavior as well as interpersonal aggression even after accounting for gender and primary traits subsumed by Neuroticism and Conscientiousness. Straightforwardness was negatively related to the stability and variety of criminal behavior and interpersonal aggression (r = -.25, p < .01, 95% CI = -.34 to -.17 r = -.18, p < .01, 95% CI = -.27 to -.09 and r = -.09, p < .05, 95% CI = -.18 to -.01, respectively). Compliance was also negatively related to the stability and variety of criminal behavior and interpersonal aggression (r = -.10, p < .05, 95% CI = -.19 to -.01, r = -.13, p < .01, 95% CI = -.22 to -.04, and r = -.15, p < .05, 95% CI = -.24 to -.06, respectively). This suggests that those who are manipulative and competitive tend to engage in criminal behavior more frequently and engage in a greater variety

of criminal and aggressive acts than those who are straightforward and cooperative. Samuels et al. (2004) found Trust (r = -.14, p < .001, 95% CI = -.22 to -.06), Straightforwardness (r = -.16, p < .001), Compliance (r = -.18, p < .001, 95% CI = -.26 to -.10) and Modesty (r = -.13, p < .001, 95% CI = -.21 to -.05) were negatively associated with the likelihood of having an arrest history. Altruism and Tendermindedness were unrelated to criminal arrest history. Additional analysis indicated that these primary traits reduced the odds of having a criminal arrest history by 3-5%. The magnitude of these relationships did not change appreciably when participant age, gender, race, alcohol/drug use and personality disorders, and primary traits subsumed by other master traits were controlled.

#### Agreeableness and Analogs of Security Violation Behavior

**COUNTERPRODUCTIVE WORK BEHAVIOR.** The results of Salgado's (2002) and Berry et al.'s (2007) meta-analyses suggest that those high in Agreeableness are less likely to engage in CWB. Salgado (2002) found Agreeableness was negatively related to CWB ( $\rho$  = - .20, k = 9, N = 1,299, 95% CI = -.26 to -.15), and Berry et al. (2007) demonstrated that Agreeableness was negatively associated with both interpersonally- and organizationally-targeted CWB ( $\rho$  = - .46, k = 10, N = 3,336, 95% CI = -.49 to -.43 and  $\rho$  = -.32, k = 7, N = 2,934, 95% CI = -.36 to -.29, respectively). Comparison of the confidence intervals indicates that Agreeableness is more strongly related to interpersonal than organizational CWB.

WHITE COLLAR CRIME. Two studies suggest that those lower in Agreeableness are more likely to engage in white collar crime. Collins and Schmidt (1993) found the Tolerance subscale of the California Psychological Inventory (CPI) discriminated between white collar criminals and noncriminals. The Tolerance scale measures the degree to which a person is tolerant and trusting of others. People scoring lower on this scale are suspicious, judgmental, and do not believe they can depend on others. As evident in this scale description, it is conceptually similar to Agreeableness, particularly the primary trait Trust. In both the validation and cross-validation samples, white collar criminals scored lower on Tolerance than noncriminals (r = -.42, p < .001, 95% CI = -.50 to -.34, and r = -.34, p < .05, 95% CI = -.46 to -.22, respectively). This suggests that white collar criminals are more suspicious and judgmental of others than white collar noncriminals.

Alalehto (2003) identified a Disagreeable type of white collar criminal in her interviews. According to Alalehto, the Disagreeable white collar criminal lacks all forms of social competency. S/he is grudging, suspicious, and envious, full of bitterness and peevishness, and may act with contempt toward the world. S/he is also prejudiced, stubborn, and inflexible and is willing to be dishonest with others when the time is "right." Though Alalehto's description of this type of white collar criminal clearly overlaps with trait Agreeableness, there are also elements of Neuroticism present, particularly Angry Hostility. In particular, the Disagreeable white collar criminal is described as "exploding with anger" when things do not go his or her way.

**WORKPLACE SAFETY.** Clarke and Robertson's (2005) meta-analysis of the workplace safety literature demonstrated that people low in Agreeableness are more likely to be involved in workplace accidents ( $\rho = .61$ , k = 7, N = 420, 95% CI: .55 to .66). The authors note that reason(s) for this relationship are unclear. One explanation is that disagreeable people tend to be hard-headed and stubborn, and therefore may refuse to follow along with rules and regulations pertaining to workplace safety, instead acting in ways that they think are right.

#### Psychoticism: A Brief Note

In addition to Extraversion and Neuroticism, Eysenck (1970) proposed that a personality trait called Psychoticism is positively associated with criminal behavior. In other words, those high in Psychoticism are more likely to engage in criminal behavior. Psychotics are characterized as aggressive, antisocial, cold, egocentric, lacking in empathy, impersonal, tough-minded, impulsive and creative (Eysenck, 1996). Miller and Lynam's (2001) meta-analysis indicated that Psychoticism is positively related to criminal behavior ( $\rho = .39$ , k = 35, N = 15,339, 95% CI = .32 to .35). Cale's (2006) meta-analysis also indicated that Psychoticism is positively related to criminal behavior ( $\rho = .44$ , k = 73)<sup>3</sup>. As these effect sizes show, Psychoticism is more strongly related to criminal behavior than both Extraversion and Neuroticism. Despite this evidence, a review of the literature failed to produce any studies with Psychoticism as a predictor of espionage or any of the analogs of security violation behavior. Consequently, it could not be used to provide evidence for an association between criminal behavior and analogs of security violation behavior. While the available evidence made it impossible to establish a link between criminal behavior and analogs of security violation behavior using Psychoticism, it should be noted that Eysenck (1992) argued that Psychoticism is a combination of Conscientiousness and Agreeableness. Costa and McCrae (1995) presented empirical evidence in support of this view. Therefore, Psychoticism was included somewhat indirectly.

<sup>&</sup>lt;sup>3</sup> Cale (2006) did not provide an overall N.

#### SUMMARY OF FINDINGS FROM LEVEL 1, 2, AND 3 EVIDENCE

A review of the literature found few studies providing direct Level 1 and 2 evidence about the Criminal Behavior Guidelines' ability to predict security violation behavior. While Level 1 evidence for IT misuse and criminal sexual behavior was nonexistent, one study provided Level 1 evidence for criminal conduct.

♦ Thompson's (2003) dissertation provided evidence that past criminal behavior is associated with espionage; however, due to the size of his sample, the magnitude of this relationship is unclear, ranging from small to moderately large. This study also focused on the most severe form of security violation, so it provides little insight into the relationship between criminal conduct and security violations that are less serious in nature but more frequent in occurrence.

Level 2 evidence consisted of a small number of studies suggesting that the Criminal Behavior Guidelines, Criminal Conduct in particular, are related to analogs of security violation behavior.

- ♦ Evidence suggested that Criminal Conduct was related to counterproductive work behavior. However, some evidence was contradictory and points to the importance of gathering comprehensive and current data.
- Criminal Conduct and IT misuse were related to malicious insider activity. Studies suggested these behaviors are present in the backgrounds of those that engage in malicious insider activity. However, these studies rely on case study analysis, and do not provide comparisons to insiders that have not engaged in malicious activity, so the extent to which a history of criminal behavior and IT misuse serve as risk factors for such activity is unclear.

Because of the dearth of studies providing Levels 1 or 2 evidence, less direct Level 3 evidence was also reviewed. These efforts were intended to provide indirect evidence for a link between the behaviors encompassed by the Criminal Behavior Guidelines and analogs of security violation behavior through underlying psychological attributes.

♦ A review of the literature resulted in the identification of five personality traits common to criminal behavior and one or more of the analogs of security violation behavior. These included Self-Control, Extraversion, Neuroticism, Conscientiousness, and Agreeableness. The evidence suggested that people most likely to engage in behavior analogous to security violations are High in Neuroticism (particularly Aggressive Hostility), low in Self-Control and low in Conscientiousness and Agreeableness. Though

- Extraversion's relationships with criminal behavior and analogs of security violations were low to nonexistent, additional research suggests that those high in Excitement-Seeking are more likely to engage in these behaviors.
- ♦ Results from studies of criminal behavior provided support for Gottfredson and Hirschi's (1990) proposition that the consistency of criminality reflects a broader syndrome of antecedents described as "deviance proneness." Similar evidence reported for unsafe work behavior suggests that "deviance proneness" underlies a broad range of dysfunctional work behavior analogous to security violation behavior.

#### MITIGATORS OF CRIMINAL BEHAVIOR EVIDENCE

Evidence of criminal conduct can raise security concerns; however, it does not necessarily result in the denial of a security clearance. When an adjudicator uncovers evidence of criminal conduct in an individual's background, s/he is asked to consider several factors thought to mitigate associated security concerns. The Criminal Conduct guideline outlines several types of mitigating information to consider, including the number of previous offenses, the length of time since the offense(s), evidence that the behavior was coerced, and evidence of successful rehabilitation.

Because mitigating variables play an important role in risk assessment, it is important that adjudicators have the most up-to-date and empirically valid knowledge of factors that increase or decrease the risk associated with an individual who has a criminal past. Ideally, this information would be drawn from research that includes data on criminal history, relevant mitigators, and security violation behaviors. From this data, the hypothesized mitigating role of various factors could be tested. Unfortunately, no such data exists, which is consistent with the scarcity of research linking criminal conduct to security violation behavior or its analogs.

Given this lack of direct evidence, the best alternative is to draw on studies of criminal recidivism. Recidivism is defined as the reversion of an individual to criminal behavior after s/he has committed a prior offense (Maltz, 1984). Over the past several decades, criminologists have focused their efforts on better understanding and predicting this phenomenon. These efforts have resulted in the identification of several risk factors—variables that are associated with and predict the likelihood of future arrest, conviction, or incarceration. Because recidivism research draws on data collected over time to predict future behavior from past behavior, and has identified variables that can increase the predictability of future criminal behavior (or absence thereof) from past criminal behavior, it provides a useful resource for the adjudication process. This research can provide validation for mitigating factors already in use, assist in the identification and provision of concrete metrics to inform adjudication decisions, and highlight mitigating factors not yet a part of the guideline. The following provides a review of recidivism risk factors, drawing on those most likely to inform an adjudicator's assessment of risk.

While recidivism research can inform the adjudication process, measurement and sampling practices can pose serious challenges to drawing valid inferences from this line of work. Typically, criminologists measure recidivism using any of several criteria, such as rearrest, reconviction, and/or reincarceration. These criteria capture serious forms of deviant behavior, those serious enough to be officially recorded, but fail to capture less serious forms of deviance. This is problematic because security violation behavior can range in severity from relatively minor breaches of rules and regulations to gross misconduct resulting in prison time. Consequently, drawing conclusions about mitigators from this literature could be misleading. To minimize this issue, the literature focused on studies that measure recidivism with official arrest

and self-report data. Arguably, these criteria capture a wider range of deviant behavior than reconviction and reincarceration and therefore minimize inferential errors.

A second issue with applying recidivism research to a national security context concerns the samples typically used. These samples are generally composed of adolescents and/or males. Presumably, these samples are different from the pool of individuals seeking clearances, since the adjudication process deals with adult males and females. To reduce this discrepancy, studies relying on adolescent samples were excluded. Including only studies with males and females proved more problematic, since a majority of recidivism studies are based on men. Therefore, we supplemented studies relying on male samples with those that were more diverse in gender composition when such research was available. Another problem with recidivism research samples is that they tend to be composed of individuals that have served time in local, state, and federal institutions. Because the Criminal Conduct guideline specifically states that the commission of offenses resulting in a sentence of a year or longer is disqualifying, the applicability of these results is questionable. Preferably, only studies relying on samples of individuals that have been convicted but not incarcerated or convicted and incarcerated for a period less than 12 months would be presented. Unfortunately, such research is scarce, so we present the results of studies relying on samples that have served time in correctional facilities as juveniles and/or adults. While this limitation cannot be completely overcome, the results of studies using samples that have not been convicted and those using samples that have been convicted and received light sentences are presented where such research was available.

A third consideration is about the relevance of recidivism evidence to the risk of future security violations. The adjudicative process (Adjudicative Guidelines, 2005) assumes that the risk of future security violations is reduced by evidence suggesting a reduced likelihood of reoffending. That is, the adjudicative process assumes the risk of future security violations is closely related to the risk of future criminal behavior, given a history of past criminal behavior. This is an untested assumption. Further, this assumption is not tested by the recidivism evidence presented in this section. Rather, the language used here to describe recidivism evidence as "mitigator" evidence is based on this same untested assumption about a relationship between security violation risk and future criminal behavior risk.

The following section presents research on several variables associated with the probability of future criminal behavior. These variables have been organized into three categories—demographic, criminal history, and lifestyle characteristics. This organization of the literature was chosen to reflect the types of information an adjudicator likely has in hand when assessing the risk associated with an individual with a criminal history.

#### **Demographic Characteristics**

When an adjudicator finds evidence of past criminal conduct, one source of data that can be used to gauge risk is the demographic makeup of the individual. Recidivism research suggests that three demographic characteristics are associated with an increased risk of recidivism—age, gender, and race.

#### Age and Recidivism

The relationship between age and crime is one of the most firmly established empirical relationships in Criminology (Beaver, Wright, DeLisi, & Vaughn, 2008). The relationship between age and crime, or the age-crime curve as it is called, is nonlinear. Research consistently shows that criminal behavior rises markedly in the beginning of adolescence, peaks around the ages of 18-19, and begins to decline sharply thereafter (Gottfredson & Hirschi, 1990). The age-crime curve is depicted in Figure 2<sup>4</sup>.

Given the relationship between age and the rate of criminal behavior, it is not surprising that research has shown that age is related to recidivism. Gendreau, Little, and Goggin (1996) reviewed over 130 studies of adult recidivism. From these studies, the authors identified 56 studies with data on the relationship between age and recidivism. Meta-analysis of this data indicated that younger age was positively associated with higher recidivism ( $\rho = .11$ , N = 61,315, 95% CI = .10 to .12).

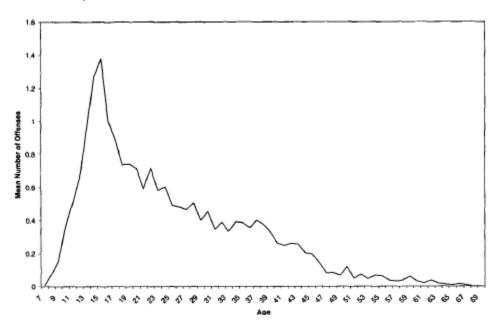


Figure 2. Effect of age on number of crimes.

<sup>&</sup>lt;sup>4</sup> Figure 2 is based on the arrest data of a group of 500 men that were followed from the ages of 7 to 70 (Sampson & Laub, 2003).

Langan and Levine (2002) conducted one of the largest studies of recidivism to date. The authors tracked rearrest, reconviction, and reincarceration data for 272,111 prisoners for three years subsequent to their release from prison in 1994. The study included 15 states, and the sample represented two-thirds of the prison population released in 1994. Among the data provided were the rearrest rates of different age brackets. This information is provided in Table 12. Comparison of the confidence intervals shows that recidivism increases with age, but the rearrest percentages do overlap for several groups. For example, with a 95% confidence interval of 67.2%-70.4%, those aged 30-34 are less likely to be rearrested than those aged 14-17 and 18-24, but this group is just as likely to be rearrested as those aged 25-29.

A series of reports produced by the North Carolina Sentencing and Policy Advisory Commission (NCSPAC) provides additional data on this relationship between age and recidivism. Every two years, the NCSPAC evaluates the effectiveness of the state's correctional programs. The main evaluation criteria used are the rearrest, reconviction, and reincarceration data of individuals released from prison and probation. From 2002 to 2008, the NCSPAC produced four reports with analysis of the rearrest, reconviction, and reincarceration rates of individuals released from prison and probation. Among the reports' various analyses are multiple regressions used to determine the direction and strength of various factors' relationships with rearrest.

Table 12. 3-Year Rearrest Rates of Prisoners Released in 1994 by Age Bracket

Age	Rearrested	95% Confidence Interval
14-17	82.1%	72.5 - 91.7%
18-24	75.4%	73.8 - 77.0%
25-29	70.5%	68.9 - 72.1%
30-34	68.8%	67.2 - 70.4%
35-39	66.2%	64.2 - 68.2%
40-44	58.4%	55.7 - 61.1%
45+	45.3%	42.4 - 48.2%

Table 13 provides data on the association between age and rearrest probabilities for three release cohorts. These estimates account for the several demographic and criminal history variables reported below, including gender, substance abuse, offense classification, number of prior arrests, and employment and marital status. For each cohort, the relationship is presented for the overall sample and prison and probation release subsamples. As shown, age has a small, but statistically significant effect, on the probability of rearrest in each release cohort. The percentages shown in bold are the changes in arrest rates for each year of increase in age. For example, among the 58,238 people released in 1998-1999, people older by one year had an average rearrest rate over the four year follow up period .08% lower than people one year younger. Comparison of this relationship in the prison and probation subsamples indicates that age had approximately the same degree of impact on rearrest probability in both groups.

Table 13. The Impact of Age on the Probability of Rearrest

Year of Sample's Release (FY)	Follow- up Period	All Releases	N	ARP	Prison	N	ARP	Probation	N	ARP
1998/1999	4 years	-0.8%	58,238	42.7%	-1.0%	18,691	55.4%	-0.8%	39,547	36.8%
2001/2002	3 years	-1.0%	57,973	38.2%	-1.6%	17,118	49.8%	-0.8%	40,855	33.3%
2003/2004	3 years	-0.7%	56,983	38.7%	NS	17,093	50.2%	-0.7%	39,890	33.7%

**NS** = No significant difference; **ARP** = Average Rearrest Probability

#### Gender and Recidivism

Another consistent finding in the field of Criminology is that men are more likely to engage in criminal behavior than women (Simons, Stewart, Gordon, Conger, & Elder, 2002). As with age, it is not particularly surprising that men are more likely to recidivate than women. Gendreau et al.'s (1996) meta-analysis showed that men were more likely to recidivate than women ( $\rho$  = .06, k = 17, N = 62,021, 95% CI = .05 to .07). Though statistically significant, the size of this effect is rather small.

Benda (2005) tracked the felony arrests and parole violations of 300 male and 300 female graduates of a correctional boot camp over a period of 60 months. The sample was composed of first-time referrals to adult correctional facilities taking part in a boot camp to reduce their prison sentences. Benda's analyses showed that men were more likely to recidivate over this period than women (p < .01). Figure 3 depicts the number of men and women that did not recidivate (i.e., Survival Rate) over this period. By the end of the 60-month period, 44% (95% CI = 38.4% to 49.6%) of men recidivated compared to 26% (95% CI = 21.0% to 31.0%) of women<sup>5</sup>.

Bersani, Laub, and Niewbeerta (2009) analyzed data from the Criminal Career and Life-Course study (CCLS). The CCLS tracked the conviction rates a representative sample of 4, 615 individuals convicted of various offenses in the Netherlands in 1977. Participants were followed up to the year 2000. The sample was predominantly male (N = 4,187) but also included several females (N = 428). Analyses revealed that males were more likely to be reconvicted for a new offense over this time period than females (N = 14, p < 0.001, 95% CI = 0.11 to 0.17).

Huebner and Cobbina (2007) analyzed data from the 2000 Illinois Probation Outcome Study. The sample included 3570 individuals released from probation in the fall of 2000; it was 80% male and 20% female. The authors tracked the sample's arrest rate over a period of 4 years. Accounting for age, employment status, and marital status, the authors found that the odds a male would be rearrested was 1.29 times greater than that of a female, p < .05.

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<sup>&</sup>lt;sup>5</sup> These figures are based on adjustments to the figures reported in the article. For both males and females, those that violated parole have been excluded from the percentages.

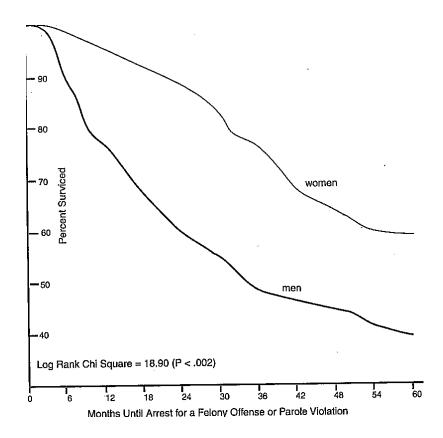


Figure 3. Rearrest Survival Rates for Men and Women

The NCSPAC has included the gender of those released in its regression analyses. These analyses show that males are more likely to be rearrested than females in each cohort. As shown in Table 14, males were 3.1 - 5.7% more likely to be rearrested than females in the follow-up periods. These data control for several demographic and criminal history variables, including age, substance abuse, offense classification, number of prior arrests, and employment and marital status. Breaking the data down by release type indicates that this relationship was only significant for those released from probation.

Table 14. The Impact of Gender on Rearrest Probability

Year of Sample's Release (FY)	Follow- up Period	All Releases	N	ARP	Ps	N	ARP	Pr	N	ARP
1998/1999	4 years	3.3%	58,238	42.7%	NS	18,691	55.4%	4.2%	39,547	36.8%
2001/2002	3 years	5.3%	57,973	38.2%	3.1%	17,118	49.8%	5.7%	40,855	33.3%
2003/2004	3 years	4.6%	56,983	38.7%	NS	17,093	50.2%	5.4%	39,890	33.7%

NS = No significant difference ARP = Average Rearrest Probability Ps = Prison Releases Pr = Probation Releases

### Race and Recidivism

Gendreau et al.'s (1996) meta-analysis indicated that Whites were less likely to recidivate than non-Whites ( $\rho$  = .17, k = 21, N = 56,727. 95% CI = .16 to .18). Langan and Levine (2002) also found a relationship between race and recidivism in their study of the three-year rearrest rates of prisoners released in 1994. According to their data, Blacks were more likely to be rearrested than Whites (72.9%, 95% CI = 72.7% to 73.1% and 67.9%, 95% CI = 62.4% to 63.0%, respectively). Additionally, those in the "Other" racial category were less likely to be rearrested than both Blacks and Whites (1.1%, 95% CI = 0.7% to 1.5%). They also found that non-Hispanics were more likely to be rearrested than Hispanics (71.4%, 95% CI = 71.2% to 72.0% and 64.5%, 95% CI = 64.2% to 65.1%, respectively).

The North Carolina Sentencing and Policy Advisory Commission included race as a predictor of rearrest in each of it reports. Race was measured dichotomously in each report. The "Race" variable indicates whether a member of the sample was Black or non-Black. As shown in Table 15, Black members of the cohorts were between 4.6% and 6.4% more likely to be rearrested than those of other racial categories. This relationship controlled for several demographic and criminal history variables, including age, substance abuse, offense classification, number of prior arrests, and employment and marital status. Across all release years, this difference is slightly stronger for those released from prison (95% CI = 6.8%-7.2%) than probation (95% CI = 4.9%-5.1%).

Table 15. Impact of Number of Race on Rearrest Probability

Year of Sample's Release (FY)	Follow- up Period	All Releases	N	ARP	Ps	N	ARP	Pr	N	ARP
1998/1999	4 years	6.4%	58,238	42.7%	7.3%	18,691	55.4%	6.1%	39,547	36.8%
2001/2002	3 years	6.3%	57,973	38.2%	8.4%	17,118	49.8%	5.4%	40,855	33.3%
2003/2004	3 years	4.6%	56,983	38.7%	5.3%	17,093	50.2%	3.5%	39,890	33.7%

NS = No significant difference ARP = Average Rearrest Probability Ps = Prison Releases Pr = Probation Releases

A potential limitation of evidence about relationships between race and recidivism based on rearrest data is that it may reflect racism inherent in the criminal justice system rather than true racial differences. The degree to which these racial differences reflect racial bias in the system and/or true racial differences in criminal offending is still the subject of some debate (Piquero & Brame, 2008). Consequently, this factor should be considered with caution.

## **Criminal History Characteristics**

In addition to age, gender, and race, adjudicators could inform their assessments of risk by looking at dimensions of an individual's criminal history. A review of the research suggests that at least four dimensions of an individual's criminal history may be important—the number of past offenses, offense class, offense type, and time since last offense. A review of research on the association between each of these characteristics and recidivism is provided below.

### Number of Past Offenses and Recidivism

Research indicates that the number of previous offenses predicts the probability that an individual will recidivate (Blumstein, Farrington, & Moitra, 1985; Greenburg, 1991; Kurleychek, Brame, & Bushway, 2006). For example, Kurlychek et al. (2006) examined the relationship between number of prior arrests and the probability of future arrest with data from the 1958 Philadelphia Cohort Study. The Philadelphia Cohort Study tracked the arrest data of over 13, 000 males born in Philadelphia in 1958. Participants were followed from the ages of 18-26. These data are presented in Figure 4. As illustrated, the probability of a new arrest increases with the number of prior arrests up to a point, increasing from a 40% probability with 1 prior arrest to approximately an 80% probability with 4 offenses. The probability of a new arrest levels remains relatively constant after this point.

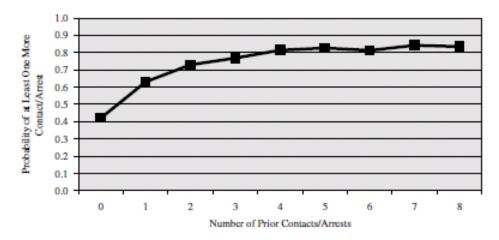


Figure 4. The Effect of Number of Prior Arrests on Likelihood of Future Arrest

The North Carolina Sentencing and Policy Advisory Commission included the number of previous arrests in its regression analyses. As shown in Table 16, the number of prior arrests was associated with rearrest in each cohort. An increase of one prior arrest increased the likelihood of rearrest between 2.1 and 3.8%. This relationship remains statistically significant, even after controlling for age, gender, substance abuse, offense class, and employment and marital status. Across all release years, this effect was stronger in the probation sample (95% CI = 3.6% to 3.84%) than the probation sample (95% CI = 2.1% to 2.4%).

Table 16. Impact of Number of Prior Arrests on Rearrest Probability

Year of Sample's Release (FY)	Follow- up Period	All Releases	N	ARP	Ps	N	ARP	Pr	N	ARP
1998/1999	4 years	3.8%	58,238	42.7%	2.8%	18,691	55.4%	5.2%	39,547	36.8%
2001/2002	3 years	3.1%	57,973	38.2%	2.8%	17,118	49.8%	3.5%	40,855	33.3%
2003/2004	3 years	2.1%	56,983	38.7%	1.1%	17,093	50.2%	2.5%	39,890	33.7%

NS = No significant difference ARP = Average Rearrest Probability Ps = Prison Releases Pr = Probation Releases

### Offense Class and Recidivism

Offense class refers to whether a crime is classified as a felony or misdemeanor. Offense class is discussed in the Adjudication Desk Reference. According to the ADR:

"Conviction, admission, or strong evidence of a felony will usually support a recommendation for disapproval unless there are unusual mitigating circumstances."

An inference underlying this statement is that those convicted of or admitting to felonies are more likely to engage in security violation behavior than those convicted of or admitting to a misdemeanor. This inference can be tested with the regression data provided by the North Carolina Sentencing and Policy Advisory Commission. The Commission compared the rearrest data of the FY2003/2004 cohort down into those originally convicted of misdemeanors and those originally convicted of felonies. A comparison of each group's rearrest rates indicated that those convicted of misdemeanors (33.9%, 95% CI = 33.6% to 34.4%) were less likely to be rearrested than those convicted of felonies (44.2%, 95% CI = 43.6% to 44.8%). These data provide support for this portion of the guideline. Interestingly, the Commission's regression analysis indicated that, controlling for the effects of age, gender, substance abuse history, number of prior arrests, and employment and marital status, reversed this apparent effect. Those convicted of felonies were 8.1% less likely to be rearrested than those convicted of a misdemeanor in the probation subsample. The Commission found the same result in the FY2001/2002 and FY1998/1999 cohorts. These data are presented in Table 17.

Table 17. Impact of Offense Classification on Rearrest Probability

Year of Sample's Release (FY)	Follow- up Period	All Releases	N	ARP	Ps	N	ARP	Pr	N	ARP
1998/1999	4 years	-7.5%	58,238	42.7%	NS	18,691	55.4%	-9.7%	39,547	36.8%
2001/2002	3 years	-7.6%	57,973	38.2%	NS	17,118	49.8%	-8.0%	40,855	33.3%
2003/2004	3 years	-6.7%	56,983	38.7%	NS	17,093	50.2%	-8.1%	39,890	33.7%

NS = No significant difference ARP = Average Rearrest Probability Ps = Prison Releases Pr = Probation Releases

## Offense Type and Recidivism

Crime type is third characteristic of an individual's history to consider in the assessment of risk, as research indicates that those convicted of some crime types are more likely to be rearrested than others. Langan and Levine (2002) provided the three year rearrest data of

prisoners released in 1994 by the type of crime for the prisoners were originally convicted. Several crime types were considered, including violent, property, drug, and public order offenses. Recidivism data was also provided for crimes falling under each type. These data are presented in Table 18. A comparison of the rearrest percentages indicates that those most likely to recidivate were those convicted of property offenses. A greater percentage of those convicted for a property offense were rearrested over the 3-year tracking period than those convicted of violent, drug, and public order offenses. In addition, those convicted of drug offenses were more likely to be rearrested in the tracking period than those convicted of violent offenses and public order offenses. The rearrest rates of violent and public order offenders were not statistically different.

Table 18. 3-Year Rearrest Rates of 1994 Prison Releases by Offense Type

Violent Offenses	3-Year Rearrest Rate	95% Confidence Interval	Property Offenses	3-Year Rearrest Rate	95% Confidence Interval
		Violent	Offenses		
Overall	61.7%	60.3% to 63.1%	Overall	73.8%	72.4% to 75.2%
Homicide	40.7%	37.4% to 44.0%	♦ Burglary	74.0%	72.0% to 75.0%
Kidnapping	59.4%	41.4% to 77.4%	♦ Larceny/Theft	74.6%	72.3% to 77.0%
Rape	46.0%	46.0% to 46.0%	♦ Motor Vehicle Theft	78.8%	74.5% to 83.1%
Other Sexual Assault	41.4%	41.2% to 41.6%	♦ Arson	57.7%	45.0% to 70.4%
Robbery	70.2%	67.9% to 72.6%	◆ Fraud	66.3%	62.2% to 70.4%
Assault	65.1%	62.8% to 67.5%	♦ Stolen Property	77.4%	71.1% to 83.7%
Other Violent	51.7%	37.0% to 66.4%	♦ Other Property	71.1%	63.6% to 78.6%
		Drug	Offenses		
Overall	66.7%	65.1% to 68.3%	Overall	62.2%	59.7% to 64.8%
Possession	67.5%	64.4% to 70.6%	♦ Weapons	70.2%	64.7% to 75.7%
Trafficking	64.2%	62.6% to 65.8%	♦ DUI	51.5%	47.4% to 55.6%
Other	75.5%	70.2% to 80.8%	♦ Other Public Order	65.1%	62.0% to 68.2%

## The Recidivism of Sex Offenders

In 2003, Langan, Schmitt, and Durose reported on the three-year recidivism rates of 1994 prison releases originally convicted of sex crimes. Comparing the three-year recidivism rates of those convicted of sexual crimes to those convicted of nonsexual crimes revealed that sex offenders were less likely to be rearrested for any offense (43%, 95% CI = 42.00% to 44.00% versus 68.4%, 95% CI = 68.2% to 68.5%). The authors also broke sex offenses down into four types: rape, sexual assault, child molestation, and statutory rape. Each of these groups had lower three-year recidivism rates than those previously convicted of nonsexual offenses. The three-year rearrest rates for each offense are presented in Table 19

Table 19. 3-Year Rearrest Rates of 1994 Prison Releases by Sexual Offense Type

Sexual Offenses	3-Year Rearrest Rate	95% Confidence Interval
Child Molestation	39.4%	38.0% to 40.9%
Statutory Rape	49.9%	45.2% to 54.6%
Rape	46.0%	44.2% to 47.2%
Sexual Assault	41.5%	40.3% to 42.7%
Overall	43.0%	42.0% to 44.0%

### Time since Last Offense and Recidivism

The Criminal Conduct guideline refers to the time since last offense as a mitigating factor. The primary inference underlying this mitigator is that the risk of future security violations is like the risk of future criminality. The assumption is that just as risk of new criminal offenses decreases with the time since last offense, the risk of security violations also decreases with time since last criminal offense. Considerable data have shown decrease in new crime rates with length of time since last offense (see, Blumstein & Nakamura, 2009; Kurleycheck, Brame, & Bushway, 2007; Kurleycheck et al., 2006; Soothill & Francis, 2009) but no studies have investigated the companion assumption that the risk of security violations decreases with time since last criminal offense.

Kurlycheck etl al. (2006) analyzed the arrest data of over 13,000 males from ages 18 to 26 from the 1958 Philadelphia Cohort Study. To better understand the length of time it takes for a person with an arrest to have approximately the same arrest probability as someone without an arrest history, the authors separated the sample into two groups. The first group—Offenders—was composed of individuals with at least one arrest by age 18, while the second—Non-offender—was composed of individuals with no arrests by age 18. Using these groupings, the authors calculated the proportion of individuals arrested to those not arrested in each group. This proportion was calculated for 24 consecutive time periods (i.e., every 4 months) over an 8 year period (i.e. ages 18-26). As shown in Figure 5, the Offender group had a much higher rate of arrest than the Non-offender group at age 18. However, this gap narrowed substantially across time due to a steady decline in the arrest rate of the Offender group. By age 26, the proportion of those arrested to those not arrested in the Offender group was approximately 2%, while this proportion was 1% in the Non-offender group. Though the arrest rate of those in the Offender group was still twice that of the Non-offender group, this represented a very low rate of arrest.

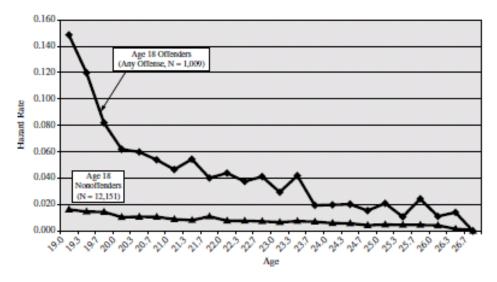


Figure 5. Comparison of Arrest Rates for age 18 Offenders and Nonoffenders

Kurleycheck, Brame, and Bushway (2007) investigated the probability that an individual would come in contact with the police at ages 25-32 and ages 28-32 based on the length of time since their last police contact. To examine this issue, the authors collected data on the number of police contacts for a group of 670 males from the 1942 Racine Cohort Study. The Racine Cohort Study was a prospective study following males born in 1942 up to the age of 32. As shown in Table 20, the probability of police contacts at ages 25-32 and ages 28 to 32 increases as the time since last contact decreases. Subscript differences indicate that the probability of police contacts at ages 25-32 for those with a juvenile record or those whose last police contact was at ages 18 through 21 is approximately the same as those who have no history of police contacts. When the probability of police contacts between the ages of 28-32 is considered, those whose last police contact at age 21 are also equivalent to those with no record.

Blumstein and Nakamura (2009) examined the time it takes for the arrest rate of those with a criminal record to approach that of the general population as a function of first offense type and age at first offense. The *Age at First Offense* variable had three levels—16, 18, and 20. The *Type of Offense* variable also had three levels—Robbery, Burglary, and Aggravated Assault. Arrest data from 1980 to 2007 was collected from a criminal record depository in New York State for almost 2,000 people. Table 21 provides the estimated time (in years) it takes for the arrest rates of these groups to approximate that of the general population. The probability of arrest at the point of overlap is presented in parentheses. These data suggest that the time it takes for the arrest risk of a person with a criminal record to approximate that of the general population depends on age at first offense and the nature of the first offense. For example, if a person committed their first offense at age 16 and that offense was a robbery, it would take approximately 8 years, 6 months (i.e., up to around the age of 25) for this person to have the arrest risk as someone from the general population. At that time, the proportion of those arrested to those not arrested with the same onset age and original arrest type is 10%.

Table 20. Probability of Police Contacts at Ages 25-32 and Ages 28-32 as a Function of Age at First Contact

	A	ges 25-32	A	ges 28-32
		Probability		Probability
	N	of Police	N	of Police
		Contact		Contact
No Record	199	.18 <sup>a</sup>	177	.08 a
Juvenile Record	119	.29 <sup>a,b</sup>	100	.16 a,b
Age 18	27	.30 <sup>a,b,c</sup>	24	.21 a,b,c
Age 19	39	.36 a,b,c	30	.17 a,b,c
Age 20	44	.34 a,b,c	34	.15 a,b,c
Age 21	41	.54 b,c	24	.21 <sup>a,b,c</sup>
Age 22	45	.58 <sup>c,d</sup>	31	.39 b,c,d
Age 23	65	.54 <sup>c,d</sup>	41	.27 b,c
Age 24	91	.75 <sup>d</sup>	33	.30 b,c
Age 25			34	.41 b,c,d
Age 26			54	.39 b,c,d
Age 27			88	.69 <sup>d</sup>

Probability estimates with differing subscripts are different at  $p < .05\,$ 

Table 21. Years to Convergence of Arrest Risk of Offenders and General Population as a Function of Age at First Offense and Offense Type

	Age at First Offense					
First Offense	16	18	20			
Robbery	8.5 (.10)	7.7 (.10)	4.4 (.09)			
Burglary	4.9 (.11)	3.8 (.10)	3.2 (.09)			
Aggravated	4.9	4.3	3.3			
Assault	(.11)	(.10)	(.09)			

## **Lifestyle Characteristics**

Adjudicators might also have an interest in the extent to which characteristics of an individual's lifestyle mitigate against a history of criminal behavior. The literature on recidivism has identified several lifestyle characteristics worthy of consideration. These include the criminality of one's associates or friends, substance abuse, employment history, marital/relationship quality and history, and military service.

### **Criminal Associates**

Sutherland's Differential Association Theory (1955) proposes that people learn criminal values, attitudes, techniques and motives through interaction with antisocial people. Criminal associations can also lead to the continuation of criminal offending as close, meaningful relationships with criminal others provides opportunities for offending and perpetuates criminal proclivities and perspectives (Serin & Lloyd, 2009). Gendreau et al.'s (1996) meta-analysis revealed that the criminality of one's companions was positively associated with recidivism ( $\rho$  = .21, N = 11,962, 95% CI = .20 to .23), suggesting that the more criminal one's associates, the more likely he or she is to engage in criminal behavior.

Three studies have provided data on the relationship between criminal associates and recidivism in both males and females. Giordano et al. (2003) asked participants with a history of juvenile delinquency to indicate how frequently they and their friends engaged in crime over 12 months preceding the study. The results indicated that the criminal involvement of one's friends was positively associated with self-reported criminality (r = .22, p < .01, 95% CI = .08 to .35), even after accounting for age, gender, race, self-reported juvenile delinquency, spousal attachment, job stability, and partner criminal involvement. In addition, this relationship varied as a function of gender. The relationship between peer criminal involvement and self-reported criminal involvement was significantly stronger for males than females. <sup>6</sup> Benda (2004) also found evidence suggesting that the influence of criminal associates on recidivism varies by gender. In this study, participants indicated how many of their friends engaged in criminal behavior. Among males, increases in the number of criminal associates increased the odds of recidivism by 73%, whereas among females, the odds of recidivism increased only by 21%. In contrast to Giordano et al. (2003) and Benda (2005), Simons et al. (2002) did not find a significant interaction between gender and peer criminal involvement when using self-reported criminal behavior as a criterion. The number of criminal peers was, however, positively associated with self-reported criminal involvement for both males (r = .28, p < .05, 95% CI = .09 to .45) and females (r = .24, p < .05, 95% CI = .04 to .40). These relationships remained significant after accounting for self-reported juvenile delinquency, delinquent adolescent peers, the criminal involvement of one's romantic partner, the quality of one's romantic relationship, and job attachment. A major difference between Simons et al.'s study and the previous two

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<sup>&</sup>lt;sup>6</sup> The authors did not provide the data necessary to calculate the size of this difference.

studies is that Simons et al. used a sample that had not been adjudicated in the past. This suggests that gender differences may emerge in the relationship between criminal associates and crime for those whose behavior has been serious enough to warrant legal action but not those who have not.

#### **Substance Abuse**

Scores of studies have examined the link between substance abuse and recidivism. The results of these studies have been statistically aggregated in two meta-analyses. Gendreau, Little and Goggin's (1996) meta-analysis showed a positive relationship between substance abuse and adult recidivism( $\rho = .21$ , k = 60, N = 54,383, 95% CI = .20 to .22). More recently, Dowden and Brown (2002) conducted a meta-analysis of 45 studies on the relationship between substance abuse and recidivism. The authors broke down substance abuse into three types: drug, alcohol, and combined drug and alcohol. Drug and alcohol abuse refer to both previous and current abuse. Recidivism was defined broadly, encompassing new charges, rearrest, reconviction, and reincarceration. In addition to overall recidivism, recidivism was separated into two types violent and general. Dowden & Brown's analyses resulted in several notable findings. First, alcohol, drug, and drug-alcohol abuse were positively related to recidivism for general offenses  $(\rho = .12, k = 36, N = 23,992, 95\% \text{ CI} = .11 \text{ to } .13; \rho = .19, k = 38, N = 25,409, 95\% \text{ CI} = .18 \text{ to } .12, k = 36, N = 25,409, 95\% \text$ .20; and  $\rho$  = .22, k = 11, N = 3,214, 95% CI = .19 to .26, respectively). Effect size comparisons indicated that drug and alcohol-drug abuse were stronger predictors of overall recidivism than alcohol abuse, although they did not differ from each other. Second, alcohol and drug abuse were positively related to recidivism for violent offenses ( $\rho = .10$ , k = 15, N = 3,557, 95% CI = .07 to .13 and  $\rho = .14$ , k = 9, N = 2577, 95% CI = .10 to .18, respectively). Combined alcohol-drug abuse, however, was not significantly related to this type of recidivism ( $\rho = .12$ , k = 2, N = 119, 95% CI = -.06 to .29). This latter result is likely a result of a small sample, which limited statistical power. Finally, these relationships did not vary as a function of gender, suggesting that the relationship between substance abuse and recidivism is similar for males and females. Together, the results of this study suggest that a drug abuse problem is more likely to result in recidivism than alcohol abuse. Though alcohol abuse problems increase the likelihood of violent reoffenses, it does not necessarily have the same effect on general reoffending.

The North Carolina Sentencing and Policy Advisory Commission examined the role of substance abuse history on the rearrest probabilities of its prison and probation releases. As shown in Table 22, those with a history of substance abuse were 1.4%-4.3% more likely to be rearrested than those without a substance abuse history in each cohort. This relationship remained significant after accounting for age, gender, offense classification, the number of prior arrests, and employment and marital status. This effect was inconsistent in the prison sample but was significant in all probation samples.

Table 22. The Impact of Substance Abuse History on Rearrest Probability

Year of Sample's Release (FY)	Follow- up Period	All Releases	N	ARP	Ps	N	ARP	Pr	N	ARP
1998/1999	4 years	1.4%	58,238	42.7%	NS	18,691	55.4%	1.5%	39,547	36.8%
2001/2002	3 years	4.3%	57,973	38.2%	4.5%	17,118	49.8%	3.5%	40,855	33.3%
2003/2004	3 years	3.5%	56,983	38.7%	NS	17,093	50.2%	3.7%	39,890	33.7%

NS = No significant difference ARP = Average Rearrest Probability Ps = Prison Releases Pr = Probation Releases

## Marriage, Employment, Military Service and Recidivism

Theory and research suggests that marriage, employment, and military service can contribute to desistance from criminal offending. Sampson and Laub's (1990) Age-Graded Theory of Informal Social Control (ASC) is the primary theoretical framework underlying this line of research. The main premise is that criminal behavior varies as a function of the strength of an individual's ties to elements of conventional society. When social bonds are weak or absent, a person is more likely to start or persist in criminal behavior. Conversely, when these ties are strong, s/he is less likely to engage in criminal behavior, regardless of criminal propensities.

The strength of a bond depends on social exchange. As a person invests time and energy into a relationship, they accumulate various forms of social capital, such as privilege, status, affection, and support. The more a person invests, and the more social capital s/he acquires from a given social bond, the stronger it is. Strong ties to elements of conventional society inhibit criminal behavior because such behavior can damage or break the ties, resulting in the loss of social capital that has accumulated over time.

Elements of conventional society vary in importance over the lifespan (Sampson & Laub, 1993). In childhood, strong ties to school, family, peers, teachers, and parents are believed to inhibit delinquent behavior. For example, a child that puts a lot of effort into his or her schoolwork and receives special attention from the teacher is unlikely to act out in class. In adulthood, strong ties to marriage, employment, peers, and community are believed to be the most important inhibitors of crime.

The following provides a review of the crime-inhibiting effects of marriage, employment, and military service, especially since these bonds have received special empirical attention. It should be noted, however, that though empirical evidence for the crime-inhibiting effects of marriage and employment are abundant, that for military service is more limited.

### Marriage and Recidivism

Several studies have provided evidence suggesting that marriage reduces criminal offending (Horney, Osgood, & Marshall, 1995; Huebner & Cobina, 2004; Sampson & Laub, 1990; Sampson, Laub, & Wimer, 2006). Horney and colleagues (1995) collected retrospective survey data from 658 newly convicted males. Participants were asked to provide information on

their involvement in criminal behavior and life circumstances for every month in the two years preceding their arrest. The measurement period ranged from 25 to 36 months. Analysis of this data indicated that living with one's spouse was negatively related to assault offenses (r = -.09, p < .05, 95% CI = -.17 to -.01). Living with one's spouse, however, was unrelated to property (r = -.02, ns, 95% CI = -.06 to .10) and drug offenses (r = -.02, ns, 95% CI = -.06 to .10). In contrast, living with one's girlfriend was positively associated with drug crimes (r = .09, p < .05, 95% CI = .01 to .17).

Sampson and Laub (1990) tested the relationship between marital status and criminal behavior using data from the Glueck Study—a 25-year study (1940-1965) on life course differences among 500 males with a history of juvenile delinquency and 500 males without such history. The groups were matched on age, ethnicity, IQ and low income residence. The authors analyzed data collected when the participants were between the ages of 17-25 and 25-32. Criminal behavior was measured with official arrest data and self-reported deviance. The results indicated that marital status was unrelated to both indices of criminal behavior after accounting for prior arrest, job stability, occupational commitment, and income. However, when focusing on those who were married, there was a positive relationship between how attached a man was to his spouse and criminal behavior (discussed below).

Sampson et al. (2006) tested the relationship between marital status and criminal behavior longitudinally with data from the Glueck study. In 1994, the authors supplemented data this data by collecting additional information on 52 participants with histories of juvenile delinquency. With this additional information, Sampson and his colleagues were able to lengthen the study period from the time participants were aged 7 to 70. To measure marriage during these years, participants were asked to indicate the years in which they were married using a life calendar. The authors used this information and official arrest data to test whether or not within-person changes in marital status were related to within-person changes in criminal behavior. Analyses of these data provided evidence that marriage reduced criminal behavior by approximately 35%. Figure 6 displays the probability of marriage and crime over time.

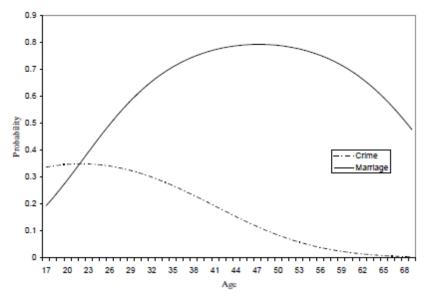


Figure 6. Predicted Crime and Marriage Probabilities

The North Carolina Sentencing and Policy Advisory Commission included marital status (i.e., married/not married) as a predictor of rearrest in each of its reports. As shown in Table 23, the results were mixed across cohorts. For those released in FY 2003/2004, marriage reduced the likelihood of rearrest in the probation sample by 2.6% but failed to do so for the prison sample. Conversely, for those released in FY 2001/2002, marital status reduced the likelihood of rearrest by 4.1% in the prison release sample but failed to do so for the probation sample. Finally, marital status had no impact on the likelihood of rearrest for those released from prison or probation in FY 1998/1999. These results controlled for age, gender, substance abuse, number of prior arrests, and employment and marital status.

Table 23. Impact of Marital Status on Rearrest Probability

Year of Sample's Release (FY)	Follow- up Period	All Releases	N	ARP	Ps	N	ARP	Pr	N	ARP
1998/1999	4 years	NS	58,238	42.7%	NS	18,691	55.4%	NS	39,547	36.8%
2001/2002	3 years	-2.2%	57,973	38.2%	-4.1%	17,118	49.8%	NS	40,855	33.3%
2003/2004	3 years	-2.8%	56,983	38.7%	NS	17,093	50.2%	-2.6%	39,890	33.7%

NS = No significant difference ARP = Average Rearrest Probability Ps = Prison Releases Pr = Probation Releases

Each of the previous results is based on a dichotomous measure of marital status (i.e., married - not married). While this dichotomy serves to identify those who are in or have been in a marital union, it does not capture the strength of the marital bond. Sampson and Laub (1993) argued that it is not marriage per se that reduces criminal offending; it is the quality of marital attachment. Some of the studies mentioned above, therefore, also included measures of marital attachment. Focusing on married individuals with and without a history of juvenile delinquency, Sampson and Laub tested the hypothesis that marital attachment reduces criminal behavior. Marital attachment was defined as the fulfillment marital responsibilities, both emotional and

financial as well as the absence of voluntarily prolonged periods of separation from one's spouse (e.g., separation, divorce, desertion). The results indicated that, among those with a history of juvenile delinquency, marital attachment was negatively related to self-reported delinquency (r = -.18, p < .05, 95% CI = -.33 to -.02). Similarly, marital attachment was negatively related to arrests per year free (r = -.18, p < .05, 95% CI = -.33 to -.02) at ages 17-25 and at ages 25-32 (r = -.24, p < .05, 95% CI = -.38 to -.10 and r = -.31, p < .05, 95% CI = -.44 to -.18, respectively). The results were mixed for those without a history of juvenile delinquency. In particular, at ages 17-25, marital attachment was negatively related to arrests (r = -.25, p < .05, 95% CI = -.38 to -.14) but not to self-reported delinquency (r = -.11, r = -.24, r = -.2

Sampson et al. (2006) looked at the relationship between changes in marital attachment and criminal behavior in 226 members of the delinquent group from the ages of 17 to 32. Controlling for spousal deviance, the number of years married, and between-person differences in marital attachment, the authors found that within-person changes in marital attachment were negatively related to arrests (r = -.31, p < .01, 95% CI = -.43 to -.19). This finding suggests that criminal behavior in males with a history of juvenile offending decreases as they become more strongly attached to their spouse. Conversely, men with a history of delinquency tend to engage in more criminal behavior as their attachment to their marriage/spouse weakens.

Capaldi, Kim and Owen (2008) examined the relationship between relationship stability and criminal behavior in a sample of 206 men from the Oregon Youth Study (OYS). The OYS is a community-based sample of young men at risk for delinquency. Arrest information has been collected on the participants every year since adolescence. As a part of this study, participants also engaged in the Couples Study, where data was collected on the romantic relationships of men over a period of 12 years. Criminal behavior was measured with official arrest data, and relationship stability was assessed by the number of years each man remained with a particular romantic partner. The authors tested the relationship between relationship stability and the onset and persistence (i.e., recidivism) of criminal behavior in young adulthood. The results indicated that relationship stability was negatively related to criminal persistence (r = -.15, p < .05, 95% CI = -.29 to -.01) but was unrelated to the onset of criminal behavior (r = .05, ns, 95% CI = -.09 to .19) when accounting for prior arrests, age, substance abuse, deviant peer association, depressive symptoms, and the criminal behavior and substance abuse of one's partner.

The previous studies generally support the notion that marriage reduces criminal behavior among males, particularly those with a history of juvenile delinquency. A major limitation of these studies is that they rely on mostly/entirely male samples, so they provide little insight into the relationship between marriage and recidivism in females. There are at least three studies that have examined this relationship using mixed gender samples. King, Massoglia and McMillian (2007) analyzed the relationship between gender, marital status, and criminal behavior using data from the National Youth Survey. Beginning in 1976, the NYS was a longitudinal study of crime, alcohol and drug use, and well-being during the transition from adolescence to young adulthood.

The NYS included three waves of data collection, with the final wave occurring in 1986. At the final wave, the subjects were between the ages of 21 and 27. King et al. analyzed marital and self-reported crime data from this last wave of data collection. For marital status, the participants indicated whether or not they had been married in the year prior to this last wave of data collection. The sample included 699 males and 683 females. The results indicated that marriage was negatively associated with self-reported criminal behavior in both males and females (r = -.15, p < .001, 95% CI = -.23 to -.08 and r = -.08, p < .05, 95% CI = -.16 to -.01, respectively). However, after matching the subjects on propensity to marry—a composite variable consisting of several background factors including educational aspirations, work history, relationship orientation, criminal history, and age—marital status was not related to self-reported criminal behavior in females (r = -.05, r = -.05, r = -.13 to r = -

Bersani, Laub and Nieuwbeerta (2009) analyzed data from the Criminal Career and Lifecourse Study (CCLS)—a large-scale longitudinal study carried out in the Netherlands. The CCLS tracked a group of individuals convicted in 1977 over a period of 25 years. Bersani et al. retrieved violent and property crime conviction data for almost 5,000 males and 500 females over this period. Combining violent and property crimes into an overall conviction variable, and accounting for age and generational status, the authors found that the relationship between marital status and reconvictions was stronger for men than women. Marriage reduced the odds of reconviction by 36% for men and 21% for women, p < .001. This marriage by gender interaction was also significant when convictions for property crime were considered by itself. Being married decreased the odds of property crime convictions by 37% for men and 13% for women, p < .001. This interaction was not significant for violent crime convictions, though marriage did reduce the odds of being reconviction of a violent crime by 32% for both males and females.

Stewart, Gordon, Conger, & Elder (2006) examined the relationship between partner attachment (i.e., steady boyfriend/girlfriend, cohabitation partner, and/or spouse) and self-reported criminality in a sample 234 young adults. The sample included 102 males and 134 females. To measure spousal attachment, trained observers recorded the interactions of couples on a variety of dimensions including physical affection, assertiveness, communication, endearment, etc. Accounting for adolescent delinquency, delinquent peers, partner criminality, job attachment, and deviant adult friends, the authors found that the quality of the romantic relationship was negatively related to criminal behavior in females (r = -.22, p < .05, 95% CI = -.38 to -.05) but not males (r = -.03, ns, 95% CI = -.23 to .17). Though the relationship was nonsignficant in males, overlapping confidence intervals indicate that this relationship was not necessarily stronger in females.

Though Sampson and Laub (1990) attribute the relationship between marriage and crime to the quality of the marital bond, a couple of studies have provided evidence that this

relationship is attributable, at least in part, to how marriage impacts the time a person spends with deviant friends (Simons et al., 2002; Warr, 1998). Warr (1998) proposed that marriage reduces criminal behavior primarily because it reduces the time a person spends with deviant friends. To test this hypothesis, he analyzed data from the National Youth Survey—an ongoing longitudinal study of delinquent behavior in a national probability sample of 1,765 person aged 11 to 17 in 1976. The author focused on data collected in two waves. The first wave of data collected occurred when the participants were 15-21 and the second occurred when they were 18-24. In support of Warr's hypothesis, the relationship between marriage, theft, and vandalism became nonsignificant when delinquent friends were accounted for. Using a sample that was more heterogeneous in gender composition, Simons et al. (2002) reported evidence that the quality of romantic attachment was indirectly related to self-reported criminal behavior through deviant friends in males, but not females. In particular, the romantic attachment was negatively associated with the number of deviant friends, and the number of deviant friends was positively associated with self-reported criminal behavior. This provides support for the notion that when a man has a strong attachment to his partner, he is likely to have fewer deviant friends, and consequently is less likely to engage in criminal behavior.

Marriage and the strength of the marital attachment may serve important crime-reducing roles, but the criminality of one's spouse or partner is also an important consideration. Marriage to a deviant spouse can enable, rather than inhibit, a criminal lifestyle (Savolainen, 2009). Sampson et al. (2006) found that the more deviant a spouse, the more likely a man was to engage in criminal behavior (r = .15, p < .05, 95% CI = .02 to .28). This relationship remained significant after controlling for within- and between-person differences in marital attachment and the number of years married. Calpadi, Kim and Owen (2008) found that the criminality of a male's partner was positively associated to persistent criminal offending (r = .20, p < .05, 95% CI = .07 to .33) and the onset of criminal behavior (r = .18, p < .05, 95% CI = .04 to .31). These relationships held after controlling for the number of prior arrests, substance abuse, depressive symptoms, relationship stability, and the substance abuse of one's partner. Giordano, Cernkovich, and Holland (2003) asked 196 males and females with a history of juvenile delinquency to self-report on their and their partner's involvement in criminal behavior over the 12 months preceding the study. The results indicated that partner criminality was positively related to self-reported involvement in criminal behavior (r = .35, p < .001, 95% CI = .22 to .47). This relationship remained significant after controlling for the age, gender, race, adolescent delinquency, marital attachment, and job stability. Simons et al. (2006) and Benda (2005) suggest that spousal/partner criminality is more potent in women than men. Simons et al. (2006) found that, although partner criminality was positively associated with the self-reported criminality of men and women, the effect was stronger in women (r = .45, p < .05, 95% CI = .50 to .67) than men (r = .28, p < .05, 95% CI = .22 to .45), p < .05. Benda's (2005) study alsoshowed evidence for a gender difference in this relationship. In particular, having a criminal partner increased the odds of criminality by 82% for women but only 7% for men.

### Employment and Recidivis

Several studies have provided evidence suggesting that employment is another variable associated with desistance from criminal behavior (Kazemian, Farrington, & Le Blanc, 2009; Huebner & Cobbina, 2005; Simons, Stewart, Gordon, Conger, & Elder, 2002; Sampson & Laub, 1990; Savolainen, 2009). Savolainen (2009) retrieved conviction data for a sample of 1,325 males in Finland. Data on employment status and convictions were tracked for this group between 1996 and 2001. Each member of the sample had at least 3 convictions prior to the beginning of the study. The employment status variable indicated whether or not participants were able to get and stay employed by the end of the year 2000. The results indicated that being employed decreased the odds of a new conviction by 40%, even after accounting for age, prior convictions, marital status, and dimensions of the participants' rehabilitative regimen (e.g., length of sentence), Huebner and Cobbina's (2005) study included data on the relationship between employment status and the probability of rearrest among probationers. The authors found that being employed decreased the odds of rearrest by 32%. This relationship remained significant after accounting for the effects of age, gender, marital status, the number of prior arrests, whether or not the most recent offense was drug-related, and the completion of a drug treatment program. Kazemian et al. (2009) tested the relationship between employment status and de-escalation in criminal behavior using self-reported and official conviction data. The sample included 98 French Canadian males with juvenile records. Data was collected on these individuals into their early forties. The authors' analyses indicated that within-person changes in employment status were positively related to within person changes in criminal behavior using official conviction data (r = .34, p < .001, 95% CI = .15 to .51). However, changes in employment status were unrelated to changes in criminal behavior using self-report data (r = .12, ns, 95% CI = -.08 to .31). The authors speculated that this was due to differences in the behavior encompassed by the self-report and official conviction data. The North Carolina Sentencing and Policy Advisory Commission included employment status as a predictor of the probability of rearrest in each of its reports. Table 24 provides the results of these analyses. As shown, being employed reduced the likelihood of rearrest for each sample. This effect varied from 2.8% to 3.0%. This relationship remained significant after accounting for age, gender, substance abuse, number of prior arrests, and employment and marital status. Employment reduced the likelihood rearrest among the probation sample but not the prison sample.

**Table 24. The Impact of Employment on Rearrest Probability** 

Year of Sample's Release (FY)	Follow- up Period	All Releases	N	ARP	Ps	N	ARP	Pr	N	ARP
1998/1999	4 years	-2.8%	58,238	42.7%	NS	18,691	55.4%	-3.9%	39,547	36.8%
2001/2002	3 years	-3.4%	57,973	38.2%	NS	17,118	49.8%	-4.8%	40,855	33.3%
2003/2004	3 years	-3.0%	56,983	38.7%	NS	17,093	50.2%	-3.4%	39,890	33.7%

NS = No significant difference ARP = Average Rearrest Probability Ps = Prison Releases Pr = Probation Releases

The previous studies focused on a dichotomous measure of employment (i.e., employed versus not employed). Other studies have hypothesized that the stronger a person's attachment to his or her job, the more likely they are to desist from criminal behavior. As with marriage, Sampson and Laub (1990) propose that it is not employment per se that reduces criminal behavior; it is the quality of one's bond with the job or employer.

Sampson and Laub (1990) measured job attachment using a composite of three indicators: employment status, employment stability, and work habits. Employment status referred to whether or not an individual held a job, employment stability referred to the number of years an individual has been in their current job, and work habits refer to reliability, effort and performance on the job. For those with a juvenile record, job stability was negatively related to self-reported deviance (r = -.17, p < .05, 95% CI = -.29 to -.07) and arrests per year free (r = -.29, p < .05, 95% CI = -.40 to -.18) at ages 17-25. Job stability was also positively related to selfreported deviance (r = -.21, p < .05, 95% CI = -.33 to -.09) and arrests per year free (r = -.25, p <.05, 95% CI = -.38 to -.13) at ages 25-32. In support of a causal relationship between job stability and criminal behavior, job stability at ages 17-25 predicted arrests per year free at ages 25-32 (r = -.15, p < .05, 95% CI = -.28 to -.02). However, it was unrelated to self-reported deviance at ages 25-32 (r = -.06, p < .05, 95% CI = -.19 to .07). These relationships remained significant after accounting for marital status, prior arrests, income, and occupational commitment. For males without a juvenile record, job stability was negatively related to self-reported deviance (r = -.12, p < .05, 95% CI = -.22 to -.02) but not arrests (r = -.07, ns, 95% CI = -.17 to .03) at ages 17-25. At ages 25-32, job stability was negatively related to both self-reported deviance delinquency (r = -.11, p < .05, 95% CI = -.21 to -.01) and arrests (r = -.17, p < .05, 95% CI = -.27 to -.07). In support of a causal relationship between job stability and criminal behavior, job stability at ages 17-25 predicted arrests (r = -.17, p < .05, 95% CI = -.21 to -.01) at ages 25-32.

Kazemian et al. (2009) examined the relationship between job attachment and rates of deescalation in criminal offending in a sample of 103 working class males in London. Data were collected from the time the participants were 17-18 up until they were 25. Job attachment was measured with several indicators including the number of jobs held over the years, lateness to work, and the quality of relationship with one's employer. De-escalation was measured with both self-report and official (i.e., convictions) offending data. Correlation analyses revealed that changes in job attachment were positively associated with de-escalation of criminal behavior (r = .22, p < .05, 95% CI = .03 to .40) using official convictions but not self-reported criminality (r = .02, ns, 95% CI = -.18 to .22). The authors speculated that this was likely due to differences between the behavior encompassed by the official and self-report data. Simons et al. (2002) used 23-item scale of job rewards and frustrations to measure job attachment. Results showed that, after controlling for adolescent delinquency, quality of romantic attachment, deviance of romantic partner, and deviant friends, job attachment was negatively associated with selfreported criminal behavior in males (r = -.28, p < .05, 95% CI = -.50 to -.15) but not females (r = -.50 to -.15) .04, ns, 95% CI = -.13 to .20). A comparison of these confidence intervals indicates that the effect is stronger for men than women. Benda (2005) also provided evidence for gender

differences in the relationship between employment and criminal behavior. Benda measured the strength of job attachment using job satisfaction. His analysis indicated that job satisfaction was associated with a reduction in the rate of recidivism over a 5-year period in both males and females; however, this effect was stronger in males. For males, increases in job satisfaction were associated with a 50% reduction in reconvictions. For females, increases in job satisfaction were associated with a 29% reduction in reconvictions. This relationship accounted for age, alcohol and drug abuse, criminal associates, the criminality of one's partner, quality of partner relationship as well as other factors in both groups.

### Military Service

Researchers have found that military service influences criminal offending (Bouffard, 2003, 2005; Mattick, 1960; Sampson & Laub (1996). Two studies have provided evidence that military service is negatively associated with criminal offending (Bouffard, 2003; Mattick, 1960). Mattick (1960) compared the recidivism rates of men paroled from Illinois penitentiaries to the Army from 1940-1947 to the national recidivism rate. He found that the recidivism rate of those released to the Army was 10.5% after 8 years compared to 66.6% for a national sample of ex-prisoners. Unfortunately, Mattick did not indicate whether the time periods used to assess recidivism were equal between these groups. Bouffard (2003) examined the relationship between military service and criminal offending using two longitudinal birth cohorts—the 1945 Philadelphia birth cohort and the 1949 Racine birth cohort. Both samples included men that served in the military during the Vietnam era. The Philadelphia cohort was composed of 565 men and the Racine cohort was composed of 243 men. Number of police contacts was used to measure criminal offending. Bouffard looked at police contacts for all non-traffic-related offenses but also focused on violent offenses. Violent offenses included offenses, such as murder, rape and other sexual offenses, robbery, and assault. The results indicated that those who served in the military service were less likely to engage in non-traffic-related offenses than those without military service in both the Philadelphia cohort (r = -.14, p < .001, 95% CI = -.22 to -.06) and Racine cohort (r = -.19, p < .01, 95% CI = -.31 to -.07). This relationship remained significant after accounting for race, education, socioeconomic status, and the number of juvenile police contacts. In contrast, military service was not significantly related to post-military police contacts for violent offenses in both cohorts (Philadelphia cohort: r = -.05, ns, 95% CI = -.13 to .03; Racine cohort: r = -.10, p < .01, 95% CI = -.23 to -.03).

Bouffard (2005) found evidence contradicting Bouffard (2003). Bouffard tested the relationship between military service and violent offending with using the self-report data of a sample of 5,406 participants from the National Longitudinal Youth Study. The results indicated that those who served in the military were more likely to engage in violent offending than those who did not serve in the military (r = .03, p < .05, 95% CI = .01 to .06). This relationship accounted for age, gender, juvenile arrests, and education. Bouffard also broke this relationship down by race, socioeconomic status and delinquent status. These analyses indicated that Whites and Hispanics who served in the military were more likely to report violent offending than those

White and Hispanics who did not serve in the military (11.6% versus 7.3%, p < .001 and 21.6% versus 5.4%, p < .001, respectively). There was no relationship between military service and violent offending among Blacks. The results also indicated that those with a history of juvenile delinquency that served in the military were more likely to report criminal offending (15.6%) than delinquents who did not serve in the military, p < .01, suggesting that military service exacerbated pre-existing propensities towards criminality.

The reason(s) that the results of Bouffard (2003) and Bouffard (2005) contradicted each other are unclear but could be attributed to several factors. The difference could be due to differences in the measures of criminal behavior. Bouffard (2003) used officially recorded police contact data and Bouffard (2005) used self-reports of violent offending. The difference could also be due to historical differences in the samples. Bouffard (2003) relied on a sample serving primarily during the Vietnam War, while Bouffard (2005) relied on a sample that served after the Vietnam War. Though the exact reason underlying these contradictory findings is unclear, what is clear is that using a variable distinguishing between military service and no military service as a mitigator of risk is insufficient. The military has elements that can contribute to desistance from criminal behavior as well as elements that can contribute to it. Sampson and Laub (1996) found involvement in educational and training opportunities during World War II contributes to the development of social bonds, particularly job stability, that research suggests contribute to desistance from criminal behavior. Research has also shown that exposure to combat is associated with several negative consequences, such as increased aggression and marital and job difficulties (Bohannan, Drosser, & Lindey, 1995; MacLean & Elder, 2007; Bryant, 1979) that can possibly contribute to criminal offending.

# SUMMARY OF FINDINGS ABOUT MITIGATORS OF CRIMINAL BEHAVIOR EVIDENCE

When adjudicators uncover evidence of criminal history, they consider several factors thought to mitigate security risk based on that criminal history. Appropriate risk assessment requires valid and up-to-date knowledge of factors that can increase or decrease the risk associated with an individual who has a criminal record. To inform this process, the criminal recidivism literature was consulted. To maximize the applicability of this research, an effort was made to include studies that used recidivism criteria most likely to tap the full range of security violation behavior. Another tactic was to include studies that used samples most closely aligned the presumed characteristics of adjudication individuals.

A review of the literature resulted in the identification of several risk recidivism risk factors. These variables were organized into three categories—demographic characteristics of the individual, characteristics of the individual's criminal history, and characteristics of the individual's lifestyle.

- This evidence suggested that those most likely to reoffend are young, male, and Black. The magnitude of these associations, however, suggests that relying on this information alone is likely to provide inaccurate assessments of risk. Information on the individual's criminal history should also be collected and considered.
- The research suggested that those who have committed a felony or property crime are at an increased risk for recidivism compared to those who have committed other types of crimes.
- ♦ The number of previous offenses and the time since the last offense was committed are also important considerations. Individuals who have committed more offenses or have committed an offense recently are at an increased risk for recidivism.

In addition to demographic characteristics of the individual and his or her criminal history, elements of the individual's lifestyle can be used to assess risk.

- ♦ The literature suggests that those least likely to recidivate are married to conventional partners, have few (if any) criminal associates, do not have substance abuse problems, and are employed.
- For marriage and employment, the strength of attachment to one's partner and job is important, with those who are in marriages characterized by mutual affection and support and have demonstrated reliable performance in a steady job are least likely to recidivate.
- Regarding substance abuse, the literature suggests that those who abuse illegal drugs are more likely to recidivate than those who abuse alcohol, although both are likely to recidivate.

• Military service may also influence risk of recidivism, although simply assessing whether or not an individual has served in the military is likely to be misleading. Contradictory evidence suggests that it is not military service per se that reduces criminal offending. Military experiences differ and the crime-reducing (as well as the crime-facilitating) aspects of those experiences need to be identified.

The appropriate method for combining this information into an overall assessment of risk is not clear, but a simple linear composite may be insufficient. Several studies provided evidence that risk factors may interact. For example, some studies have provided evidence suggesting that the criminality of one's associates is more strongly related to criminal behavior in men than women.

Finally, no evidence was found to evaluate the basic assumption of the adjudicative process that reduced risk of recidivism implies reduced risk of future security violations.

## REFERENCES

- Adjudicative Guidelines for Determining Eligibility for Access to Classified Information, (2005) Memorandum from the Assistant to the President for National Security Affairs, December 29, 2005.
- Adjudicator's Desk Reference. (2005).
- Alalheto, T. (2003). Economic crime: Does personality matter? *International Journal of Offender Therapy and Comparative Criminology*, 47, 335-355.
- Beaver, K.M., Wright, J.P., DeLisi, M., & Vaughn, M. (2008). Desistance from delinquency: The marriage effect revisited and extended. *Social Science Research*, 37, 136-152.
- Becholdt, M.N., Welk, C., & Hartig, J.(2007). Main and moderating effects of self-control, organizational justice, and emotional labour on counterproductive work behavior. *European Journal of Work and Organizational Psychology*, 16, 4, 479-500.
- Benda, B.B. (2005). Gender differences in life-course theory of recidivism: A survival analysis. *International Journal of Offender Therapy and Comparative Criminology*, 49, 3, 325-342.
- Berry, C.M., Ones, D.S., & Sackett, P.R. (2007). Interpersonal deviance, organizational deviance, and their common correlates: A review and meta-analysis. *Journal of Applied Psychology*, 92, 2, 410-424.
- Bersani, B.E., Laub, J.H., & Nieuwbeerta, P. (2009). Marriage and desistance from crime in the Netherlands: Do gender and socio-historical context matter? *Journal of Quantitative Criminology*, 25, 3-24.
- Blickle, G., Schlegel, A. Fassbender, P., & Klein, U. (2006). Some personality correlates of business white collar crime. *Applied Psychology: An international review*, *55*, 2, 220-233.
- Blumstein, A., Farrington, D.P., & Moitra, S. (1985). Delinquency careers: Innocents, desisters, and persisters. In *Crime and Justice: An Annual Review of Research, vol. 6*, M. H. Tonry and N. Morris (Eds). Chicago, IL: University of Chicago Press.
- Blumstein, A., & Nakamura, K. (2009). Redemption in the presence of widespread criminal background checks. *Criminology*, 47, 2, 327-359.
- Bordia, P., Restubog, S.L.D., & Tang, R.L. (2008). When employees strike back: Investigating mediating mechanisms between psychological contract breach and workplace deviance. *Journal of Applied Psychology*, *93*, *5*, 1104-1117.
- Bouffard, L.A., (2003). Examining the relationship between military experience and criminal behavior during the Vietnam era: A research note. *Criminology*, 41, 2, 491-510.
- Bouffard, L.A., (2005). The military as a bridging environment in criminal careers: Differential outcomes of military experience. *Armed Forces & Society*, *31*, 2, 273-295.

- Cale, E.M.(2006). A quantitative review of the relations between the "Big 3" higher order personality dimensions and antisocial behavior. *Journal of Research in Personality*, 40, 250-284.
- Capaldi, K., D.M., Kim, H.K., & Owen, L.E. (2008). Romantic partners' influence on men's likelihood of arrest in early adulthood. *Criminology*, 46, 2, 267-299.
- Carver, C. S., & White, T. L. (1994). Behavioral inhibition, behavioral activation, and affective responses to impending reward and punishment: The *BIS/BAS* scales *.Journal of Personality and Social psychology*, 67, 219-333.
- Castelda, B. (2009). Analyses of SSBI Issues. Unpublished manuscript.
- Clarke, S., & Robertson, I.T. (2005). A meta-analytic review of the Big Five personality factors and accident involvement in occupational and non-occupational settings. *Journal of Occupational and Organizational Psychology*, 78, 355-376.
- Christian, M.S., Bradley, J.C., Wallace, J.G., & Burke, M.J. (2009). Workplace safety: A metaanalysis of person and situation factors. *Journal of Applied Psychology*, *94*, *5*, 1103-1127.
- Church, A.T. (1994). Relating the Tellegen and five-factor models of personality. *Journal of Personality and Social Psychology*, 67, 5, 898-909.
- Cochrane, R. (1974). Crime and personality: Theory and evidence. *Bulletin of the British Psychological Society*, 27, 19–22.
- Cohen, J. (1988). Statistical power analysis for the behavioral sciences (2<sup>nd</sup> Ed.) New York, NY: Lawrence Erlbaum Associates.
- Collins, J.M., & Schmidt, F.L. (1993). Personality, integrity, and white-collar crime: A construct validity study. *Personnel Psychology*, *46*, 295–311.
- Costa, P.T., & McCrae, R.R.(1992). *The NEO-PI-R: Professional manual*. Odessa, FL: Psychological Assessment Resources.
- Costa, P.T., & McCrae, R.R.(1995). Primary traits of Eysenck's P-E-N system: Three- and five-factor solutions. *Journal of Personality and Social Psychology*, 69, 2, 308-317.
- Costa, P. T., Jr., & McCrae, R. R. (2002). Looking backward: Changes in the mean levels of personality traits from 80 to 12. In D. Cervone & W. Mischel (Eds.), *Advances in personality science* (pp. 219–237). NewYork: Guilford Press.
- Dalal, R. S. (2005). A meta-analysis of the relationship between organizational citizenship behavior and counterproductive work behavior. *Journal of Applied Psychology*, 90, 1241–1255.
- Diefenforff, J.M, & Mehta, K.(2007). The relations of motivational traits with workplace deviance. *Journal of Applied Psychology*, 92, 4, 967-977.
- Dowden, C. & Brown, S.L. (2002). The role of substance abuse factors in predicting recidivism: A meta-analysis. *Psychology, Crime & Law, 8,* 243-264.
- Dunn, J., & Plomin, R. (1990). Separate lives: Why siblings are so different. New York: Basic Books.
- Eysenck, H.J. (1967). The biological basis of personality. Springfield, IL: Charles C. Thomas.

- Eysenck, H.J.(1977). Crime and personality. London: Rutledge & Keagan Paul.
- Eysenck, H. J. (1991). Dimensions of personality: 16, 5, or 3? Criteria for taxonomic paradigm. *Personality and Individual Differences*, 12, 773–790.
- Eysenck, H.J. (1992). Four ways five factors are not basic. *Personality and Individual Differences*, 13, 667-673.
- Eysenck, H.J. (1996). Personality and crime: Where do we stand? *Psychology, Crime & Law, 2, 3,* 143-152.
- Eysenck, S.B.G., & Eysenck, H.J. (1970). Crime and personality: An empirical study of the three-factor theory. *British Journal of Criminology*, *10*, 225-239.
- Eysenck, H. J., & Gudjonsson, G. H. (1989). *The causes and cures of criminality*. New York: Plenum.
- Gendreau, P., Little, T., & Goggin, C. (1996). A meta-analysis of the predictors of adult offender recidivism: What works! *Criminology*, *34*, *4*, 575-607.
- Goldberg, L. R. (1990). An alternative "Description of personality": The Big-Five factor structure. *Journal of Personality and Social Psychology*, *59*, 1216-1229.
- Gottfredson, M.R., & Hirschi, T. (1990). *A General Theory of Crime*. Palo Alto: Stanford University Press.
- Giordano, P., Cernovich, S.A., & Holland, D.D. (2003). Changes in friendship over the life course: Implications for desistance from crime. *Criminology*, 41, 2, 293-327.
- Grasmick, H.G., Tittle, C.R., Bursik, R.J., Jr., & Arneklev, B.J. (1993). Testing the core empirical implications of Gottfredson and Hirschi's general theory of crime. *Journal of Research in Crime and Delinquency*, *30*, 5-29.
- Greenberg, D.F. (1991). Modeling criminal careers. Criminology, 29, 17–46.
- Hastings, S.E., & O'Neill, T.A.(2009). Predicting workplace deviance using broad versus narrow personality traits. *Personality and Individual Differences*, 47, 289-293.
- Heaven, P. C. L. (1996). Personality and self-reported delinquency: Analysis of the "Big Five" personality dimensions. *Personality and Individual Differences*, 20, 47–54.
- Helson, R., & Moane, G. (1987). Personality change in women from college to midlife. *Journal of Personality and Social Psychology*, *53*, 176–186.
- Herbert, C.L. (1997). A test of self-control explanations of white collar crime. Unpublished Doctoral Dissertation, University of Arizona.
- Herschovis, M.S., Turner, N., Barling, J., Arnold, K.A., Dupré, K.E., Inness, M., LeBlanc, M.M., & Sivanthan, N. (2007). Predicting workplace aggression: A meta-analysis. *Journal of Applied Psychology*, 92, 1, 228-238.
- Horney, J, Osgood, D.W., & Marshall, I.H. (1995). Criminal careers in the short-term: Intraindividual variability in crime and its relation to local life circumstances. *American Sociological Review*, 60, 5, 655-673.
- Huebner, B.M., & Cobbina, J. (2007). The effect of drug use, drug use treatment participation, and treatment completion on probationer recidivism. *Journal of Drug Issues*, 619-642.

- Jang, K.L., Livesley, W.J., & Vernon, P.A.(1996). Heritability of the big five personality dimensions: A twin study. *Journal of Personality*, *64*, 577-591.
- Kazemian, L., Farrington, D.P., & Le Blanc, M. (2009). Can we make accurate long-term predictions about patterns of de-escalation in offending behavior? *Journal of Youth & Adolescence*, 38, 384-400.
- Keeney J, Kowalski E, Cappelli D, Moore A, Shimeall T, Rogers S. (2005). *Insider threat study:* computer system sabotage in critical infrastructure sectors. Washington, DC; Pittsburgh, PA: National Threat Center, U.S. Secret Service, CERT Coordination Center, Software Engineering Institute, Carnegie Mellon University.
- King, J.D., Massoglia, M., & Macmillian, R. (2007). The context of marriage and crime: Gender, the propensity to marry, and offending in early adulthood. *Criminology*, 45, 1, 33-65.
- Kowalski, E., Cappelli, D., & Moore, A.(2008). *Insider threat study: Illicit cyber activity in the information technology and telecommunications sectors*. Washington, DC; Pittsburgh, PA: National Threat Center, U.S. Secret Service, CERT Coordination Center, Software Engineering Institute, Carnegie Mellon University.
- Kowalski, E., Conway, T., Keverline, S., Williams, M., Cappelli, D., Wilke, B., & Moore, A. (2008). *Insider threat study: Illicit cyber activity in the government sector*. Washington, DC; Pittsburgh, PA: National Threat Center, U.S. Secret Service, CERT Coordination Center, Software Engineering Institute, Carnegie Mellon University.
- Kurlychek M.C., Brame, R. & Bushway, S.D. (2006). Scarlet letters and recidivism: Does an old criminal record predict future offending? *Criminology & Public Policy*, 5, 483–504.
- Kurleychek, M.C., Brame, R., & Bushway, S.D. (2007). Enduring risk? Old records and predictions of future criminal involvement. *Crime & Delinquency*, *53*, *1*, 64-83.
- Langan, P.A, & Levin, D. (2002). *Recidivism of prisoners released in 1994*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.
- Langan, P.A, Schmidt, E.L., & Durose, M.R. (2003). *Recidivism of sex offenders released from prison in 1994*. DC: U.S. Department of Justice, Bureau of Justice Statistics.
- Lee, K., Ashton, M.C., & Shin, K.H. (2005). Personality correlates of workplace antisocial behavior. *Applied Psychology: An international review, 54, 1,* 81-98.
- Lee, J., & Lee, Y. (2002). A holistic model of computer abuse within organizations. *Information Management & Computer Security*, 10,2, 57-63.
- MacLean, A., & Elder, G.L., Jr. (2007). Military service in the life course. *Annual Review of Sociology*, 33, 175-196.
- Maltz, M. (1984). Recidivism. Orlando, FL: Academic Press.
- Marcus, B., & Schuler, H. (2004). Antecedents of counterproductive behavior at work: A general perspective. *Journal of Applied Psychology*, 89, 647–660.
- Marcus, B., Schuler, H., Quell, P., & Humpfner, G. (2002). Measuring counterproductivity: Development and initial validation of a German self-report questionnaire. *International Journal of Selection and Assessment*, 10, 18–35.

- Martin, M. (1983). Cognitive failure: Everyday and laboratory performance. *Bulletin of Psychonomic Society*, 21, 97–100.
- Mattick, H.W. (1960). Parolees in the Army during WWII. Federal Probation, 24, 49-55.
- McAdams, D.P. (2001). The *Person: An integrated introduction to personality psychology* (3<sup>rd</sup> Ed.). Orlando, FL: Harcourt College Publishers.
- Miller, J. D., & Lynam, D. R. (2001). Structural models of personality and their relation to antisocial behavior: A meta-analytic review. *Criminology*, *39*, 765–798.
- Miller, J.D., Lynam, D.R., & Leukefeld, C. (2003). Examining antisocial behavior through the lens of the five-factor model of personality. *Aggressive Behavior*, 29, 497-514.
- North Carolina Sentencing and Policy Advisory Commission in conjunction with the North Carolina Department of Correction. (2004). *Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in Fiscal Year 1998/99*. Raleigh, NC: North Carolina Sentencing and Policy Advisory Commission.
- North Carolina Sentencing and Policy Advisory Commission in conjunction with the North Carolina Department of Correction. (2006). *Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in Fiscal Year 2001/02*. Raleigh, NC: North Carolina Sentencing and Policy Advisory Commission.
- North Carolina Sentencing and Policy Advisory Commission in conjunction with the North Carolina Department of Correction. (2008). *Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in Fiscal Year 2003/04*. Raleigh, NC: North Carolina Sentencing and Policy Advisory Commission.
- Pajaanen, G.E. (1988). The prediction of counterproductive behavior by individual and organizational variables. Unpublished Doctoral Dissertation, University of Minnesota.
- Passingham, R. E. (1972). Crime and personality: A review of Eysenck's theory. In V. D. Nebylitsin & J. A. Gray (Eds.), *Biological bases of individual behavior* (pp. 342–371). New York: Academic.
- Paternoster, R. & Brame, R. (1998). The structural similarity of processes generating criminal and analogous behaviors. *Criminology*, *36*, 633-669.
- Paternoster, R. & Brame, R. (2000). On the association between self-control, crime, and analogous behaviors. *Criminology*, 38,3, 971-982.
- Piquero, A.R., & Brame, R.W. (2008). Assessing the race crime and ethnicity relationship in a sample of serious adolescent offenders. *Crime & Delinquency*, *54*, 1-33.
- Pratt, T. C., and Cullen, F. T. (2000). The empirical status of Gottfredson and Hirschi's general theory of crime: A meta-analysis. *Criminology*, *38*, 931–964.
- Randazzo M, Keeney M, Kowalski E, Cappelli D, & Moore A (2004). *Insider threat study: Illicit cyber activity in the banking and finance sector*. Washington, DC; Pittsburgh, PA: National Threat Center, U.S. Secret Service, CERT Coordination Center, Software Engineering Institute, Carnegie Mellon University

- Roberts, B.W., Harms, P.D., Caspi, A., & Moffitt, T.E.(2007). Predicting the counterproductive employee in a child-to-adult prospective study. *Journal of Applied Psychology*, *92*, *5*, 1427-1436.
- Rosenthal, R., & Rosnow, R.L. (1991). Essentials of behavioral research: Methods and data analysis (2<sup>nd</sup> Ed.). New York, NY: McGraw-Hill
- Salgado, J. F. (2002). The Big Five personality dimensions and counterproductive behaviors. *International Journal of Selection and Assessment*, 10, 117–125.
- Salovainen, J. (2009). Work, family, and criminal desistance: Adult social bonds in a Nordic welfare state. *British Journal of Criminology*, 49, 285-304.
- Sampson, R. and Laub, J. (1990). Crime and deviance over the life-course: The salience of adult social bonds. *American Sociological Review*, 55, 5, 609-627.
- Sampson, R. and Laub, J. (1993). *Crime in the Making: Pathways and Turning Points through Life*. Cambridge, MA: Harvard University Press.
- Sampson, R., & Laub, J. (1996). Socioeconomic achievement in the life course of disadvantaged men: Military service as a turning point, Circa 1940-1965. *American Sociological Review*, *61*, *3*, 347-367.
- Sampson, R., Laub, J. and Wimer, C. (2007). Does marriage reduce crime? A counterfactual approach to within-individual causal effects. *Criminology*, 44, 465 508.
- Samuels J., Bienvenu, O.J., Cullen B., Costa, P.T., Eaton, W.W., & Nestadt, G. (2004). Personality dimensions and criminal arrest. *Comprehensive Psychiatry*, 45, 275-280.
- Sarchione, C.D., Cutler, M.J., Muchinsky, P.M., & Nelson-Gray, R.O. (1998). Prediction of dysfunctional job behaviors among law enforcement officers. *Journal of Applied Psychology*, 83, 6, 904-912.
- Serin, R.C., & Lloyd, C.D. (2009). Examining the process of offender change: The transition from crime to desistance. *Psychology, Crime & Law, 15, 4,* 347-364.
- Simons, R.L., Stewart E.A., Gordon. L.C., Conger, R.D., & Elder, G.H., Jr. (2002). A test of life-course explanations for stability and change in antisocial behavior from adolescence to young adulthood. *Criminology*, 40, 401–34.
- Spielberger, C. D. (1991). *State-Trait Anger Expression Inventory: Revised Research Edition*. Odessa, FL: Psychological Assessment Resources.
- Sutherland, E.H., & Cressey, D.R.(1955). *Principles of Criminology, (5th Ed.).* Philadelphia, PA: J. B. Lippincott.
- Tellegen, A. (1985). Structures of mood and personality and their relevance to assessing anxiety, with an emphasis on self-report. In A. H. Tuma & J. Maser (Eds.), *Anxiety and the anxiety disorders* (pp. 681-706). Hillsdale, NJ: Lawrence Erlbaum.
- Tellegen, A., Lykken, D.J., Bouchard, T.J., Jr., Wilcox, K.J., Segal, N.L., & Rich, S. (1988). Personality similarity in twins reared apart and together. *Journal of Personality and Social Psychology*, *54*, 1031-1039.
- Thompson, T. (2003). A study of vulnerability factors in espionage by the trusted insider. *Unpublished Doctoral Dissertation*.

- Tittle, C.R., Ward, D.A., & Grasmick H.G. (2003). Self-control and crime/deviance: Cognitive vs. behavioral measures. *Journal of Quantitative Criminology*, 19, 333-365.
- Torrubia, R., Avila, C., Molto, J., & Caseras, X. (2001). The Sensitivity to Punishment and Sensitivity to Reward Questionnaire (SPSRQ) as a measure of Gray's anxiety and impulsivity dimensions. *Personality and Individual Differences*, 31, 837–862.
- Urgin, J.C., & Pearson, J.M. (2008). Exploring internet abuse in the workplace: How can we maximize deterrence efforts? *Review of Business Ethics*, 28, 2, 29-40.
- Wallace, J.C., & Chen, G. (2005). Development and validation of a work-specific measure of cognitive failure: Implications for occupational safety. *Journal of Occupational and Organizational Psychology*, 78, 615-632.
- Warr, M. (1998). Life-course transitions and desistance from crime. *Criminology*, *36*, 2, 183-216.
- Watson, D., & Clark, L. (1984). Negative affectivity: The disposition to experience aversive emotional states. *Psychological Bulletin*, *96*, 465–490.
- Watson, D., Wiese, D., Vaidya, J., & Tellegen, A. (1999). The two general activation systems of affect: Structural findings, evolutionary considerations, and psychobiological evidence. *Journal of Personality and Social Psychology*, 76, 820-838.
- Weisburd, D.A., & Waring, E.J. (2001). *White collar crime and criminal careers*. Cambridge, UK: Cambridge University Pre

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

# Examination of the Adjudicative Guidelines

Appendix B Part 5
Adjudicative Guidelines Literature Review: the "Financial Considerations" Cluster

LEADING INTELLIGENCE INTEGRATION

March 2011

ONCIX Special Security Directorate Research Program

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This paper was principally authored by



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## **EXECUTIVE SUMMARY**

## **Purpose**

A review of current social science research was undertaken to provide evidence about the meaning and effectiveness of the Financial Considerations Guideline for making security clearance decisions. This White Paper reviews that evidence. This Guideline focuses on the risk value of evidence of problematic financial behavior.

## **Approach**

The literature review covered a wide range of social science literature including espionage case studies, comparisons between caught spies and matched non-spies, counterproductive work behavior, white collar crime. Given the scarcity of research on national security behavior itself, other than espionage case studies, the primary strategy of this review was to evaluate research about financial risk factors in counterproductive or criminal work behavior that are analogous to security violation behavior. Such research evidence may provide reasonable inferences about financial considerations as antecedents of security violations.

## **Key Findings**

- Evidence supports the general conclusion that problematic financial conditions are antecedents of security violations as well as other analogs of security violations such as counterproductive work behavior and white collar crime.
- Problematic financial conditions may be antecedents of security violation behavior in at least two ways.
  - 1. Financial problems create motives and incentives for engaging in security violations as a way of making money.
  - 2. People who are prone to financial problems tend to have dysfunctional personality attributes that also increase the risk of security violations.
- ♦ Dysfunctional personality attributes shown to be characteristic of people who exhibit problematic financial behavior and people who exhibit security violations as analogous behaviors include:
  - Low emotional stability (high neuroticism)
  - o Low self-control / high impulsivity / high risk taking / high excitement-seeking
  - Low conscientiousness
  - o External locus of control
  - Competitiveness
- ♦ Bankruptcy counseling has a lower recidivism rate, 19%-34%, than treatments for compulsive gambling, 92%.

## 

<b>♦</b>	The	Financial	Consideration	evidence	focusing	on	indicators	of	risk	for	security
	viola	tions does	not capture the	personal at	ttributes le	adin	g to positiv	e se	curity	beh	avior.

## THE FINANCIAL CONSIDERATIONS CLUSTER

### **Guideline F. Financial Considerations**

### Introduction

This paper evaluates the social science research literature relevant to the effectiveness of the Financial Considerations Adjudicative Guideline focusing on individuals' financial behavior. This evaluation describes the extent to which research evidence provides rationales supporting or questioning the current meaning and use of this Guideline. In addition, potential modifications and alternatives are described where the research evidence points to such adjustments.

The social science evidence evaluated here focuses on understanding, explaining and predicting individual human behavior relating to US national interests and, more specifically, the protection of classified information. The purpose of this project is to evaluate social science evidence about the meaning and use of the Guidelines. That is, are the Guidelines effective tools for minimizing security violations and maximizing pro-security behavior? The questions being answered by this project are (a) "Does current social science evidence support the current meaning and use of the Adjudicative Guidelines?" and (b) "What changes does the evidence suggest to improve the meaning and use of the Guidelines?"

This project is not intended to evaluate support for the Guidelines based on policy considerations. This is a relatively minor important point for the Financial Consideration Guideline because policy arguments alone are likely to provide support for only two of the risk conditions captured by this Guideline. Evidence of illegal financial practices as noted in two risk conditions might, itself, be a sufficient basis for disqualification. The policy-based justification of such a Guideline condition may have no need for social science evidence about the predictive value of previous criminal behavior for future security violations. Nevertheless, this White Paper will take note where apparent rationales for the Guideline conditions are grounded in policy considerations and where social science evidence is also relevant.

## The Financial Consideration Guideline

The Guideline addressed in this White Paper addresses the relatively risky forms of financial behavior in an individual's personal history. Social science evidence is directly relevant to the weight given to such evidence of financial behavior because the personal history evidence covered by this Guideline is not a direct manifestation of action against US national interests. Rather, this personal history evidence is better viewed as providing signs of underlying beliefs, motives, attitudes, dispositions and temperaments that may be predictive of future security violation behavior if the individual is granted or retains a clearance for access to protected information. Relevant social science evidence provides the best information about the prediction value such evidence has for future security risk.

In an effort to capture the extent to which social science evidence is relevant to each of this financial behavior Guideline, a table is presented below listing the conditions (evidence) within this Guideline that could raise security concerns as described in the Adjudicative Guidelines for Determining Eligibility for Access to Classified Information, ADR (2005). For each condition, the table also indicates whether the presumed supporting rationale for that condition rests primarily on social science evidence or primarily on an apparent underlying policy position or both. The judgment about the supporting rationale was made by the authors based on a review of the social science evidence and the nature of the condition. These judgments were not made by national security clearance officials or experts.

In this table, a supporting rationale based on policy considerations is judged to be important where the personal history events constitute an illegal behavior that violates the individual's legal/contractual/moral responsibilities toward the US or employers or other organizations. Policy alone may be sufficient to establish that clearances should not be granted especially where the action is comparable in intent and severity to security violation behavior. Such policy rationales may be based on the principle that a history of such criminal/unauthorized action constitutes an unacceptable risk due to the evident violation of trust.

In contrast, many conditions imply risk for security violation behavior on the assumption that the psychological and/or situational factors that gave rise to the condition will also increase the likelihood of security violations. The weight given to such conditions should depend to a great extent on the social science evidence supporting the assumed relationships between psychological and situations factors and security violation behavior. These science-dependent conditions associated with Guideline F are the primary focus of this White Paper.

It should also be noted that policy and evidence-based rationales are not mutually exclusive. The weight given to some conditions may be influenced by both the policy rationale as well as the social science evidence rationale.

Table 1 shows that all the potentially disqualifying risk conditions associated with Guideline F, Financial Considerations are at least partially dependent on a science-based rationale. Only two conditions, (d) and (g), appear to have a policy-based rationale, at least in part. These two conditions describe patterns of illegal financial behavior. Clearly, the US

government, like private sector employers, has a strong policy interest in not placing person with a record of illegal financial behavior in positions of trust, responsibility and authority. All conditions are assumed to rely to some extent on an underlying assumption that financially responsible/illegal behavior is a sign of potential risk for future security violations. This weight given to this rationale and associated conditions depends on social science research showing evidence that such an assumption holds. This evidence could be direct evidence of the relationship between financial behavior and subsequent security behavior or indirect evidence that the psychological and situational attributes underlying financially irresponsible/illegal behaviors also are antecedents of security violation behavior.

Table 1. Supporting rationales for Guideline F, Financial Considerations.

Condition triggering security concern	Important Supporting Rationale	
	Evidence-	Policy-
	based	based
(a) Inability or unwillingness to satisfy debts	X	
(b) indebtedness caused by frivolous or irresponsible suspending and		
the absence of any evidence of willingness or intent to pay the debt or	X	
establish a realistic plan to pay the debt.		
(c) a history of not meeting financial obligations	X	
(d) deceptive or illegal financial practices such as embezzlement,	X	X
employee theft, and other intentional financial breeches of trust.		
(e) consistent spending beyond one's means, which may be indicated	X	
by excessive indebtedness, significant negative cash flow, high debt-		
to-income ration, and/or other financial analysis		
(f) financial problems that are linked to drug abuse, alcoholism,	X	
gambling problems, or other issues of security concern	74	
(g) failure to file federal, state or local income tax returns as required	X	X
or the fraudulent filing of the same	Λ	
(h) unexplained affluence, as shown by a lifestyle or standard of		
living, increase in net worth, or money transfers that cannot be	X	
explained by the subject's known legal sources of income		
(i) compulsive or addictive gambling as indicated by an unsuccessful		
attempt to stop gambling, "chasing losses,", or other problems	X	
caused by gambling		

### The Approach Used in This Literature Review

As noted above, the overall purpose of this literature review is to describe and evaluate the extent to which the social science literature supports the current meaning and use of Guideline F. The approach taken to accomplish this purpose is defined by five features.

### 1. Prediction Perspective

This literature review adopts the prediction perspective of social science. By this perspective, a Guideline is viewed as related to security behavior to the extent there is evidence that the behaviors targeted by a Guideline *predict* future security behavior. This prediction perspective underlies the large majority of behavioral social science research investigating relationships between psychological attributes and outcomes. Evidence of prediction is the primary type of evidence used to infer or conclude that a particular psychological attribute leads to or causes a subsequent outcome. However, evidence of prediction does not require empirical evidence. Prediction may be demonstrated by both empirical data as well as compelling, plausible, theoretically sound conceptual arguments. Since there is virtually no direct empirical evidence about the predictive relationship between the Financial Considerations Guideline and subsequent security behavior, this review will focus primarily on indirect evidence of prediction that is sometimes empirical and sometimes conceptual.

### 2. Scope of Security Behavior

As with all the White Papers produced in this project, a critical consideration is the scope of security behavior to be targeted by the literature search and review. The guidance surrounding the use of the Financial Considerations Guideline clearly identifies two forms of targeted security behavior. First, as with all 13 Adjudicative Guidelines, the Guideline F is designed to identify individuals who pose too great a risk for security violations if given responsibility for classified information or technology. In this regard Guideline F should operate to "select out" individuals who are too risky. However, Guideline F, like all other Guidelines, is also applied so as to award clearances to people who are reliable, trustworthy and having good judgment. These people are expected to demonstrate positive security behavior.

#### Negative Security Behavior Only

In general, the guidance surrounding the meaning and use of the Guidelines (see ADR 2005) appears to view these two forms of security behavior – (a) security violations and (b) reliability, trustworthiness and good judgment – as opposite ends of the same continuum of security-related behavior. This view implies that by disqualifying those who are too risky, the remainder who are awarded clearances will be reliable, trustworthy and of good judgment. The underlying assumption for this perspective is that the same psychological and situational factors explain behavior at both ends of this continuum. For example, if lack of self-control contributes

to security violations, then self-control contributes to reliability, trustworthiness and good judgment. Or, more specifically, if unexplained wealth is a risk factor for security violations then the absence of unexplained wealth is an indicator of reliability, trustworthiness and good judgment. But substantial research in workplace behavior (E.g., Miles, et al, 2002; Dalal, 2005) shows that positive and negative workplace behaviors are not likely to be opposite ends of the same continuum. While some of the same psychological and situational factors drive both behaviors, other factors differ between the two types of behavior. This evidence indicates that one cannot assume the absence of negative workplace behavior implies the presence of positive behavior.

The general point that the absence of negative evidence does not predict positive outcomes is perhaps especially true for high risk irresponsible/illegal financial behavior, which represents a relatively extreme form of negative behavior, particularly in an organizational context. The absence of such extreme negative behavior is not likely to be a reliable indicator of positive behavior, especially unusually positive behavior. In the context of national security, the absence of a history of irresponsible/illegal financial behavior cannot be assumed to indicate future reliable and trustworthy behavior or good judgment. Perhaps for this reason, the social science literature that addresses the relationships between problematic financial behavior and future behavior virtually always focuses on negative future behaviors. As a result, in the domain of problematic financial behavior, we have found virtually no research that addresses its relationship to future *positive* security behavior. For this practical reason, the research reviewed in this White Paper addresses only negative forms of security behavior and analogs to security violations.

#### Analogs to Security Behavior

Little social science research addresses national security behavior directly. But significantly more research investigates other workplace behaviors that are similar to security behavior in certain important ways. This White Paper reports social science research about workplace behaviors that are analogous to security behaviors so that insights about security behavior may be inferred from these "neighboring" domains of work behavior.

All four White Papers in this project report evidence about work behaviors that are close analogs to security behavior. For the purposes of these White Papers, a domain of work behavior is regarded as a close analog to security behavior if it is: (a) in an organization context; (b) counter-normative in its negative form; (c) intentional (voluntary); and (d) directed toward a person or entity for harm or for good. It should be noted that, for this project, "betrayal of trust" is not a necessary feature of an analog to security behavior. There is one primary reason for this. As a practical matter, few other work behaviors share a "public trust" obligation similar to that of national security behavior. Perhaps only public service, public safety, and some categories of health care work share a "public trust" obligation similar to that of national security behavior where the public's national safety may be at stake.

Research about analogs to security behavior is reviewed below in the sections reporting Level 2 and Level 3 Evidence. Level 2 evidence is reported for two analogs, counterproductive work behavior (CWB) and, in an N=1 case study, industrial espionage. Level 3 evidence was located for two analogs, CWB and white collar crime (WCC).

#### 3. Three Levels of Evidence

As with the other White Papers produced in this project, this review and evaluation of social science research related to the financial behavior Guideline will review three levels of evidence. These three levels of evidence are described in detail in the Foundations paper that accompanies the four White Papers in this project.

#### Level 1 Evidence

Level 1 evidence addresses direct relationships between Guidelines-based behaviors such as financial behavior and the security-related behavior targeted by the Guidelines. For example, Thompson (2003) compared caught spies to non-spies on past financial histories. Although this is not a true experiment, it does evaluate the extent to which spies differed from non-spies on Guidelines-based behaviors. Little Level 1 evidence is available for the Financial Considerations Guideline. The primary Level 1 sources are Thompson (2003), Herbig (2008) and Stone (1992).

#### Level 2 Evidence

Level 2 evidence addresses relationships between Guidelines-based behaviors like financial history and outcome behaviors that are not themselves security behaviors but are workplace behaviors that are analogous to security behaviors. For example, evidence showing that corrupt police are more likely to have histories of large debt than non-corrupt police would be Level 2 evidence. Such evidence links past financial behavior – a Guidelines-based behavior – to an analog to security violations, dysfunctional police behavior. While Level 2 evidence does not provide direct evidence about security behavior, it does have implications for security behavior to the extent that the analog behavior has important features in common with security behavior. Several forms of analog behavior have been linked to past financial history. Somewhat more Level 2 evidence is available than Level 1 evidence for Guideline F.

#### Level 3 Evidence

Level 3 evidence addresses relationships between psychological and/or situational factors that underlie Guidelines-based behaviors and outcome behaviors that are analogs to security behavior. For example, evidence showing that lack of self-control (a psychological antecedent of irresponsible financial behavior) is associated with workplace theft (an analog to security violation behavior) is Level 3 evidence. Considerably more Level 3 evidence is available for Guideline F than either Level 1 or Level 2 evidence.

In spite of the apparent distinctiveness between the three levels of evidence, not all studies clearly belong to one category or another or, for that matter, any of the three categories. For example, financial misbehavior such as misuse of company credit cards may be considered an example of counterproductive work behavior. If such financial misbehavior is considered evidence of Financial Considerations then studies investigating such behavior may be classified as either Level 1 or Level 2 evidence depending on the outcome measures – security violations or analogs to security violation behavior – included in such studies. However, if such financial misbehavior is considered as simply one manifestation of counterproductive work behavior then evidence of such financial misbehavior would be regarded as an analog to security violation behavior. In that case, such studies would be classified as either Level 2 or Level 3 evidence. For the purposes of this White Paper, financial misbehavior measured within the context of other counterproductive work behaviors such as theft or disloyalty is treated as an analog to security violation behavior.

### 4. Mitigator Evidence

Following the Level 1, 2 and 3 evidence sections a small amount of evidence is reported about potential mitigators of Financial Considerations evidence. For Financial Considerations, mitigator evidence would demonstrate in some fashion that certain Financial Considerations issues, if present in an individual's financial history, should be given less weight as a risk factor for future security violation behavior. For example, research has reported that people who have been counseled for financial misbehavior leading to bankruptcy are less likely to repeat such misbehavior. This would be evidence supporting the decision that previous bankruptcy evidence should be mitigated (i.e., assigned less risk weight) by companion evidence that the person successfully completed bankruptcy counseling. The thorough literature search about financial misbehavior identified relatively little evidence about mitigators, in contrast to the literature on criminal behavior.

It should also be noted here that no mitigator evidence was directly related to the likelihood of future security violation behavior. All the mitigator evidence reported here relies on the assumption that indicators of reduced risk of future financial misbehavior imply a similarly reduced risk of future security violation behavior. No mitigator evidence was located that tested this assumption.

#### 5. Effect Size Measures

Where possible and meaningful, this White paper reports statistical estimates of the size of important effects relating to the magnitude of an antecedent's effect on a security violation behavior or an analog of the same. Unfortunately, empirical studies can vary considerably in the statistics used to describe the size of an effect. Such statistics may include effect size measures such as frequencies, percentages, mean differences, correlation coefficients, d-values, and several others. Also, many studies provide little or no information about effect size.

This can become a burden in any review of the literature, especially to the person unfamiliar with a variety of statistical techniques. To reduce reader burden and facilitate understanding, the results of individual studies were translated, wherever possible, into a common statistic—Pearson's r—using the formulas provided by Rosenthal and Rosnow (1991). Pearson's r provides a measure of the strength and direction of a relationship between two variables. It can range from -1.00 to 1.00. A negative Pearson r value indicates that an increase in one variable is associated with a decrease in another, while a positive Pearson r value indicates that an increase in one variable is associated with an increase in the other. It is important to remember that a significant relationship between two variables does not mean that one variable causes change in another. Association can be an important precondition of causality but such inferences must be made cautiously, tempered by the reasonable, alternative explanations for the relationship.

In addition to the direction of a relationship between two variables, Pearson's r provides an indication of the strength of the relationship (i.e., how much a variable varies along with changes in another variable). The relationship between two variables gets stronger as it approaches the *absolute* value of 1.00. A value of -1.00 is indicative of a perfect negative relationship, while a value of +1.00 indicates a perfect positive relationship. In either case, as a Pearson r gets closer to 0, the relationship gets weaker. For the social sciences, Cohen (1992) proposed *absolute* Pearson r values of .10-.23, .24-.36, and .37 or larger as "weak," "moderate" and "strong" relationships, respectively.

Some studies do not provide sufficient information to provide any effect size measure. This is moderately common in this White Paper on Financial Considerations. While most effect sizes reported here are expressed as Pearson's r values, a smaller number are expressed as d-values and rho  $(\rho)$ .

The vast majority of studies allowing a report of effect size measures are included in the section reporting Level 3 evidence. In the Level 3 section three different measures will be used throughout this report. The most common measure is Pearson's r, as described above. A similar measure is d, which represents the standardized difference between the means, or average scores, of two groups. Values of d of .20 are considered small, .50 medium / moderate, and .80 large (Cohen, 1988). Rho ( $\rho$ ) is the last measure that gives information about the strength of bivariate relationships used in this report. Rho is simply an estimate of a true r value, unaffected by measurement error or other study artifacts. It is usually reported in meta-analytic studies. It is interpreted in the same manner as Pearson's r.

# Setting The Stage: Incidents of Financial Considerations Issues in SSBI Investigations

Castelda (2009) and the Foundations Paper (2009), submitted as a precursor to these White Papers, presented and analyzed issues identified in two samples of Single Scope Background Investigations (SSBI) open in 2008. The larger Sample A (N=4,247) included issues sourced from electronic data providers but not self-report issues from polygraph exams. Conversely, Sample B (N=1,437) included issues sourced from self-report polygraph exams but not from electronic data providers. Both samples included issues derived from interview sources and the usual range of background records such as police and employment records.

Two main points can be made about the frequency of Guideline F issues in these two samples. First, Guideline F produced one of the highest numbers of investigative issues among all 13 Guidelines. In Sample A, Guideline F yielded 846 issues, which was second only to the 2,039 Foreign Influence issues. A similar patter was observed in Sample 2. Guideline F yielded 420 issues, which was exceeded only by Criminal Conduct, Drug Involvement, and Foreign Influence. Perhaps more importantly, if only important issues (i.e., "significant," "serious," or extremely serious") are counted, Guideline F yields noticeably more issues in Sample B than any other Guideline. The next nearest Guideline, J (Criminal Conduct), yields 95 important issues. The Guideline with the third most frequent important issues was Guideline E, Personal Conduct, with 65.

The second point is that Financial Considerations is the Guideline that most overlaps with other Guidelines, when considering only important issues. That is, more than any other Guideline, people who have important Financial Consideration issues also have important issues on other Guidelines. Nevertheless, while Guideline F is the most overlapping Guideline, no Guideline including Guideline F, has much overlap with other Guidelines. Of the 113 people who have important issues on Guideline F, only 12 of them, at most, also have important issues on any other Guideline.

### LEVEL 1 EVIDENCE

Level 1 evidence can be empirical or conceptual and provides information about the predictive relationship between the types of behaviors gathered in the Guideline F investigation process and the security behavior targeted by the adjudication process. This is the form of research evidence that is most directly relevant to security behavior context. There are three sources of Level 1 evidence for Guideline F. Various non-experimental analyses of espionage case studies show a link to financial factors. In addition, Thompson (2003) and Stone (1992) conducted quasi-experimental studies showing a linkage between espionage and financial factors. These studies constitute Level 1 evidence because they associate behavior of the type gathered by clearance investigations for Guideline F with security violation behavior.

### Methodological Evaluation of the Three Major Studies

Three studies represent the sources for Level 1 evidence about Financial Considerations. Herbig (2008) accumulated individual case study evidence from virtually all known cases of espionage directed against the US from 1947-2007. Similar case study analyses of many of these same espionage cases have also been reported by Herbig and colleagues at different times (Heuer & Herbig, 2006; Kramer, Heuer, & Crawford, 2005). Stone (1992) reported an complex correlational analysis of coded information about 100 of the same caught spies as Herbig reported about. Thompson (1992) compared 40 of these caught US spies to 40 matched nonspies (members of the US intelligence community) on a number of attributes related directly to the Adjudicative Guidelines. Each of these Level 1 studies has unique methodological characteristics that limit the extent to which their results support firm conclusions about the prediction of security violation behavior in the form of espionage. Before reporting their results, the following paragraphs briefly evaluate the methodological quality of these studies. Based on this evaluation, Thompson's study is believed to provide the most persuasive evidence linking financial history to later espionage.

### Herbig (2008)

Herbig's study focuses on the characteristics of caught spies. The purpose of Herbig's study was to improve our understanding of individual who have chosen to engage in espionage. The purpose was not to identify the characteristic that are predictive of future espionage. This limitation is largely due to two primary factors. First, all the information reported about the caught spies was gathered after the fact and does not represent information that was known at the time the spies were evaluated for security clearances. Indeed, many of the caught spies held no clearance. Second, Herbig did not compare spies to non-spies. There is no method within Herbig's analysis to know which characteristics distinguish spies from non-spies. For that reason, Herbig's methodology does not allow conclusions about the prediction of future

espionage behavior. Nevertheless, Herbig's analyses are extraordinarily useful in that they provide the clearest available evidence about the characteristics of spies and how those profiles have changed over the past six decades.

### **Stone (1992)**

Like Herbig, Stone's study analyzed characteristics of caught spies without comparing spies to non-spies. The 100 spies included in Stone's analyses appear to have been sampled from the entire known population of caught spies from 1945 through 1989, approximately. There are two primary advantages of Stone's methodology compared to Herbig's. First, Stone attempted to gather information about spies' characteristics that could have been known at the time these individuals might have applied for clearances. Second, Stone used a systematic, quantitative method of analysis, canonical correlation, for aggregating the information about the spies, whereas Herbig relied on qualitative and counting methods. Notwithstanding these strengths, two major weaknesses greatly limit the contribution and interpretability of Stone's results. First, Stone himself derived the characteristics of each spy from his own analysis of their personal histories from various sources. No effort was made to confirm the meaning or accuracy of Stone's assessments. Second, the statistical methodology of canonical correlation is likely to produce unstable results from the tetrachoric correlations used by Stone. These correlations likely were based on highly skewed dichotomous data. As Stone acknowledged, the incidents that indicated the presence of a characteristic, say for example, sexual misconduct, were "extremely small (in) number." That is, for each of the 10 characteristics he measured, the vast majority of spies showed no indication of the characteristic in question. This is typical even of SSBI investigations so this limitation is not unique to Stone. Nevertheless, this feature of the data, extreme skew, is known to lead to unstable correlation analyses such as canonical correlation. Results from Stone's study are reported here in spite of these limitations because they can provide some high-level insight about central themes in his dataset.

### Thompson (2003)

Thompson's dissertation compared the characteristics of 40 caught spies to 40 matched, non-spies. Although the characteristics were assessed after the fact, like Herbig, the distinctive strength of Thompson's method was that spies were compared to non-spies on the same characteristics. This quasi-experimental design provides the most persuasive information currently available about factors that distinguish spies from non-spies. For this reason, Thompson's results have the strongest implications for the personal attributes most likely to be predictive of future security violation. However, even Thompson's study is not a true experiment so causal inferences cannot be drawn about characteristics that predict security violations. Thompson's study is also unique in that the personal characteristics are self-reported. But it is not clear whether this self-report feature implies that the assessment of the personal characteristics is to be preferred to Herbig and Stone's. Our own professional judgment is that

Thompson's self-report methodology is preferable to Stone's author-based methodology. But we are unsure of the relative strengths of Thompson's assessment method compared to Herbig's.

#### **Review of Evidence**

Individuals may be motivated by need or greed to commit espionage. Case studies of known spies have often found money to be one of the motives behind the decision to engage in spying (Herbig, 2008; Heuer & Herbig, 2006; Kramer, Heuer, & Crawford, 2005).

Stone (1992) found that money was considered to be one of the most important motivations for individuals to spy, followed by ideology and disaffection. Stone also found that money as a motivation was moderately related to the adjudication concern of financial matters. Two motivating factors related to finances for espionage are experiencing financial problems and having debt due to gambling (i.e., to pay off debts, finance gambling addiction) (Kramer et al., 2005). Heuer and Herbig (2006) found in their analysis of US spies since the late 1940's that money (defined as need or greed) was one of the motivating factors in 69% of the cases and it was apparently the sole motive in 56%.

Herbig (2008) compared spies from three different time periods (1947-1979, 1980-1989, and 1990-2007) to note how the profile of espionage has changed over time. Herbig concluded that money remains a common motive for espionage but, since 1990. it has not been a primary motive. Herbig assessed the frequency of spies who committed financially motivated espionage out of need or greed. Debt (i.e., need) was the more common motivation for espionage with 36%, 40%, and 30% of spies had this motive for each time period, respectively. Greed was a less cited motivation on the financial considerations guideline (6%, 11%, and 11% for each time period, respectively). Herbig also assessed the frequency of spies who had issues of security concern on this guideline. In each of the three time periods, approximately 12% of the spies lived a financially irresponsible lifestyle and 3% - 5% of the spies declared bankruptcy.

Thompson (2003) conducted a study in which 40 spies where matched based on demographic information (gender, age, military status, marital standing, and educational status) with 40 members of the intelligence community and who were presumed to be non-spies. Thompson compared the spies and non-spies on the factors that could make an individual more vulnerable to or inoculate against committing espionage. Financial issues were one of the vulnerability factors studied and were defined as bankruptcies, repossession, delinquencies over 90 days, foreclosures, or actions against the subject in a financial lawsuit. Thompson found that almost half of the spies (19 of 40) had financial issues compared to only ten percent of the non-spies (4 of 40 non-spies). The spies were nearly five times more likely to have financial issues than the non-spies.

Overall, the Level 1 evidence suggests that financial issues are a common risk factor for security violation behavior. However, none of the Level 1 studies demonstrates the accuracy with which past financial history predicts future security violation behavior.

### LEVEL 2 EVIDENCE

Level 2 evidence provides information about the relationship between the types of financial history behaviors gathered in the Guideline F investigation process and future analogs to security violation behavior. Only two Level 2 studies were located. One related financial history to counterproductive work behavior; the other related financial need to industrial espionage.

Oppler, Lyons, Ricks and Oppler (2008) investigated the relationship between previous financial history and workers' financial misbehavior in their work organization. While these indicators of workplace financial misbehavior, themselves, would be considered manifestations of Guideline F financial history, in this study they were treated as the outcome measures to be predicted by financial history prior to employment in the work organization. These workplace financial misbehavior indicators are classified in industrial-organizational psychology as counterproductive work behavior (CWB). CWB is "any intentional behavior on the part of an organization member viewed by the organization as contrary to its legitimate interests" (Sackett, 2002, p. 5).

Oppler et al. (2008) studied the financial behavior of 2,519 federal government agency employees who had previously completed the Questionnaire for Public Trust Positions (SF-85/86). Oppler et al. used two items from SF-85/86 to measure employees' previous financial history ('In the last 7 years, have you, or a company over which you exercised some control, filed for bankruptcy, been declared bankrupt, been subject to a tax lien, or had legal judgment rendered against you for a debt?' and 'Are you now over 180 days delinquent on any loan or financial obligation?'). These two elements of personal financial history represent the types of financial history gathered under Guideline F. Oppler et al. hypothesized that employees who reported previous financial problems would be lower on the self-control dimension of conscientiousness (a personality trait). This lower level of self-control would lead to a variety of CWBs related to workplace financial decisions such as not paying debts, theft, misusing credit cards and funds, and soliciting or accepting anything of value that is illegal. Workplace incidences of financial-related CWBs were collected and maintained by the government for all their current employees including these study participants. This database of CWBs included both past and "sustained" cases. The authors categorized these employees by placing each employee into one of four possible groups: no financial history concerns and no cases of financial CWB, no financial history concerns and at least one case of financial CWB, at least one financial history concern and no cases of financial CWB, and at least one financial history concern and at least one case of financial CWB. They found that an individual with financial history concerns (i.e., who lacks self-control) was more likely to engage in counterproductive work behaviors related to finances. Of the 469 employees with financial history concerns, 31.3% (n = 147) had at least one financial CWB incident. Of the 2,050 employees with no financial history incidents, only 18.1% (n=371) had any financial CWB incidents. Table 2

shows all frequencies. This pattern of relationship corresponds to a phi coefficient of .13. (Phi is an estimate of Pearson's r with dichotomous data.)

Table 2. Frequencies of Financial History and Counterproductive Financial Work Behaviors

At least 1	At least 1		
Financial History	Financial CWB		Total
incident	No	Yes	
Yes	322	147	469
No	1679	371	2050
Total	2001	518	2519

This evidence provides modest support for the conclusion that a history of previous financial problems is predictive of future counterproductive work behavior in the form of workplace financial misbehavior. While Oppler et al. proposed that this relationship is mediated by low self control, they provided no evidence of this explanation.

Similar to Herbig's (2008) Level 1 analysis of case studies of national espionage, Ferdinand and Simm (2007) investigated three cases of industrial espionage. This is Level 2 evidence because industrial espionage is not, itself, an example of national security behavior. Industrial espionage is defined as the efforts by an organization with no direct government involvement to collect information, appropriate trade secrets, and steal knowledge (Ferdinand & Simm, 2007). The authors considered economic and industrial espionage to be white collar crime, which is an analog of security violation behavior for the purposes of this White Paper. The case of Dr. Lee is the most relevant to Guideline F of the three reviewed cases because the employee committed espionage in an organizational context by selling confidential information to a competing organization. Dr. Lee received \$160,000 over eight years from a competitor to spy on his employer. During these eight years, Dr. Lee provided trade secret information to the competitor. It was later confirmed that Dr. Lee spied out of a desire for financial security (Business/CIS Education Statewide Advisory Committee, 2004).

This individual case study is reported here even though its findings provide no persuasive evidence of a predictive relationship between financial need/greed and subsequent espionage behavior. It is briefly reported primarily to highlight the lack of compelling predictive evidence linking financial history to subsequent espionage behavior. No other Level 2 evidence was located in the extensive literature search for studies about financial antecedents of analogs to security violation behavior.

### LEVEL 3 EVIDENCE

Level 3 evidence provides information about the relationships between analogs to security violation behavior and personal attributes that underlie Guideline F behaviors. This literature search located two analogs to security violation behavior, counterproductive work behavior (CWB) and white collar crime, for which there is evidence linking these analogs to attributes underlying financial misbehavior. Counterproductive work behavior is negative extra role organizational behavior. Examples of counterproductive work behavior include sabotage, theft, stealing, and withdrawal (e.g., absenteeism, lateness, and turnover). White collar crime is defined as "those illegal acts which are characterized by deceit, concealment, or violation of trust and which are not dependent upon the application or threat of physical force or violence. Individuals and organizations commit these acts to obtain money, property, or services; to avoid the payment or loss of money or services; or to secure personal or business advantage." (USDOJ, 1989, p. 3). Some examples of white collar crime include embezzlement, fraud, counterfeiting, antitrust violations, forgery, money laundering, bribery, insider trading, and misuse of funds.

Both CWB and white collar crime satisfy the criteria for analogs to security violation behavior because they are counter-normative workplace behaviors intended to cause harm to persons or organizations.

Level 3 evidence is organized around two categories of psychological variables underlying Guideline F behaviors: personality traits and stress. The literature search identified several personality traits shown to be antecedents of a variety of forms of financial misbehavior. Before summarizing the research that identified these traits, a brief overview of the meaning of personality traits is provided.

## Personality

## An Overview of Personality Traits

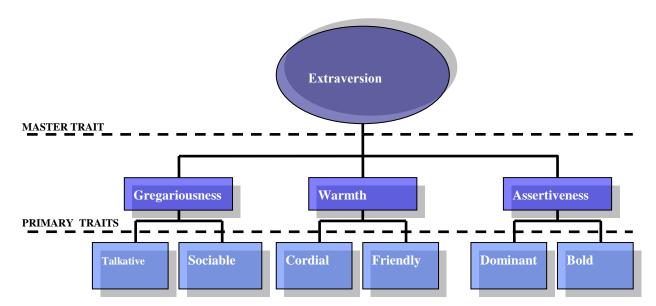
Personality traits have at least three important characteristics. First, they are continuous. Personality psychologists conceive of people as situated along a given trait in a relatively normal distribution, with a bulk of people falling toward the center and fewer lying at the extremes (McAdams, 2001). Traits are also bipolar. The poles of a trait continuum are marked by descriptors opposite in meaning. For example, the trait of sociability is characterized by adjectives such as outgoing or talkative on the high pole and reserved or shy on the low pole. As with other traits, most of the population falls toward the middle of this continuum, with very few people described as extremely outgoing or painfully shy.

A second important characteristic of personality traits is they describe, and are thought to explain or cause, stability in thoughts, feelings, and behavior. Personality researchers have found that individuals' personalities are remarkably stable over the course of their lives. This stability is due, at least in part, to the genetic basis of personality traits, which researchers have

estimated at around 40% (Dunn & Plomin, 1990). Heritability estimates do vary, however, with the trait under consideration. Estimates can range from 37% to 65% (Jang, Lively, & Vernon, 1996; Tellegen, Lykken, Bouchard, Wilcox, Segal, & Rich, 1988).

Though personality is consistent over the course of one's life, there is evidence for at least some change, with the greatest stability reached around age 30 (Costa & McCrae, 2006). For example, research has shown that people become more responsible and demonstrate higher levels of self-control as they get older (Helson & Moane, 1987). Such malleability is likely due to environmental influences which Dunn and Plomin (1990) estimate to be in the neighborhood of 40%. While a person's standing on a trait may change slightly over the course of his life, his ranking relative to others in his own age cohort is quite stable (McAdams, 2003). That is, a person high in responsibility will remain high relative to others in the cohort, even as the entire cohort population experiences change in this trait.

A third characteristic of traits is their structure or organization. Over the past few decades, personality researchers have sought to identify the most fundamental traits. This work shows that traits can be organized hierarchically, with the narrowest and most specific traits at the bottom of the hierarchy and the broadest and most general traits at the top (e.g., Costa & McCrae, 1992; Goldberg, 1990; Tellegen, 1985). To illustrate, the hierarchical organization of Extraversion is presented in Figure 1.



CHARACTERISTIC THOUGHTS, FEELINGS, BEHAVIORS

Figure 1. Structure of Personality Traits: The Example of Extraversion

At the bottom of this hierarchy are *Characteristic Thoughts*, *Feelings and Behaviors* such as talkative and dominant. Typically, characteristic thoughts, feelings, and behaviors are captured by items that a person uses to describe themselves or significant others. For example, a person may be asked to respond to a survey item reading "I am happiest when I am alone" by

indicating the extent to which it describes him or her. At the next level are *Primary Traits*. Primary Traits represent clusters of characteristic thoughts, feelings and behaviors. These clusters are based on underlying commonalities among characteristic thoughts, feelings, and behaviors. For example, a person describing himself as talkative is also likely to indicate that he prefers social interaction and that he does not like to be alone. At the next level are *Master Traits* which are clusters of primary traits. As with clusters of characteristic thoughts, feelings, and behaviors, these clusters are based on underlying commonalities. With Master Traits, however, these groupings are based on commonalities among primary traits. For example, a person that describes herself as high in the primary trait of Gregariousness is also likely to describe herself high in the primary traits of Warmth and Assertiveness.

While the hierarchical structure of personality has been replicated consistently across studies, the number and content of master and primary traits has been the subject of considerable debate. Some personality psychologists have found evidence for three master traits (e.g., Eysenck, 1967; Tellegen, 1985), while others have found evidence for five (Costa & McCrae, 1992). There has also been disagreement about the number of primary trait dimensions. Tellegen (1985) has found evidence for 10 primary trait dimensions, while Costa and McCrae (1992) have found evidence for 30. While there has been some controversy over the number and content of fundamental traits, empirical comparisons of alternative taxonomies have indicated that the differences are more apparent than real. Research indicates that major personality taxonomies overlap considerably, and differences are due primarily to measurement issues, such as differential emphasis on trait content or the blending of traits more clearly delineated in alternative taxonomies (Church, 1994; Costa & McCrae, 1995).

#### Personality Traits Relevant to Financial Misbehavior

A review of the available literature identified several personality traits linked to problematic financial behavior that would be targeted by Guideline F investigations. Research linking three categories of Guideline F behavior to underlying personal attributes was found. These categories were compulsive buying/shopping, indebtedness, and compulsive gambling.

#### Compulsive Buying / Shopping Behavior

Research has identified a number of personality attributes that are associated with compulsive shopping/buying behavior. In their study of the buying/shopping behavior of college students Mowen and Spears (1999) found the low *Conscientiousness*, high *Neuroticism*, and high levels of *Agreeableness* were associated with compulsive levels of buying / shopping behavior likely to incur unmanageable levels of indebtedness. Similarly, Rose (2007) demonstrated that low impulse control (*Self-Control*) was associated with compulsive buying behavior (r =. -29). Rose (2007) argued that self-regulatory processes such as impulse control are central to harmful or risky behavior such as compulsive buying/shopping.

#### Indebtedness

Research on indebtedness is closely related to the research on compulsive shopping/buying behavior since those behaviors, at least in their compulsive form, increase the risk of unmanageable indebtedness. In a sample of residents in the United Kingdom, Livingstone and Lunt (1992) found that external *Locus of Control* was associated with higher levels of personal debt. Similarly, Perry and Morris (2005) found that individuals with an external locus of control were less likely to exhibit responsible financial behavior (e.g., save money, follow a budget, and control spending). Perry and Morris (2005) also found that locus of control mediated two types of relationships: (a) the relationship between financial knowledge and responsible financial management behavior, and (b) the relationship between income and responsible financial management behavior. Perry (2008) showed that individuals with an internal locus of control had more financial knowledge and higher credit scores compared to individuals with an external locus of control. Finally, evidence shows that *Self-Control* is also related to debt. Norvilitis, Merwin, Osberg, Roehling, Young, and Kamas (2006) studied the reasons for college students to be in debt and found that the inability to delay gratification (low Self-Control) was related to higher levels of credit-card debt.

#### Compulsive Gambling

Gambling research has similarly identified several related personality attributes as antecedents to compulsive, dysfunctional levels of gambling behavior. Ledgerwood and Petry (2006) evaluated a sample of pathological gamblers and showed them to be high on *Neuroticism*. In addition, their researches showed that Neuroticism predicts early discontinuation of treatment for gambling and gambling relapses in pathological gamblers. Echeburúa, Fernándo-Montalvo, and Báez (2001) found that the 14.5% of gamblers who relapsed within a year following treatment had higher levels of Neuroticism than did the gamblers who did not relapse in this time period.

Petry (2001) found that pathological gamblers are likely to be relatively high on *Impulsivity* in a sample of treatment-seeking pathological gamblers. (Note, Petry also found that Impulsivity was related to concurrent drug problems.) Leblond, Ladouceur, and Blaszczynski (2003) compared treatment seeking pathological gamblers who completed treatment (N=69) with those who dropped out of treatment (N=43). Impulsivity was related to the failure of treatment for gamblers such that the gamblers who dropped out were more impulsive (Leblond et al., 2003). Alessi and Petry (2003) examined the relationship between Impulsivity as a personality trait and pathological gambling severity in a sample of treatment seeking gamblers (N=62). Impulsivity and gambling severity both predicted impulsive behavior, with gambling severity being 1.4 times more predictive of impulsive behavior than was Impulsivity.

A number of research efforts have shown a link between *Self-Control* and compulsive gambling behavior. Heuer (1992) found that compulsive gamblers tend to gamble more frequently than they had intended to gamble, reflecting a lack of self-control. Pratt and Cullen

(2000) conducted a meta-analysis study focusing on the relationship between Self-Control and a variety of risky behaviors including gambling as well as other risky behaviors including smoking, drinking, driving too fast, and unprotected sexual relationships. Their meta-analysis results showed a moderately strong relationship between Self-Control and the propensity to engage in risky behavior ( $\rho = .35$ , k = 20). This pattern of results showing Self-Control as an antecedent of various risky behaviors supports the substantial literature in criminal behavior that low Self Control is a significant factor in a general "deviance proneness" syndrome identified by Gottfredson and Hirschi (1990) leading to risky, harmful, criminal, and counter-normative behavior.

Based on case analyses of known American spies and white collar criminals, Heuer (n.d.) concluded that individuals high on *Risk-Taking* were more likely to engage in risky, irresponsible, and/or impulsive behaviors including gambling. One study claimed a link between *Trait Competitiveness* and compulsive gambling. Heuer, (1992) argued that highly competitive individuals are more likely to be compulsive gamblers compared to less competitive individuals. Compared to the other studies cited above in this section on relevant personality traits, these two studies by Heuer provide less compelling evidence of the importance of Risk-Taking and Trait Competitiveness because neither attribute was measured in the study samples. Nevertheless, the literature search for Level 3 evidence did include searches for evidence linking Risk-Taking and Trait Competitiveness to analogs of security violation behavior.

From this evidence about personality traits relevant to Guideline F behavior, literature searches were conducted for prediction evidence for Conscientiousness, Neuroticism, Agreeableness, Locus of Control, Self-Control / Impulsivity, Risk-Taking and Trait Competitiveness. For each of these personality traits that underlie Financial Considerations behaviors, research is summarized below describing its antecedent relationship to either of two analogs of security violation behavior, CWB and/or white collar crime.

### Conscientiousness

Conscientiousness is a tendency to be dutiful, achievement-oriented, and be disciplined. Individuals who are low on conscientiousness tend to be careless, unorganized, spontaneous, and lack self-discipline.

#### Counterproductive Work Behavior (CWB)

Of the Big Five personality traits (Conscientiousness, Agreeableness, Neuroticism, Extraversion, and Openness to Experience), Sackett & Devore (2001) showed Conscientiousness to have the strongest relationship to CWB in their comprehensive review of 83 studies that had investigated the relationship between CWB and Conscientiousness. Across all reviewed studies, the average relationship between CWB and Conscientiousness was r = -.23. Given the manner in which measures were coded in this review, this relationship indicated that more conscientious workers demonstrated less counterproductive behavior. This relationship appeared to depend

primarily on the dependability (tendency to be reliable and someone that others can trust) and achievement (tendency to strive to be successful in life) facets of Conscientiousness. Individuals low on dependability or achievement are more likely to engage in CWB. Cullen and Sackett (2003) also found a relationship between the Dutifulness facet of Conscientiousness and CWB. Dutifulness is the tendency to meet obligations and act in accordance to rules and/or norms. They argued that the subjective norm component of behavioral intentions will be weakened for individuals low on the Dutifulness facet of Conscientiousness and these individuals will be more likely to engage in CWB.

#### White Collar Crime

Collins and Schmidt (1993) conducted a quasi-experimental study to determine if personality, integrity, and biodata (e.g., a measure of life history experiences) measures could discriminate between white collar criminals and non-offenders. They constructed a sample of convicted white collar criminals and an approximately matched sample of managers who were not white collar criminals. They found that white collar criminals scored lower on the Socialization and Responsibility dimensions of Conscientiousness from California Personality Inventory (CPI) scales than did non-offenders in both the validation (d = 1.00 and d = .87, respectively) and cross-validation samples (d = 1.02 and d = .57, respectively). Compared to non-offenders, offenders had a greater tendency to be irresponsible, lack dependability, and disregard roles and social norms.

### **Neuroticism (Emotional Stability)**

Neuroticism is a tendency to easily experience unpleasant emotions, such as guilt, anger, anxiety, and depression. Neuroticism and emotional stability are two names for the same construct and represent opposing ends on a single continuum. Neuroticism represents the negative aspect of this trait while emotional stability represents the positive aspect. Individuals who are high on neuroticism/low on emotional stability tend to be emotionally reactive, more likely to interpret situations as threatening, and vulnerable to stress.

### Counterproductive Work Behavior (CWB)

In their comprehensive review of research on CWB and personality antecedents Sackett and Devore (2001) concluded that Neuroticism was related to CWB with a low effect size (r = .14). This conclusion was based on summary analyses of 24 studies of the Neuroticism – CWB relationship. Similarly, Martinko, Gundlach, and Douglas (2002) found that individuals high on Neuroticism may be more likely to show a hostile attribution style, in which "individuals attribute failures to external stable and intentional causes" (p. 44). This attribution style may provide an explanation for the relationship that more neurotic workers tend to exhibit more CWBs. Individuals high on Neuroticism may be more inclined to focus on the negative aspects of their work environment and disregard the positive which tends to leads to more negative

behavior in the workplace (Cullen & Sackett, 2003). Individuals who are high on Neuroticism are also predisposed to react more dysfunctionally to stressors (Spielberger, Gorsuch, & Lushene, 1970). Flaherty and Moss (2007) found that among workers low in Neuroticism, their perception of the degree to which other workgroups receive fair treatment reduced their own likelihood of CWBs. In contrast, among workers higher in Neuroticism, the perception that other workers were receiving fair treatment increased their tendency to exhibit CWBs (Flaherty & Moss, 2007).

#### White Collar Crime

Alalehto (2003) conducted interviews with businessmen in which about half of the businessmen were asked to report on the behavior of a legitimate businessmen (N = 69) and the other half were asked to report on the behavior of an economic offender (N = 55). In this context, economic crime was another term for white collar crime in that economic crime had a financial motive and occurred within an organizational setting by an employee of that organization. Alalehto found that the economic criminals were more likely to be described as neurotic.

### Agreeableness

Agreeableness is a tendency to be cooperative, helpful, easy to get along with, and compassionate. Individuals who are low on agreeableness tend to be suspicious, unfriendly, uncooperative, and not concerned with the feelings of others.

### Counterproductive Work Behavior (CWB)

Sackett and Devore (2001) reported a low average relationship (r = .08) between CWB and Agreeableness across 13 studies of that relationship. This result is interpreted as less Agreeable workers tend to exhibit slightly higher levels of CWB. Cullen and Sackett (2003) argue that the subjective norm component of behavioral intentions will be weakened for individuals low on the compliance facet of Agreeableness (tendency to conform) and these individuals will be more likely to engage in CWBs. Flaherty and Moss (2007) showed that among less agreeable workers, their perception of distributive justice (the fairness of received outcomes across workers) had the effect of reducing their tendency toward CWB.

#### White Collar Crime

Collins and Schmidt (1993) found that individuals who were serving time in prison for committing white collar crime also had a greater tendency than non-offenders to be suspicious, judgmental toward others, and believe they could not trust others in both the validation (r = .42) and cross-validation samples (r = .33). Alalehto (2003) found from interviews about the behaviors of economic criminals and legitimate businessmen that those who committed

economic crime were more likely to be described as disagreeable (e.g., bitter, aggressive, has contempt for coworkers).

### **Impulsivity**

Impulsivity is the tendency to be spontaneous and to make decisions quickly with little regard to the consequences. There are four facets of impulsivity: (lack of) premeditation, urgency, sensation-seeking, and (lack of) perseverance (Lynam & Miller, 2004). Whiteside and Lynam (2001) found the following relationships between impulsivity facets and Big Five facets: the (lack of) premeditation facet of impulsivity was related to the deliberation facet of conscientiousness; urgency facet of impulsivity was related to the impulsiveness facet of neuroticism; sensation-seeking facet of impulsivity was related to the excitement-seeking facet of extraversion; and (lack of) perseverance facet of impulsivity was related to the self-discipline facet of conscientiousness. From these rational analyses it is clear that Impulsivity is a complex behavioral tendency that shares meaning with three other basic personality attributes, low Conscientiousness, high Neuroticism, and high Extraversion.

#### Counterproductive Work Behavior (CWB)

Very little research investigated the link between CWB and Impulsivity. And no research demonstrated a direct relationship between Impulsivity and CWB. However, Cullen and Sackett (2003) argued that Impulsivity as a facet of Neuroticism moderates the relationships between CWBs and workers' cognitive, affective, and emotional reactions to workplace events and people. The general model of CWB proposes that CWBs are responses to workers evaluation of events and people in their workplace (Cullen & Sackett, 2003). Negative and emotional responses tend to increase the likelihood of CWBs. This relationship increases to the extent workers are high in Impulsivity. High levels of Impulsivity reflect lower levels of self-regulation, which tends to decrease the role of self-regulation in governing normative behavior.

#### White Collar Crime

While considerable evidence has demonstrated the central role of Impulsivity and Self-Control in criminal behavior, no research was located that investigated the specific relationship between Impulsivity and white collar crime. The companion White Paper on Criminal Behavior Guidelines, reports this literature on criminality in detail.

#### **Locus of Control**

Locus of control is one's belief about who has control over reinforcement. Individuals with an external locus of control believe other people or outside forces control what happens to them. Individuals with an internal locus of control believe they control reinforcement.

#### Counterproductive Work Behavior (CWB)

In an examination of Locus of Control as a predictor of employee termination for assaulting patients in a residential treatment facility (an extreme form of CWB), Perlow and Latham (1993) found that external Locus of Control predicted the likelihood of termination. Similarly, Fox and Spector (1999) used the work-specific Work Locus of Control Scale (Spector, 1988) to measure Locus of Control and found external Locus of Control was related to both organizational (r = .32) and interpersonal (r = .19) CWB. Martinko et al. (2002) also demonstrated that workers with an external Locus of Control were more likely to engage in counterproductive behaviors. External Locus of Control increases the likelihood that frustrating, negative or challenging events in the workplace will lead to more emotional and more impulsive responses to those events.

Research has also investigated a possible moderating role for Locus of Control. Storms and Spector (1987) found that the relationship between perceived frustration and sabotage (e.g., damage equipment or property of the organization on purpose) changed depending on whether individuals had an external or internal Locus of Control. Behavioral reactions for individuals with an internal locus of control were not affected by frustration, but individuals with an external locus of control were likely to respond to frustration with emotional, impulsive counterproductive behavior. (As a cautionary note, Spector and Fox (1999) were unable to replicate this moderator effect.) They also found a significant but moderately small correlation between Work Locus of Control and overall CWB (r = .16).

#### White Collar Crime

Terpstra, Rozell, and Robinson (1993) investigated the relationships between personality traits and decisions about insider trading, a form of white collar crime. Locus of Control was related to insider trading such that individuals with an external Locus of Control were more likely to engage in insider trading than individuals with an internal Locus of Control. Feeley (2006) reviewed the research on the individual- and organizational-level predictors of white collar crime and concluded that external Locus of Control predicts subsequent white collar crime (Terpstra, 1993; Trevino, 1986). These studies show the consistent pattern that individuals with an external Locus of Control were more likely to commit white collar crime compared to individuals with an internal locus of control. The most likely explanation for this consistent effect is that external Locus of Control is associated with lower Self-Esteem and higher susceptibility to outside influences.

#### **Self-Control**

Self-Control is the ability and tendency to regulate one's behavior based on normative influences as well as a consideration of the consequences of one's behavior. Low Self-Control manifests itself as a tendency to engage in behaviors providing immediate satisfaction without regard for long-term consequences.

### Counterproductive Work Behavior (CWB)

The research on CWB largely takes place within the scientific discipline of industrialorganizational psychology. The vast majority of research within that discipline that focuses on personality factors underlying CWD uses "Big 5" oriented personality assessment tools, which do not include a Self-Control factor in their model of personality. For example, in Sackett and Devore's (2001) extensive review of studies of personality and CWB in the I-O psychology domain, no personality attribute was described as Self-Control. For this reason, there is little research that specifically evaluates the relationship between measures of Self-Control and CWBs. (This stands in stark contrast to the research in the criminal behavior domain in which a large number of studies have addressed the relationship between Self-Control and criminality.) However, Robinson and Greenberg (2003) have proposed a rational argument based on criminal behavior research that Self-Control is related to CWB. Robinson and Greenberg's rationale is based on two sets of findings. First research on criminal behavior has conclusively demonstrated that low Self-Control is perhaps the most important antecedent of criminal behavior. (See Gottfredson & Hirschi, (1990) for a thorough review.) Also, Gibbs (1991) has shown that low Self-Control is associated with stunted moral development. Similarly, Bordia, Restubog, & Tang, (2008) demonstrated that Self-control predicts interpersonal and organizational deviance. Both sets of results suggest that low Self-Control is associated with a reduced importance for social norms and a reduced interest in or ability to anticipate future consequences of one's actions. Robinson and Greenberg (2003) argue that these factors will lead to an increased rate of CWBs when low Self-Control individuals are in a work context and see opportunities for immediate gain or gratification or are responding the emotional, negative events.

#### White Collar Crime

Feeley (2006) observed that corporate criminals tend to be positive extroverts and that positive extroversion is associated with low Self-Control (Collins & Griffin, 1998). Alalehto (2003) describes positive extroverts are talkative, spontaneous, alert, manipulative, and egocentric. Spontaneity is characteristic of individuals who have low Self-Control. While this is not direct evidence of a relationship between Self-Control and white collar crime, it does provide an explanation for expecting the general relationship between Self-Control and criminality to extent to white collar crime.

Zahra, Priem, and Rasheed (2007) provide empirical support for a model in which individual characteristics including Self-Control moderate the relationship between precipitating factors such as industry circumstances and organization-level pressures and subsequent decisions to engage in corporate fraud. They demonstrate that low Self-Control is related in this moderator fashion to corporate fraud behavior. They note that individuals with low Self-Control are more likely to be risk-takers and less likely to delay gratification, which make these individuals a greater risk for committing fraud.

### Risk-Taking

Risk-taking is the tendency to take chances, be daring, and seek excitement.

#### Counterproductive Work Behavior (CWB)

No Level 3 evidence was found that investigated the relationship between Risk-Taking and CWB.

#### White Collar Crime

In their quasi-experimental investigation of the personality characteristics of white collar criminals, Collins and Schmidt (1993) found that white collar criminals has substantially lower Socialization scores on the CPI than did non-offenders in both the validation and cross-validation samples (d = 1.00 and d = 1.02, respectively). They interpreted low Socialization scores on the CPI as indicating elevated levels of Risk-Taking. No other Level 3 evidence about the relationship between Risk-Taking and CWB was located.

### **Trait Competitiveness**

Trait competitiveness is the desire to compete against others and win.

### Counterproductive Work Behavior (CWB)

No Level 3 evidence was found that investigated the relationship between Trait-Competitiveness and CWB.

#### White Collar Crime

Research has found that highly competitive individuals are more likely to engage in white collar crime (Alalehto, 2003; Feeley, 2006; Terpstra et al., 1993). Terpstra et al. (1993) found that interpersonal competitiveness was related to insider trading, a type of white collar crime. They found that the students who were more competitive were more likely to engage in insider trading than the students who were less competitive. Alalehto (2003) also found from interviews describing the behaviors of economic criminals and legitimate businessmen that economic criminals were more likely to be described as competitive individuals. Feeley (2006) summarized the research on personality and white collar crime by concluding that hating to lose, trying to win at all costs, attracted to status symbols and wanting to be high-ranking members of their organizations are characteristics of competitive individuals (Terpstra, 1993) who have engaged in corporate criminal activity.

#### **Stress**

Stress is related to both the Financial Considerations guideline behavior and security violation behavior. Research has shown that individuals with financial problems experience stress (Heuer, 1991; Kim & Garman, 2003; Kim, Sorhaindo, & Garman, 2004, 2006; Norvilitis et al., 2006). Heuer (1991) provided background information on financial issues and reported that stress is related to financial problems in two different ways. Individuals may create financial problems and stress due to their own behaviors (i.e., compulsive gambling, compulsive shopping, alcohol abuse, or drug use). It may also be the case where individuals are stressed about their financial problems and turn to coping behaviors such as alcohol or drug use that may only exacerbate current problems or create new problems. He noted that individuals who are stressed over their financial problems may look to generate income through illegal means (i.e., embezzlement, forgery/counterfeiting, fraud, espionage).

Norvilitis et al. (2006) found that higher levels of credit-card debt were related to higher levels of stress in a sample of college students. They also found that higher levels of credit card debt were also related to students' decreased financial well-being (perceptions of financial health). Financial problems may create a situation in which individuals are more susceptible to be coerced / induced / recruited or make poor choices to get money to resolve their financial problems.

Kim and Garman (2003) investigated the psychological responses to and consequences of financial stress. They found that individuals with higher levels of financial stress were less committed to the organization and were more likely to be absent from work. Kim et al. (2004) assessed how credit counseling consumers' financial stress was related to their work outcomes (N = 2.372). They found that employees with higher degrees of financial stress and lower financial satisfaction were more likely to experience conflict and be absent (spend work time on personal finances and have more days where there is a reduction normal activities). In a similar study of consumers who sought credit counseling, Kim et al. (2006) found that a large majority of their participants (87.9%) perceived experiencing overwhelming, severe, or moderate stress related to their finances. These consumers had an average income of \$24,430, an average total unsecured debt of \$14,897, and an average debt load percentage (larger ratios mean a worse financial situation) of 20.23%. Kim et al. (2006) also found that individuals with higher levels of financial stress were more likely to be absent from work. Debt load percentage negatively predicted work time used for personal finances, which was one of the measures of absenteeism (Kim et al., 2006). They concluded that individuals will experience more stress as levels of debt increase.

### SUMMARY OF KEY FINDINGS FROM LEVELS 1, 2, AND 3 EVIDENCE

Several key findings emerged from the review of Level 1, 2 and 3 evidence about financial antecedents of security violations or analogs to security violations.

- 1. Non-experimental Levels 1 and 2 evidence has demonstrated that espionage cases are commonly associated with financial problems, although decreasingly so in the past two decades with the increase in ideologically driven espionage.
- 2. Financial problems also have been demonstrated to be antecedents of counterproductive work behavior and white collar crime, which serve as analogs to security violation behavior.
- 3. A common core of psychological attributes have been found to underlie the tendency to engage in problematic financial behavior and counterproductive work behavior and white collar crime. This core of attributes includes
  - a. Conscientiousness, especially facets relating to low dependability, low achievement striving, low responsibility and low socialization, is often the strongest antecedent of counterproductive behavior among the personality traits.
  - b. Neuroticism (Emotional Instability) can be an antecedent of counterproductive behavior and white collar crime by weakening individuals' resistance to effects of stress and by leading people to interpret situations as threatening and to engage in more hostile attributions. Compulsive gambling is also linked to neuroticism.
  - c. Agreeableness has been shown to have a negative effect on counterproductive behavior and white collar crime.
  - d. External Locus of Control is related to white collar crime and counterproductive work behavior possibly by increasing one's susceptibility to outside influences.
- 4. Stress is likely to be an important consideration in the relationship between financial problems and security violations, counterproductive behavior and white collar crime. The roles stress can play are complex. Stress is often a result of financial problems and it may also decrease one's psychological resistance to maladaptive behavior such as substance abuse and other risky behavior. High levels of finance-related stress can also lead to disengagement from one's employment organization leading to less involvement with work activities and less commitment to the organization. This loss of resistance and disengagement from one organization may create a psychological context in which previously unlikely behavior becomes more likely. While no prediction evidence was located linking stress to security violations, there is a plausible theoretical rationale by which stress due to financial circumstances may lead to less loyal workplace decisions.

Overall, a wide range of evidence provides support for the Adjudicative Guidelines assumptions that financial problems create risk for future security violations. This linkage is grounded, in part, on the evidence that both sets of behavior are a function of a common set of dysfunctional psychological attributes.

### MITIGATOR EVIDENCE

There are conditions that may reduce the importance of Guideline F issues. The mitigators for the Financial Considerations guideline revolve around affluence, debt, and compulsive gambling. It may also be informative to know the current state of US consumers on some of the relevant financial issues, such as debt and bankruptcy.

### **US Consumer Finances**

US consumers are struggling financially. Consumer debt is on the rise (Bucks, Kennickell, & Moore, 2006; Weller, 2008) as is the number of consumer bankruptcies (American Bankruptcy Institute, 2009). The total consumer credit outstanding as of August 2009 was almost \$2.5 trillion (Federal Reserve Board, 2009). Household debt relative to personal disposable income has steadily risen since 1952 (Weller, 2008). In the fourth quarter of 2007, the average American household debt was 133.7% of disposable income (Weller, 2008). Consumers accounted for 96% of bankruptcy filings in 2008 and consumer bankruptcy filings were up from 822,590 in 2007 to 1,074,225 in 2008 (American Bankruptcy Institute, 2009). Lyons, White, and Howard (2008) found that 39.1% of bankruptcy counseling participants and 40.3% of bankruptcy education participants were seeking help due to excessive use of credit or spending. The majority of the bankruptcy counseling and bankruptcy education participants had incomes of \$40,000 or less (72% and 79.6%, respectively; Lyons et al., 2008).

Bucks et al. (2006) found that consumer debt increased from 2001 to 2004 with real estate debt accounting for most of that increase. In 2001, the median value of total debt for families was \$77,200, including mortgages as debt (Bucks et al., 2006). By 2004, the median value of total debt for families was \$103,400 (Bucks et al., 2006). During this time period, consumers also allocated a larger portion of their income toward their debt. Bucks et al. found that the proportion of families with debt whose payments exceeded 40% of their income rose 0.4% to 12.2% in 2004. There was a significant increase in the families who were late by 60 or more days in their payments during the previous year (Bucks et al., 2006). The proportion of families with debt whose payments were late by 60 or more days rose to 8.9% in 2004 (increase of 1.9% from 2001). These trends in debt disproportionately affected the bottom 80% of the income distribution. For the families with credit card debt, the median debt rose 10% to \$2,200 and the mean debt rose 15.9% to \$5,100 (Bucks et al., 2006).

Hilbert, Hogarth, and Beverly (2003) reported results from two different surveys of financial behavior, the University of Michigan's Survey of Consumers and the Survey of Consumer Finances. In particular, these surveys addressed the relationship between financial knowledge and financial behavior. Financial knowledge was based on cash-flow management, credit management, saving, and investment. From the Survey of Consumers, 12% of consumers do not pay all of their bills on time and 39% of consumers do not pay their credit card balances in full each month (Hilbert et al., 2003). The Survey of Consumers found that 11% of consumers

save none of their income while the Survey of Consumer Finances found that 21% of consumers save none of their income (Hilbert et al., 2003). Regarding credit management, the Survey of Consumer Finances found that 11% of the consumers had dept-payment-to-income ratios greater than 40% and this percentage was higher for lower income families (Hilbert et al., 2003).

#### **Debt**

Under some circumstances, individuals with previous or current debt are thought to be less of a risk for later security violation behavior. The five mitigators for debt as a financial issue listed in the Adjudicative Guidelines (2005) are: age/frequency of previous financial problems, causes of financial problems were beyond individual control, financial problems are being resolved / under control, good-faith efforts to resolve financial problems, and disputed financial problems. Research has investigated four of these five mitigators.

### Age / Frequency of Previous Financial Problems

Individuals are thought to be more reliable, trustworthy, and have good judgment when previous financial problems occurred a long time ago, were infrequent, or the circumstances around those problems are unlikely to recur. For example, the Adjudicative Guidelines (2005) prescribes age of the circumstances as a mitigator such that individuals who have a record of financially irresponsible when they were younger followed by cessation of the irresponsible activity may be regarded as a low risk for repeated financial problems. There are mixed results for the use of age as a mitigator for Guideline F. Kim et al. (2006) found that age was related to absenteeism, a form of counterproductive work behavior. Younger workers were more likely to be absent than were older participants. The average age of the participants was about 39 years. The findings of Kim et al. lend some support to age as a mitigator because they confirm a general trend that early levels of irresponsible behavior typically lessen over time.

Norvilitis et al. (2006) on the other hand, found that age was a significant predictor of credit-card debt in college students such that the older students had more debt than the younger students. They argued that the older students had more debt because they have had more time to use their credit cards. The college students ranged in age from 18 to older than 26 (the upper range in age was not given) and about 78% of the sample was between 20 and 23 years old. The findings of Norvilitis et al. indirectly suggest that one's financial circumstances change with age, often with an increasing demand for greater debt. Changing financial circumstances over time suggest that time since last misbehavior should not mitigate risk unless an evaluation of present financial circumstances also implies low risk. This point about changing financial circumstances is underscored by the results of Lyons et al. (2008) about bankruptcy rates. Lyons et al. (2008) conducted a study on the relative effectiveness of bankruptcy counseling and bankruptcy education. The bankruptcy education participants had actually filed for bankruptcy whereas the counseling participants had not filed for bankruptcy. Of the 4,310 bankruptcy counseling participants, 5.3% were less than 26 years old, 21.9% were between the ages of 26 and 35, 29.6% between 36 and 45, 23.9% between 46 and 55, 12.9% between 56 and 65, and 6.4% were older than 65. Of the 2,713 bankruptcy education participants, 5.2% were less than 26 years old, 19.9% were between the ages of 26 and 35, 22.9% between 36 and 45, 24.5% between 46 and 55, 14.9% between 56 and 65, and 12.6% were older than 65. Most of the participants in both

samples were of middle age, presumably because individuals in middle age groups may be more likely to be homeowners or to have other sources of indebtedness than the youngest age group.

### Causes of Financial Problems Were Beyond Individual Control

Another mitigating circumstance occurs when an individual has financial problems that are mostly beyond their control, such as an unexpected medical emergency, loss of employment, a business downturn, or a death, divorce, or separation, and they act responsibly. Lyons et al. (2008) found that the most common reasons for seeking bankruptcy counseling or bankruptcy education were for financial problems mostly beyond the participants' control. The reasons given for seeking bankruptcy counseling or education, respectively, were: loss of employment (53.5% and 54.3%), health problems or medical expenses (50.7% and 42.9%), divorce or separation (16.8% and 23.2%), business loss or excessive business expenses (14.3% and 10.2%), and death of spouse or loved one (12.9% and 12.2%). The implication is that causes of financial problems outside one's control are frequent and severe. They may be common sources of stress and may create a need for additional income. While financial problems driven by external factors may not be indicators of dysfunctional personality attributes, they nevertheless dispose people to suffer risky consequences and financial difficulties. Because externally driven financial problems are not uncommon, the weight attached to them in the adjudication process presumably should consider whether the person disregarded the possibility of such external events or gave reasonable consideration to them.

### Financial Issues Are Being Resolved / Under Control

Individuals who are taking steps to resolve or take control of their problems, such as having received or are currently receiving counseling, are also thought to pose less of a risk. There is some research that has studied the effectiveness of counseling for financial problems (Elliehausen, Lundquist, & Staten, 2007; Loibl, Hira, & Rupured, 2006; Lyons et al., 2008). Lyons et al. found that 19% of their bankruptcy counseling sample had previously received credit counseling to help resolve their financial problems. Loibl et al. (2006) compared first-time and repeat bankruptcy filers on the factors that may influence the likelihood of completing a chapter 13 debt payment plan. Loibl et al. found that repeat filers composed 34% of their sample. Repeat filers were no more knowledgeable about finances than were first-time filers, but they intended to engage in a wider range of financial behaviors to get themselves on track financially (i.e., track spending, pay bills on time, reduce spending, write a spending plan, and talk with family about expenses).

Elliehausen et al. (2007) investigated what effect credit counseling might have on subsequent consumer behavior by comparing a sample of consumers in credit counseling with a sample of consumers with a similar credit and demographic profile who did not seek credit counseling. In general, they found that the consumers who sought counseling had improved financial profiles and behaviors (determined by data from consumer credit reports) three years

later and the improvements were more pronounced for the lower quintiles of consumer Empirica scores (similar to the FICO risk score that is specific to TransUnion where higher scores are better).

The implication of these studies is that successfully completed bankruptcy counseling and debt/credit counseling both appear to effectively reduce to a substantial degree the likelihood of recidivism.

#### **Good-Faith Effort to Resolve Financial Problems**

Individuals who have started to resolve their financial problems, such as making payments to creditors, are thought to pose less of a risk. These individuals may be demonstrating good judgment by taking action to resolve their problems. In their study on bankruptcy counseling and bankruptcy education, Lyons et al. (2008) found that participants intended to engage in more responsible financial behaviors in the future. Of the bankruptcy counseling participants, 95.4% were willing to reduce their expenses, 76.9% to increase their income, and 63.8% to change their lifestyle. The bankruptcy counseling participants were also planning to make changes to get out of debt, such as looking for a second job or working more hours, avoid impulse shopping, pay bills on time, pay with cash to avoid using credit cards, repay debts, and track income and expenses.

Loibl et al. (2006) found that all of the bankruptcy filers (first-time and repeat) were intending to engage in all seven of the positive financial practices (track spending, pay bills on time, reduce expenses, start emergency fund, write spending plan, talk with family about finances, and organize financial records). Repeat filers were more likely to engage in three of the positive financial behaviors (start an emergency fund, to reduce spending, and to write a spending plan).

Overall, these studies about intention regarding future financial behavior are not well enough designed to provide any clear indication about the amount of mitigation weight that should be placed on positive intentions. This observation only applies to research about intentions. No research was located about the predictive value of repayment strategies that were actually implemented.

#### **Disputed Financial Problems**

The last mitigator concerns instances where individuals can legitimately dispute their past-due debt as the cause of their financial problems and have documentation to support their dispute or have taken steps to resolve the problem. There is no empirical or conceptual research to support or refute this situation. Presumably, the mitigation weight to be given to such disputes is a legal or procedural matter, not a matter of social science.

### Gambling (Compulsive)

Under some circumstances, individuals with previous or current gambling problems are thought to be less of a risk for later security violation behavior. The Adjudicators Desk Reference (2005) extends the meaning of the Adjudicative Guidelines' (2005) treatment of mitigators to the specific circumstances surrounding compulsive gambling. The two mitigators for compulsive gambling as a financial issue listed in are: age of previous gambling problems and gambling problems are being resolved / under control. Research has investigated both mitigators as well as the prevalence of gambling problems.

### **Prevalence of Gambling Problems**

Pathological gambling is considered an impulse disorder affecting 2.5 million - 5 million people in the US (Ledgerwood & Petry, 2006). Pathological gamblers experience financial, employment, legal, psychological, familial, and public health consequences from their gambling (Petry & Armentano, 1999). Heuer (1992) reported that compulsive gamblers will continue to gamble despite the problems that gambling has caused (e.g., financial, family, or work). Heuer also reported that compulsive gamblers bet larger sums of money than non-compulsive gamblers. Lyons et al. (2008) found that 5% of the bankruptcy counseling participants and 6.3% of the bankruptcy education participants were seeking financial help due to spending related to addiction (i.e., gambling, drugs, etc.). Previous research has found that as many as 60% of pathological gamblers commit illegal acts to support gambling (Lesieur & Anderson, 1995, as cited in Petry & Armentano, 1999; Rosenthal & Lorenz, 1992; Thompson et al., 1996). Burge, Pietrzak, and Petry (2006) found that while the differences were not significant, early-onset gamblers had more gambling debt (\$25,755 vs. \$12,424) and gambled more in the past month (\$3,222 vs. \$2,432) than later-onset gamblers.

### **Previous Gambling Problems**

Individuals are thought to be more reliable, trustworthy, and have good judgment when previous gambling problems that have since ceased occurred a long time ago, were infrequent, or the circumstances around those problems are unlikely to recur. While this mitigation condition is not exactly the same as age of onset, it tends to be related to age of onset since longer periods of cessation are possible with younger age of onset. Burge et al. (2006) compared the outcomes of early- and later-onset gamblers seeking treatment. They defined early-onset as beginning gambling between the ages of five and 14 (N = 72) and later-onset as beginning gambling at age 15 or older (N = 164). Early-onset gamblers were also more likely to have sought help for their gambling previously compared to later-onset gamblers (58.3% vs. 44.5%).

Petry (2002) conducted a study of demographic differences among treatment seeking gamblers. The participants were classified into one of three age groups: young (18 to 35; N = 97), middle-aged (36 to 55; N = 197), and older adults (56 and older; N = 49). In general, the

age groups had different onset and intensity of gambling problems as well as different difficulties related to gambling. Petry found that the middle-aged group had the most severe gambling problems in the past month and gambled the most frequently during the past month compared to the younger and older age groups. Men had more problems with lifetime gambling compared to women. On average, women entered into treatment sooner after the onset of a gambling problem (4-5 years vs. 11 years for men). Older gamblers did gamble the largest percentage of their income over the past month, but older women gambled the largest percentage of their income overall (in excess of 200% of their income) and gambled the most amount of money. Older adults had the largest current gambling debt (\$25,000 for men and \$12,000 for women), but the difference between age groups or gender was not significant. Older adults also had the most employment problems and middle-aged adults the least over the past month.

The implication of these results is that age of gambling onset has unclear implications for risk.

### Gambling Problems Are Being Resolved / Under Control

Individuals who are taking steps to resolve or take control of their problems, such as having received or are currently receiving treatment for compulsive gambling, are also thought to pose less of a risk. The literature search identified research about the effectiveness of treatment for compulsive gambling problems (Ledgerwood & Petry, 2006; Petry, 2003; Petry & Armentano, 1999; Weinstock, Ledgerwood, & Petry, 2007).

Petry and Armentano (1999) reviewed the research on the effectiveness of various treatment options for pathological gambling. They concluded that Gamblers Anonymous (GA) is the most popular of the treatment options. GA may help some gamblers to abstain from gambling but GA seems to help a minority of people as only 8% of pathological gamblers abstain for a year or more (Brown, 1985, as cited in Petry & Armentano, 1999). Petry and Armentano concluded that cognitive behavioral treatments seem to be the most effective treatment option, but more research is needed on the effectiveness of various treatment options.

Petry (2003) compared the outcomes of gamblers who were seeking treatment based on whether or not they attended GA meetings. Petry found that GA attendees had more gambling debt than did the non-GA attendees. GA attendees also had less employment, alcohol, and drug problems, but they had more psychiatric and family/social problems than did non-GA attendees. GA attendees were more likely to attend GA meetings and more likely to be abstinent from gambling in the two months after beginning professional treatment.

Ledgerwood and Petry (2006) reviewed the available research on relapse in pathological gambling. Hodgins and el-Guebaly (2004, as cited in Ledgerwood & Petry, 2006) found that only 8% of their sample was completely abstinent from gambling over the course of a year. Some of the more frequent reasons given for relapse included a need to make money (17%), coping with negative emotions (11%), and excitement seeking (7%). Ledgerwood and Petry concluded that stressful events, such as employment or family problems, can precipitate a relapse in pathological gamblers.

From these studies, a broad conclusion is that post-treatment abstinence of more than 1 year is an unusually successful result achieved by only 1 in 10 treated gamblers. While treatment program may have some impact favoring cognitive behavioral methods over Gambling Anonymous methods, conclusive results are not available.

Weinstock, Ledgerwood, and Petry (2007) set out to develop a set of empirically based guidelines when the goal of treatment is moderation gambling instead of abstinence. Petry and Armentano (1999) also reported that a reduction in gambling may be a viable treatment goal rather than abstinence. Moderation gambling is "gambling at an intensity that does not cause harm to the individual or others, such as family and friends" (Weinstock et al., 2007, p. 185). Problem-free gamblers (N = 45) had scores of zero on the South Oaks Gambling Screen (SOGS; Lesieur & Blume, 1987) and symptomatic gamblers (N = 133) had scores of one or greater on the SOGS. Weinstock et al. reported that the problem-free gambling group gambled less frequently, spent less time gambling, and spent a smaller proportion of their income (3.9% of income for problem-free vs. 73.9% of income for symptomatic) gambling than did the symptomatic group. Of the problem-free gamblers, 30 were abstinent half-way though the study (six months before the 12-month assessment) compared to two gamblers who were abstinent during this time period from the symptomatic group. Weinstock et al. concluded that money was an important indicator of gambling intensity and harm. Gambling less than once per month, for no more than 1.5 hours per month and spending less than 1.9% of monthly income was associated little-to-no harm among pathological gamblers. They concluded that only a small group of pathological gamblers were able to continue harmless levels of gambling after treatment. Although no evidence is conclusive, gambling moderation does not appear to be an effective alternative to gambling abstinence for treatment of pathological gamblers.

### SUMMARY OF KEY FINDINGS RELATING TO MITIGATORS

Literature was reviewed relating to the use of mitigators having to do with affluence, debt and compulsive gambling. Overall, the social science evidence does not provide much further clarification about the manner in which information about affluence, debt and gambling should increase or decrease the weight attached to the individual's problematic financial circumstances.

Perhaps the most fundamental recent shift in financial circumstances is the increased indebtedness of the American consumer. Young adults are more likely to have far greater education debt than a generation ago. Mortgage lending practices have encouraged higher levels of home debt. Credit card practices have resulted in higher levels of credit debt. These accumulating trends suggest that previous standards for the amount of debt considered "too risky" may no longer be relevant. It's not that larger debt is any easier to manage – it's not – but that larger debt may not be as abnormal or unusual as before. For that reason, larger debt may not be as diagnostic of unusual or extraordinary "risk."

Certain specific information about the riskiness of debt was reviewed.

- ◆ Age at which significant indebtedness was incurred may not be as diagnostic of risk as before. Among those under 30, large debt may not be as indicative of poor judgment where it is a function of education debt as compared to credit card debt. Among those over 30, large mortgage debt may not be as indicative of poor judgment (or at least atypical judgment) as large credit card debt.
- ◆ Financial problems triggered by events outside the person's control are becoming more common. The more common uncontrolled triggers become, the less indicative they may be of lower risk.
- ♦ Bankruptcy counseling leads to a recidivism rate of 19%-34%. Most do not repeat. And financial behavior improves, on average, following counseling. The act of seeking financial counseling is associated with a willingness to change problematic financial behaviors.

Evidence about the riskiness of compulsive gambling is mixed.

- ◆ Treatment of compulsive gambling has some positive benefit but it may be small. Gamblers Anonymous yielded a 92% recidivism rate over 1 year where cognitive behavioral treatment may be somewhat more effective. But the evidence is not conclusive.
- ♦ Stress is likely to be a factor in relapsing into gambling given that the two most common reasons for relapse are the need to make money and coping with negative emotions.

♦ Current research is evaluating the effectiveness of gambling treatment with the goal of moderation rather than abstinence. More research is needed to confirm the mitigation value of moderate gambling within a treatment regimen after a period of compulsive gambling. The early indications are that a treatment goal of harmlessly moderate levels of gambling is achieved by few pathological gamblers.

No empirical information was available about the riskiness of unexplained affluence. Indeed, the mitigation value of unexplained affluence appears not be a social science question.

### REFERENCES

- Adjudicative Guidelines for Determining Eligibility for Access to Classified Information, (2005) Memorandum from the Assistant to the President for National Security Affairs, December 29, 2005.
- Adjudicator's Desk Reference. (2005).
- Alalehto, T. (2003). Economic crime: Does personality matter? *International Journal of Offender Therapy and Comparative Criminology*, 47(3), 335-355.
- Alessi, S. M., & Petry, N. M. (2003). Pathological gambling severity is associated with impulsivity in a delay discounting procedure. *Behavioral Processes*, 64, 345-354.
- American Bankruptcy Institute. (2009). *U.S. bankruptcy filings 1980-2008 business, non-business, total.* Retrieved September 24, 2009, from <a href="http://www.abiworld.org/AM/AMTemplate.cfm?Section=Home&TEMPLATE=/CM/ContentDisplay.cfm&CONTENT">http://www.abiworld.org/AM/AMTemplate.cfm?Section=Home&TEMPLATE=/CM/ContentDisplay.cfm&CONTENT ID=57826.</a>
- Bordia, P., Restubog, S. L. D., & Tang, R. L. (2008). When employees strike back: Investigating the mechanisms between psychological contract breach and workplace deviance. *Journal of Applied Psychology*, *93*(5), 1104-1117.
- Bucks, B. K., Kennickell, A. B., & Moore, K. B. (2006, February). Recent changes in U.S. family finances: Evidence from the 2001 and 2004 Survey of Consumer Finances. *Federal Reserve Bulletin*, A1-A38.
- Business/CIS Education Statewide Advisory Committee. (2004). Insider betrayal: Protecting industry trade secrets. Retrieved October 23, 2009, from <a href="http://www.calbusinessed.org/BESAC\_Deliverables-2004/Group-G/G-Staff\_Development/Insider.doc.">http://www.calbusinessed.org/BESAC\_Deliverables-2004/Group-G/G-Staff\_Development/Insider.doc.</a>
- Church, A.T. (1994). Relating the Tellegen and five-factor models of personality. *Journal of Personality and Social Psychology*, 67, 5, 898-909.
- Cohen, J. (1988). *Statistical power analysis for the behavioral sciences* (2nd ed.). Hillsdale, NJ: Lawrence Earlbaum Associates.
- Collins, J. M., & Schmidt, F. L. (1993). Personality, integrity, and white collar crime: A construct validity study. *Personnel Psychology*, *46*, 295-311.
- Costa, P.T., & McCrae, R.R.(1992). *The NEO-PI-R: Professional manual*. Odessa, FL: Psychological Assessment Resources.
- Costa, P.T., & McCrae, R.R.(1995). Primary traits of Eysenck's P-E-N system: Three- and five-factor solutions. *Journal of Personality and Social Psychology*, 69, 2, 308-317.
- Costa, P. T., Jr., & McCrae, R. R. (2002). Looking backward: Changes in the mean levels of personality traits from 80 to 12. In D. Cervone & W. Mischel (Eds.), *Advances in personality science* (pp. 219–237). New York: Guilford Press.

- Cullen, M. J., & Sackett, P. R. (2003). Personality and counterproductive workplace behavior. In M. R. Barrick & A. M. Ryan (Eds.), *Personality and work: Reconsidering the role of personality in organizations* (pp. 150–182). San Francisco, CA: Jossey-Bass.
- Dalal, R. S. (2005). A meta-analysis of the relationship between organizational citizenship behavior and counterproductive work behavior. *Journal of Applied Psychology*, 90, 1241-1255.
- Echeburúa, E., Fernández-Montalvo, J., & Báez, C. (2001). Predictors of therapeutic failure in slot-machine pathological gamblers following behavioural treatment. *Behavioural and Cognitive Psychotherapy*, 29, 379–383.
- Edwards, E. A. (1993). Development of a new scale for measuring compulsive buying behavior. *Financial Counseling and Planning*, *4*, 67-85.
- Elliehausen, G., Lundquist, E. C., & Staten, M. E. (2007). The impact of credit counseling on subsequent borrower behavior. *The Journal of Consumer Affairs*, 41(1), 1-28.
- Eysenck, H.J. (1967). The biological basis of personality. Springfield, IL: Charles C. Thomas.
- Feeley, D. (2006). Personality, environment, and the causes of white-collar crime. *Law and Psychology Review*, 30, 201-213.
- Ferdinand, J., & Simm, D. (2007). Re-theorizing external learning: Insights from economic and industrial espionage. *Management Learning*, *38*(3), 297-317.
- Flaherty, S., & Moss, S. A. (2007). The impact of personality and team context on the relationship between workplace injustice and counterproductive work behavior. *Journal of Applied Social Psychology*, *37*(11), 2549-2574.
- Fox, S., & Spector, P. E. (1999). A model of work frustration-aggression. *Journal of Organizational Behavior*, 20(6), 915-931.
- Gibbs, J. C. (1991). Socioemotional development delay and cognitive distortion: Implications for the treatment of antisocial youth. In W. M. Kurtines & J. L. Gerwitz (Eds.), *Handbook of moral behavior and development* (Vol. 3, *Applications*, pp. 122-165). Hillsdale, NJ: Erlbaum.
- Goldberg, L. R. (1990). An alternative "Description of personality": The Big-Five factor structure. *Journal of Personality and Social Psychology*, *59*, 1216-1229.
- Gottfredson, M. K., & Hirschi, T. (1990). *A general theory of crime*. Stanford, CA: Stanford University Press.
- Helson, R., & Moane, G. (1987). Personality change in women from college to midlife. *Journal of Personality and Social Psychology*, *53*, 176–186.
- Herbig. K. L., (2008). *Changes in Espionage by Americans: 1947-2007*. Monterey, CA: Defense Personnel Security Research Center.
- Heuer, R. J., Jr. (n.d.). Behavior patterns and personality characteristics associated with espionage. Retrieved June 28, 2009 from <a href="http://www.rjhresearch.com/ADR/psychconditions/psychframeset.htm">http://www.rjhresearch.com/ADR/psychconditions/psychframeset.htm</a>.
- Heuer, R. J., Jr. (1991). *Financial irresponsibility: Background Information for security personnel*. Monterey, CA: Defense Personnel Security Research and Education Center.

- Heuer, R. J., Jr. (1992). *Compulsive Gambling: Background Information for Security Personnel*. Monterey, CA: Defense Personnel Security Research and Education Center.
- Heuer, R. J., & Herbig, K. (2006). Espionage by the numbers: A statistical overview. Retrieved July 21, 2009 from <a href="http://rf-web.tamu.edu/security/Security%20Guide/Treason/Numbers.htm">http://rf-web.tamu.edu/security/Security%20Guide/Treason/Numbers.htm</a>.
- Hilbert, M. A., Hogarth, J. M., & Beverly, S. G. (2003, July). Household financial management: The connection between knowledge and behavior. *Federal Reserve Bulletin*, 309-322.
- Jang, K.L., Livesley, W.J., & Vernon, P.A.(1996). Heritability of the big five personality dimensions: A twin study. *Journal of Personality*, *64*, 577-591.
- Kim, J., & Garman, E. T. (2003). Financial stress and absenteeism: An empirically derived research model. *Financial Counseling and Planning*, 14(1), 1-12.
- Kim, J., Sorhaindo, B., & Garman, E. T. (2004). Financial stress and work outcomes of credit counseling clients. *Consumer Interest Annual*, *50*, p. 128-130. Retrieved August 19, 2009, <a href="http://www.personalfinancefoundation.org/research/efd/Financial-Stress-and-Work-Outcomes-Of-Credit-Counseling-Clients.pdf">http://www.personalfinancefoundation.org/research/efd/Financial-Stress-and-Work-Outcomes-Of-Credit-Counseling-Clients.pdf</a>.
- Kim, J., Sorhaindo, B., & Garman, E. T. (2006). Relationship between financial stress and workplace absenteeism of credit counseling clients. *Journal of Family and Economic Issues*, 27, 458-478.
- Kramer, L. A., Heuer, R. J., Jr., & Crawford, K. S. (2005). *Technological, social, and economic trends that are increasing U.S. vulnerability to insider espionage*. Monterey, CA: Defense Personnel Security Research Center.
- Kulik, B. W., O'Fallon, M. J., & Salimath, M. S. (2008). Do competitive environments lead to the rise and spread of unethical behavior? Parallels from Enron. *Journal of Business Ethics*, 83, 703-723.
- Leblond, J., Ladouceur, R., & Blaszczynski, A. (2003). Which pathological gamblers will complete treatment. *British Journal of Clinical Psychology*, 42, 205–209.
- Ledgerwood, D. M., & Petry, N. M. (2006). What do we know about relapse in pathological gambling? *Clinical Psychology Review*, 26, 216-228.
- Livingstone, S. M., & Lunt, P. K. (1992). Predicting personal debt and debt repayment: Psychosocial, social and economic determinants. *Journal of Economic Psychology, 3*, 111-134.
- Loibl, C. Hira, T. K., & Rupured, M. (2005). First-time vs. repeat filers: The likelihood of completing a chapter 13 bankruptcy repayment plan. *Financial Counseling and Planning*, 17(1), 23-33.
- Lynam, D. R., & Miller, J. D. (2004). Personality pathways to impulsive behavior and their relations to deviance: Results from three samples. *Journal of Quantitative Criminology*, 20(4), 319-341.
- Lyons, A. C., White, T., & Howard, S. (2008). The effect of bankruptcy counseling and education on debtors' financial well-being: Evidence from the front lines. Retrieved July 21, 2009, from <a href="http://www.creditcounseling.org/\_documents/Article/Article56.pdf">http://www.creditcounseling.org/\_documents/Article/Article56.pdf</a>.

- Martinko, M. J., Gundlach, M. J., & Douglas, S. C. (2002). Toward an integrative theory of counterproductive work behavior: A causal reasoning perspective [Special issue]. *International Journal of Selection and Assessment*, 10(1/2), 36-50.
- McAdams, D.P. (2001). The *Person: An integrated introduction to personality psychology* (3<sup>rd</sup> Ed.). Orlando, FL: Harcourt College Publishers.
- Miles, D. E., Borman, W. E., Spector, P. E., & Fox, S. (2002), Building an integrative model of extra role work behaviors: A comparison of counterproductive work behavior with organizational citizenship behavior, *International Journal of Selection and Assessment*, 10, 51-57.
- Mowen, J. C., & Spears, N. (1999). Understanding compulsive buying among college students: A hierarchical approach. *Journal of Consumer Psychology*, 8(4), 407-430.
- Norvilitis, J. M., Merwin, M. M., Osberg, T. M., Roehling, P. V., Young, P., & Kamas, M. M. (2006). Personality factors, money attitudes, financial knowledge, and credit-card debt in college students. *Journal of Applied Social Psychology*, *36*(6), 1395–1413.
- Oppler, E. S., Lyons, B. D., Ricks, D. A., & Oppler, S. H. (2008). The relationship between financial history and counterproductive work behavior. *International Journal of Selection and Assessment*, 16(4), 416-420.
- Perlow, R., & Latham, L. L. (1993). Relationship of client abuse with locus of control and gender: A longitudinal study. *Journal of Applied Psychology*, 78, 831–834.
- Perry, V. G. (2008). Giving credit where credit is due: The psychology of credit ratings. *The Journal of Behavioral Finance*, 9, 15-21.
- Perry, V. G., & Morris, M. D. (2005). Who is in control? The role of self-perception, knowledge, and income in explaining consumer financial behavior. *The Journal of Consumer Affairs*, 39(2), 299-313.
- Petry, N. M. (2002). A comparison of young, middle-aged, and older adult treatment-seeking pathological gamblers. *Gerontologist*, 42, 92-99.
- Petry, N. M. (2003). Patterns and correlates of Gamblers Anonymous attendance in pathological gamblers seeking professional treatment. *Addictive Behaviors*, 28, 1049-1062.
- Petry, N. M., & Armentano, C. (1999). Prevalence, assessment, and treatment of pathological gambling: A review. *Psychiatric Services*, 50(8), 1021-1027.
- Pratt, T. C., & Cullen, F. T. (2000). The empirical status of Gottfredson and Hirschi's general theory of crime: A meta-analysis. *Criminology*, 38(3), 931-964.
- Robinson, S. L., & Greenberg, J. (2003). Employees behaving badly: Dimensions, determinants and dilemmas in the study of workplace deviance. In C. L. Cooper & D. M. Rousseau (Eds.), *Trends in organizational behavior*, *Vol.* 5(pp.1-30). New York: John Wiley & Sons.
- Rose, P. (2007). Mediators of the association between narcissism and compulsive buying: The roles of materialism and impulse control. *Journal of Addictive Behaviors*, 21(4), 576-581.
- Rosenthal, R. J., & Lorenz, V. C. (1992). The pathological gambler as criminal offender. *Clinical Forensic Psychiatry*, 15, 647–660.

- Sackett, P. R. (2002). The structure of counterproductive work behaviors: Dimensionality and relationships with facets of job performance [Special issue]. *International Journal of Selection and Assessment*, 10(1/2), 5-11.
- Sackett, P. R., & DeVore, C. J. (2001). Counterproductive behaviors at work. In N. Anderson, D. Ones, H. Sinangil, & C. Viswesvaran (Eds.), *Handbook of industrial, work, and organizational psychology* (Vol. 1, pp. 145–164). London: Sage.
- Spector, P. E. (1988). Development of the Work Locus of Control Scale. *Journal of Occupational Psychology*, 61, 335-340.
- Spector, P. E., & Fox, S. (2005). A model of counterproductive work behavior. In S. Fox & P. E. Spector (Eds.), *Counterproductive workplace behavior: Investigations of actors and targets* (pp. 151–174). Washington, DC: APA.
- Stone, L. A. (1992). Canonical correlation between security clearance adjudication concerns and later motivational causes for espionage behavior. *Forensic Reports*, *5*, 305-316.
- Storms, P. L., & Spector, P. E. (1987). Relationships of organizational frustration with reported behavioural reactions: The moderating effect of locus of control. *Journal of Occupational Psychology*, *30*, 227-234.
- Tellegen, A. (1985). Structures of mood and personality and their relevance to assessing anxiety, with an emphasis on self-report. In A. H. Tuma & J. Maser (Eds.), *Anxiety and the anxiety disorders* (pp. 681-706). Hillsdale, NJ: Lawrence Erlbaum.
- Tellegen, A., Lykken, D.J., Bouchard, T.J., Jr., Wilcox, K.J., Segal, N.L., & Rich, S. (1988). Personality similarity in twins reared apart and together. *Journal of Personality and Social Psychology*, *54*, 1031-1039.
- Terpstra, D. E., Rozell, E. J., & Robinson, R. K. (1993). The influence of personality and demographic variables on ethical decisions related to insider trading. *The Journal of Psychology*, 127(4), 375-389.
- Thompson, T. (2003). A study of the vulnerability factors in espionage by the trusted insider. *Dissertation Abstracts International: Section B: The Sciences and Engineering*, 64(11-B), 5841. (UMI No. 3111039).
- Thompson, W. N., Gazel, R., & Rickman D. (1996). *The social costs of gambling in Wisconsin*. Wisconsin Policy Research Institute Report, 9(6), 1–44.
- U.S. Department of Justice, Federal Bureau of Investigation (1989). *White Collar Crime: A Report to the Public.* Washington, D.C.: Government Printing Office.
- U.S. Department of Justice, Federal Bureau of Investigation (2000). *First corporate sentencing under the Economic Espionage Act: Four Pillars to pay \$5 million fine*. Retrieved October 19, 2009, from <a href="http://www.usdoj.gov/opa/pr/2000/January/00003.htm">http://www.usdoj.gov/opa/pr/2000/January/00003.htm</a>.
- Vroom, V. H. (1964). Work and motivation. New York: Wiley.
- Weller, C. E. (2008, April). Economic snapshot. Retrieved October 7, 2009, from <a href="http://www.americanprogress.org/issues/2008/04/pdf/apr08\_econ\_snapshot.pdf">http://www.americanprogress.org/issues/2008/04/pdf/apr08\_econ\_snapshot.pdf</a>.

- Whiteside, S. P., & Lynam, D. R. (2001). The Five Factor Model and impulsivity: Using a structural model of personality to understand impulsivity. *Personality and Individual Differences*, *30*, 669-689.
- Zahra, S. A., Priem, R. I., & Rasheed, A. A. (2007). Understanding the causes and effects of top management fraud. *Organizational Dynamics*, *36*(2), 122-139.

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## Examination of the Adjudicative Guidelines

Appendix B Part 6
Adjudicative Guidelines Literature Review: Preliminary
Recommendations

LEADING INTELLIGENCE INTEGRATION

March 2011

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### INTRODUCTION

The Adjudicative Guidelines Literature Review Project evaluated the empirical and conceptual evidence available in the social science research literature about the likely effectiveness of the Adjudicative Guidelines for making security clearance decisions. This White Paper reports all recommendations from the Literature Review Project.

Of the 13 Adjudicative Guidelines, two were excluded from this literature review, K. Handling Protected Information and E. Personal Conduct. These latter two Guidelines were excluded because the policy-based justification for their use is self-evident.

Four White Papers were produced, each organized around a cluster of Guidelines sharing common elements.

### **Organization of White Papers**

### **National Conflict White Paper**

- A. Allegiance to the United States
- B. Foreign Influence
- C. Foreign Preference
- L. Outside Activities

### **Criminal Behavior White Paper**

- D. Sexual Behavior (Criminal)
- J. Criminal Conduct
- M. Use of Information Technology Systems

### **Financial Considerations White Paper**

F. Financial Considerations

### **Psychosocial Considerations White Paper**

- D. Sexual Behavior (Disorder)
- G. Alcohol Consumption
- H. Drug Involvement
- I. Psychological Conditions

### **Strategic and Incremental Recommendations**

Two types of recommendations are reported here. Strategic recommendations apply across all Guidelines and address major questions about the scope, organization and use of the Adjudicative Guidelines to make security clearance decisions. These recommendations are presented first.

Incremental recommendations apply to individual Guidelines or clusters of similar Guidelines. These recommendations are designed to improve the usefulness and research-based justification of the targeted Guideline(s) without substantially changing the meaning, scope or organization of the Guidelines. Incremental recommendations may address specific conditions and mitigators and may also address broader issues relating to the meaning or use of a whole Guideline or cluster of Guidelines.

Implementation of strategic recommendations may render moot some incremental recommendations. At the same time, implementation of strategic recommendations, if any, is likely to require a longer period of time. For that reason, incremental recommendations may be implemented in the near-term without harming the opportunity to implement strategic recommendation over the longer term.

### **Guideline Clusters for Purposes of Recommendations**

For the purposes of organizing these recommendations, the Financial Consideration Guideline, which was addressed singly in a White Paper, will be combined with the Criminal Behavior cluster and the Psychosocial cluster in the same fashion as the Sexual Behavior Guideline. That is, the criminal elements of Financial Considerations evidence will be associated with the Criminal Behavior cluster while the "deviance" elements of Financial Considerations evidence will be combined with the Psychosocial cluster.

The purpose of this slight realignment of the White Paper clusters is to define three somewhat overlapping groups of Guidelines that focus on distinctively different types of information produced by the personal history investigations preceding the adjudication process. The national conflict cluster remains the same as addressed in the National Conflict White Paper. The criminal behavior cluster retains the same substantive meaning around criminality as addressed in the Criminal Behavior White Paper but now includes any criminal behavior emerging from investigations of Financial Considerations. Similarly, the psychosocial cluster retains the same substantive meaning around disordered/deviant behavior as addressed in the Psychosocial White Paper but now includes any deviant behavior such as significant unpaid debt or compulsive gambling that might emerge from the investigation of Financial Considerations. Further, for the purposes of the recommendations, this third cluster will be labeled "psychosocial deviance" to help clarify its distinctive meaning compared to the criminality and national conflict clusters.

As a result of this modest realignment, the recommendations organized around three clusters of Guidelines.

#### **Organization of Recommendations**

### **National Conflict Cluster**

- A. Allegiance to the United States
- B. Foreign Influence
- C. Foreign Preference
- L. Outside Activities

#### **Criminal Behavior Cluster**

- D. Sexual Behavior (Criminal)
- F. Financial Considerations (Criminal)
- J. Criminal Conduct
- M. Use of Information Technology Systems

### **Psychosocial Deviance Cluster**

- D. Sexual Behavior (Disorder)
- F. Financial Considerations (Disorder)

- G. Alcohol Consumption
- H. Drug Involvement
- I. Psychological Conditions

### **Bases for Recommendations**

The primary basis for these recommendations is the evaluative literature reviews reported in the four White Papers. First and foremost, recommendations are based on the social science evidence – empirical and conceptual, direct and indirect - relating to the prediction of security violation behavior from Guidelines-based evidence. The primary goal of this Literature Review Project is to shape the adjudicative process to be consistent with the scientific evidence.

The research team that conducted the literature reviews has significant experience with similar personnel decision processes in large organizations. These similar personnel decision processes include employment selection, promotion, workforce planning, and certification processes, among others.. Inevitably, this research team has also gathered information about the adjudicative processes themselves and the organizational circumstances — constraints and requirements — that form the practical context in which the security clearance decisions are made. As a byproduct of its primary work, the research team has compared the research evidence and the adjudicative processes through the lens of this related experience. This view has lead to conclusions and speculations about opportunities for improvement that may go beyond the specific scope of this literature review project. In those cases where there is a rationale for making suggestions about possible improvements, those suggestions are reported here. In some cases, these suggestions take the form of recommendations where the rationale is compelling. In other cases where the rationale may not be fully formed, these suggestions will take the form of topics for further consideration and will be identified as such.

The most common example of such "topics for further consideration" are suggestions about adjudicators' decision making processes. Decision making processes were outside the scope of this literature search project. However, the research team has speculated about possible methods for simplifying the adjudicative decision processes. Some topics for further consideration are about tactics for simplifying the adjudicator's judgment task.

### **Original National Conflict Recommendations**

The first White Paper, National Conflict, included recommendations. All of those recommendations have been imported into this Recommendation Paper. Only one, the Basic Qualifications recommendation, has been substantively changed in view of the evidence relating to all clusters of Guidelines. None have been withdrawn. However, some of these recommendations were about strategic issues cutting across all Guidelines. These recommendations have also been imported but the language used to describe them may be modified to better accommodate the full scope of this overarching set of recommendations.

### STRATEGIC RECOMMENDATIONS

### Recommendation S1: Establish a New Standard of Eligibility for Security Clearances

This recommendation is a reframing of Recommendation B3. in the National Conflict White Paper. That original recommendation was to introduce a new "Basic Qualification" Guideline specifically to represent policy-based conditions that could be evaluated at an early stage in the adjudication process to determine whether an individual satisfies basic qualification requirements for warranting a clearance. The reframed version of this recommendation no longer suggests a new Guideline to capture basic qualifications but, instead, suggests establishing an Eligibility Standard that new applicants for security clearances should satisfy. Evidence from all Guidelines would inform the Eligibility decision. No new Guideline would be needed; only a new decision process focusing on basic qualifications that are required for applicants to be regarded as eligible for a clearance.

The fundamental premise of this recommendation is that certain types of evidence provide clear and direct indicators of personal histories that are regarded as disqualifiers. Such indicators currently include criminal acts directed against U.S. national interests, unauthorized association with a suspected or known agent, associate, or employee of a foreign intelligence service, employment with a foreign government, and certain conditions associated with the Personal Conduct and Handling Protected Information Guidelines.

The adjudicator's task for these types of conditions is to identify the relevant evidence and confirm that it is appropriate to use that evidence as an Eligibility factor. Although the process of confirming the facts and their relevance to eligibility may be time-consuming, once confirmed, the decision process is relatively straightforward and is largely a matter of applying an implied policy about eligibility.

In effect, these conditions represent the basic qualification requirements any individual must satisfy to be eligible for a clearance.

Significant efficiency may be gained by establishing such an Eligibility standard. In order for an Eligibility standard to create efficiency, it is necessary that early stage investigations uncover the critical eligibility factors and that adjudicators could give full consideration to such eligibility evidence in the absence of more complete evidence regarding the full range of risk considerations.

A possible criticism of this strategy is that it may be interpreted as restricting the control of home organizations over the clearance decision. The core issue underlying this concern is whether there is consensus about any types of evidence that are regarded as disqualifiers. If no such consensus exists then this recommendation is unlikely to be effective.

## Recommendation S2: Evaluate Whether Positive Security Behavior Should be Targeted by the Guidelines

At a high level, the Whole Person policy directs adjudicators to weigh evidence about the reliability, trustworthiness, loyalty and good judgment of each individual to help ensure that cleared individuals demonstrate those qualities in their security work. This policy was framed in the Foundations Paper by a thorough, research-based description of the likely characteristics of the full range of security behavior, including both negative violation behavior as well as positive citizenship behavior.

While the Adjudicative Guidelines (2005) points adjudicators to consider evidence of reliability, trustworthiness, loyalty and good judgment, it is our conclusion that the meaning and use of the national conflict Guidelines does not effectively accomplish this goal. There are three core reasons:

- 1. With a few exceptions, the evidence gathered for the national conflict Guidelines is not closely related to the antecedents of reliability, trustworthiness and good judgment. It is somewhat more related to antecedents of loyalty. Research on counterproductive work behavior has shown that the mere absence of risk factors for extra-role negative work behavior (analogous to security violations) is not sufficient to predict extra-role positive work behavior (analogous to reliable, trustworthy security behavior reflecting good judgment).
- 2. The extremely high clearance rate assures that the clearance process will have virtually no impact on the reliability, trustworthiness, loyalty and good judgment of cleared individuals. This is a statistical consequence of the fact that the extreme majority of individuals are cleared. Such a wide range of cleared employees will exhibit a wide range of security behavior ranging from highly positive to modestly negative. There is no basis for assuming that the 95% of people cleared will all demonstrate reliable, trustworthy behavior showing good judgment. Even if the Guidelines' evidence directly assessed all antecedents of the Whole Person, the clearance process with its high "pass" rate would have no discernable impact on the characteristics of those cleared.
- 3. Reliability, trustworthiness, loyalty and good judgment are general attributes that have been demonstrated in several studies to predict positive work behavior including rule-compliance as well as extra-role citizenship behaviors such as promoting the goals of the organization. Clearly, the Whole Person attributes are closely aligned with the positive side of the proposed model of security behavior. Because these are general attributes not specific to any particular context, they lead to positive work behaviors across a wide range of types of work and contexts. In contrast, the evidence gathered for the Adjudicative Guidelines is highly specific to the context of work behavior, national attachment, substance use, and other forms of context-specific negative behavior that serve as markers

of potential national security risk. Even where an adjudicator concludes that some form of potentially negative evidence is mitigated by time or other circumstances, this highly context-specific characteristic is unlikely to predict positive work behaviors across the full range of security behavior. For example, conscientiousness predicts rule compliance. But to know that an individual strongly identifies with the US or experienced drug use on in high school says little about his general disposition to be conscientious. The vast majority of evidence gathered for the Guidelines is at a very different level of description and meaning than the evidence necessary to draw conclusions about reliability, trustworthiness and a good judgment.

The implications of these conclusions about the meaning and use of Guidelines evidence is that substantial changes would be required to transform the clearance process into one that effectively implements the Whole Person policy. The process would need to gather evidence about more general characteristics of individuals under consideration and would need to disqualify at least 25%-35% of all clearance applicants in order for it to have any noticeable impact of the level of reliability, trustworthiness, loyalty and good judgment demonstrated by cleared employees.

### Recommendation S3. Evaluate Risk around Three Major Clusters of Evidence

The literature reviewed for the 11 Guidelines underlying the four White Papers may be clustered into three major domains of evidence: (a) national conflict, (b) criminal behavior, and (c) psychosocial deviance. The behavioral evidence gathered by the adjudicative investigation processes targets different behavior contexts for these three clusters of Guidelines. Also, the reviewed research literature shows that the psychological mechanisms assumed to underlie the riskiness of each cluster are somewhat different, especially between the national conflict cluster and the two remaining clusters. At the same time, these psychological mechanisms are similar within clusters. The relevance of drug use and alcohol use to security risk is based on largely the same psychological factors. The relevance of foreign preferences and foreign attachments are based on largely the same psychological factors.

The adjudicator's judgment task is to aggregate all these sources of evidence into a single assessment of risk for security violations. Given the research evidence that the underlying psychological factors are somewhat different between clusters and similar within clusters, the adjudicator's judgment task could be structured and simplified by introducing three stages of judgment where the judgments are more structured and less complex within each stage.

**STAGE 1. ELIGIBILITY** As described in Recommendation S1, the adjudicator's first stage of judgment would be to determine whether the individual's pattern of evidence satisfies eligibility requirements.

**STAGE 2. WITHIN-CLUSTER RISK ASSESSMENTS** For each of the three clusters, the adjudicator evaluates the level of risk for future security violations based on the evidence within the cluster. A prototypical model of such a cluster-specific risk assessment is provided in Appendix A for the national conflict cluster. Additional research would be required to develop cluster-specific assessment tools to optimally enable adjudicators to make these within-cluster risk assessments.

The advantage of within-cluster risk assessments is that the adjudicator is required to cognitively integrate only comparable information across specific Guidelines. For example, within the psychosocial deviance cluster, the adjudicator's judgment task would be to aggregate evidence about key psychological factors such as self-control across evidence of drug use, alcohol use, sexual behavior, and other psychological conditions. All sources of evidence within this cluster are likely to be relevant to a conclusion about the individual's level of self-control. (It should be noted that for the psychosocial deviance cluster, licensed clinical psychologists should have a primary role in helping the adjudicator make this assessment.)

The output of a within-cluster risk assessment would be a single rating or judgment that expresses the level of risk for security violations represented by that cluster of evidence. An underlying assumption is that the risk assessments for each of the three clusters are relatively separate and independent. One could be high while another is low. This is one reason for evaluating these clusters of evidence separately to better ensure that each type of evidence is evaluated independently of the other types of evidence.

**STAGE 3.** AGGREGATE WITHIN-CLUSTER RISK ASSESSMENTS INTO AN OVERALL RISK ASSESSMENT The adjudicator's task in Stage 3 is to judgmentally aggregate the three Stage 2 assessments into a single overall judgment about the level of risk associated with the individual. This aggregation task should be guided by instructions to the adjudicators. These instructions would serve as a quasi-policy document about the manner in which the three separate types of evidence should be combined in the most meaningful way. These instructions should be developed by insiders who appreciate the nuances of organizational dynamics and interests.

Based on conversation with the DNI SSC project team, it seems unlikely that aggregation rules as prescriptive as arithmetic or other "hard and fast" rules would be appropriate. The manner in which the three separate assessment should be combined and the meaning of the overall assessment should be defined in a way that fits with the culture and practical requirements surrounding security clearances. For example, even though this recommendation uses the language of "eligibility," implying all or none, the overall assessment may be interpreted in different ways. It could be interpreted as an evidence-based *recommendation* about the level of overall risk associated with the individual. The final clearance decision would weigh this risk recommendation with other considerations critical to the organization that owns the clearance decision.

## Recommendation S4. Conduct "File Drawer" Research Studies about Security Behavior

A number of research objective relevant to the effectiveness of the Guidelines are warranted given the considerable lack of evidence directly related to the prediction of security behavior.

### Recommendation S4(a). Compare Spies to Non-Spies

Given the considerable amount of stored data about caught spies and other cleared individuals who have been investigated through the clearance process, investigations comparing characteristics of caught spies to demographically matched non-spies would be valuable. Such a study would be especially relevant to the question of Guideline usefulness if data about historical adjudication results were available for both groups. (Both groups would include only people who were cleared via the Adjudicative Guidelines process.) This would provide direct evidence of the predictive strength of adjudicator. This evidence would be especially compelling if the data about the two groups came from the original adjudication files.

This method of quasi-experimental design would be similar to research designs cited in the White Papers by Thompson (2003) and by Collins and Schmidt (1992). In both of these studies a group of surviving known offenders was compared, after the fact, to a matched group of comparable surviving non-offenders. In Thompson (2003) the known offenders were caught spies sampled from the Project Slammer database. The matched comparison group consisted of known non-spies who were matched to the known spies on certain parameters. In Collins and Schmidt (1992) the known offenders were convicted white collar criminals and the comparison group consisted of non-criminals matched to the criminal on certain characteristics. In both studies, data was collected from members of both groups using current assessment tools.

Such a research design would significantly increase the power of research about security violation behavior or analogous behavior such as criminal behavior by comparing matched offending and non-offending groups.

A second type of similar research design relies on the very wide range of people who have received clearances. Because less than 5% of clearance applicants are denied, the range of cleared people is very wide. Among all cleared people, performance data may be available from various employee databases in government organizations or other organizations. A special challenge in this type of research design would be to locate organizations housing cleared employees who have maintained meaningful performance data. Having located such organizations, data about performance occurring after clearance decisions could be compared to data gathered during the previous clearance investigation. A critical requirement of this research design is that clearance investigation data and subsequent job performance data are both available for a sample of people with clearances.

The goal of this research design would be to correlate the originally judged riskiness "scores" derived from the original clearance investigation records with the subsequent

performance records of the same cleared people once placed in their job roles that required the clearance. Because the clearance process places a wide range of people in classified work, some will commit security violation and others will not. This will provide a sufficiently wide range of variance in performance and investigative data that the resulting correlations will be statistically dependable. These statistical results can then be used to estimate the degree of impact of the clearance process on the types of security-related performance data included in the study.

## Recommendation S4(b). Investigate the Dimensions and Categories of Security Behavior to be Targeted by the Adjudication Process

Perhaps the central research question about the Adjudicative Guidelines is to provide a description of the security behavior(s) to be targeted by the adjudication process. What security behavior is the adjudication process intended to impact? Except for the Whole Person guidance, the current presumed answer to this question is espionage. This answer is implied by the language of the adjudicative guidelines and by the focus on case histories of caught spies as the primary basis for evaluating the adequacy of the Guidelines. But no investigation of security behavior has been done to describe the full domain of security behavior nor to identify the specific security behaviors to be targeted by the clearance process. Such an analysis would be valuable not only for a better understanding of the way in which the clearance process may be improved but also to better understand possible improvements to employment processes for jobs requiring clearances.

## Recommendation S4(c). Guidelines Research Should be Framed in a General Theory such as the Theory of Planned Behavior

The Theory of Planned Behavior (TPB) is a general theory of intentional behavior, grounded in social cognition that enables tests of the key explanatory variables and relationships likely to underpin security violation behavior as well as security citizenship behavior. Key elements of TPB fit with the historical perspective about security behavior that it depends on normative attachment, attitudes and beliefs, and personal qualities related to expectations of success. By applying potential explanatory variables measured in the context of security work to the TPB framework, predictions may be made about relationships and outcomes. These predictions will enable a systematic program of research to be undertaken exploring the antecedents of security behavior.

## Recommendation S4(d). Investigate the Linkages among The Clearance Process, Employment Processes, Management Processes, and Training Objective

The US national interest in the protection of classified information and technology is supported by four primary organization-level mechanisms – security clearance approvals, employment decisions, performance management and training content. These four processes constitute the organizational "system" supporting the protection of classified information and

technology. (Law enforcement might be considered a fifth component of this security system but the nature of law enforcement regarding information /technology security is governed by considerations entirely outside the scope of organization management practices.) A fundamental systems question is whether the four systems components are aligned or misaligned, complementary or conflicting, directed at the same objectives of different objectives, and in general are they optimally managed. For example, it is the opinion of this author that the Whole Person principle is relevant to employment selection and performance management but is not relevant to security clearance objectives. A thorough "systems" review and evaluation will help to clarify where there are opportunities to improve the effectiveness and complementary of these interrelated components. To be sure, the realistic goal of such a review would be to identify areas of common interest among the stakeholders and opportunities to eliminate conflict and improve efficiency.

### INCREMENTAL RECOMMENDATIONS

## Criminal Behavior Cluster of Guidelines: Incremental Recommendations

#### **Criminal Cluster**

- D. Sexual Behavior (Criminal) (Proposed no longer to be its own Guideline)
- F. Financial Considerations (Criminal)
- J. Criminal Conduct
- M. Use of Information Technology Systems

A general finding for the Criminal Behavior cluster of Guidelines is that direct and indirect evidence is persuasive that criminal behavior is an antecedent of security violation behavior and other forms of counter-normative work behavior. This finding supports two rationales underlying the Criminal Behavior cluster of Guidelines. First, past criminal behavior is itself an antecedent of future security violation behavior and related counter-normative work behavior. Second, the personal attributes that predict criminality also have been shown to be antecedents of various forms counter-normative work place behavior. These attributes include low self-control, high neuroticism (aggressive hostility), high excitement seeking low conscientiousness and low agreeableness.

#### **Cluster Level Incremental Recommendations**

## Recommendation IA1. Combine the Criminal Conditions of the Sexual Behavior Guideline into the Criminal Conduct Guideline

It is recommended that the criminal components of the Sexual Behavior Guideline be combined into the general Criminal Conduct Guideline and be considered as one of many possible sources of criminal history. There are three primary reasons for this recommendation. First, there is little evidence suggesting that criminal sexual behavior, itself, is an antecedent to security violations. In part, this is because there is little research on criminal sexual behavior as an antecedent to any form of work-related behavior. Second, evidence about recidivism indicates that criminal sexual behavior is not more prone to recidivism than other forms of criminal behavior. Criminal sexual behavior does not pose unique recidivism considerations compared to other forms of criminality. Third, criminal sexual behavior is relatively rare and, in general, evidence about sexual behavior may be more difficult to gather.

In general, this recommendation is based on the finding that criminal sexual behavior does not present unique adjudicative considerations distinctively different from other common forms of criminal behavior. Perhaps the most unique potential adjudicative consideration is the seemingly likely prospect that criminal sexual behavior creates a unique opportunity for

"coercion, exploitation or duress." However, case studies of espionage in the past two decades find few, if any, instances of US-directed espionage committed as a result of such coercion.

#### **Guideline Level Incremental Recommendations**

### **Guideline M. Use of Information Technology Systems**

## Recommendation IB1. Focus the Consideration of IT Misuse on Violations of Privacy, National Security, and Theft of Information

The two primary problems with adjudicators' use of IT misuse evidence is (a) very little research has been done about its relevance to security violations or analogous counter-normative behavior and (b) evidence is difficult to gather and may be ambiguous when it is gathered. In spite of these limitations, considerable detail is described in the eight risk conditions noted for adjudicators. For example, these conditions distinguish between "modification, destruction, manipulation or denial of access" and "introduction, removal, duplication, of hardware." In effect, the level of detail adjudicators are expected to attend to over reaches the slight evidence underlying such detailed distinctions. Presumably, the multiple descriptions of several detailed risk conditions derives from information about the possible ways security violators can or have used IT systems to violate protected information or technology.

Given the lack of empirical evidence coupled with the compelling likelihood that IT misuse is an increasingly common vehicle for security violations, it is recommended that the focus of the IT misuse Guideline be narrowed to conditions that are highly analogous to security violation behavior. These conditions would include violations of privacy, theft of information and use of IT systems to harm US national interests. By implementing this reduction in the number of conditions and narrowing the focus of the remaining conditions, adjudicators may have a clearer understanding of the conceptual linkage between the type of IT misuse that should be given weight and risk for security violations.

#### **Mitigators**

## Recommendation IB2. Add an Additional Mitigator Relating to Age of Offender at Time of Offense

Although no empirical evidence has been reported, to our knowledge, about the enduring tendency to sustain IT misuse into adulthood, evidence in the domains of drug use and criminal behavior shows that offenses committed in adolescence have few implications for adult job performance where the adolescent offenses stopped occurring during later adolescence / early adulthood. Given the heightened likelihood that IT misuse may be evidenced at early ages, even pre-adolescence, it is recommended that an additional mitigator be added indicating that little

weight should be given to offenses committed during pre-adolescence or adolescence where there is clear evidence that the offenses have stopped by late adolescence / early adulthood.

#### **Guideline J. Criminal Conduct**

## Recommendation IB3. Add a Risk Condition Relating to Involvement of Drug Abuse in Criminal Offense

Recidivism evidence shows that ongoing drug abuse as a factor in the criminal offense and continuing after the offense is an indicator of increased likelihood of repeat offenses. It is recommended that an additional risk condition be added, such as "Drug abuse was a factor in the criminal offense and continued after the offense."

### **Mitigators**

Recommendation IB4. Elaborate Mitigator (d) to Include "Absence of Past Drug Abuse" and "History of Only a Single Criminal Offense"

Mitigator (d) lists factors that should be regarded as mitigators of criminal history. While evidence about recidivism is extensive and a complex, two factors are persuasive indicators that previous criminal history should be mitigated – absence of past drug abuse and a history of having committed only one criminal offense, especially in adolescence..

### **Guideline D. Sexual Behavior (Criminal)**

Recommendations IA1 and IA2 suggest that Guideline D, Sexual Behavior, be eliminated as a stand-alone Guideline largely due to its infrequency, lack of supporting evidence, investigative difficulty, and lack of distinctiveness with regard to security risk as compared to other criminal behavior and other psychosocial deviant behavior.

No specific recommendation is made for Guideline J regarding additional conditions or mitigators about criminal sexual behavior. In effect, this set of related recommendations is based on the conclusions that criminal sexual behavior should be adjudicated in the same manner as any other serious criminal offense.

(It should be noted that this set of recommendations about criminal sexual behavior makes an assumption that the employment processes for positions requiring clearances will exclude job applicants with histories of sex crimes where such criminal histories pose a threat to the organization's obligation to provide a safe, non-threatening workplace.)

#### **Guideline F. Financial Considerations**

No recommendation is made to combine Guideline F into any other broader Guideline. This is largely because the extent and nature of investigative evidence typically available about an individual's financial circumstances is extensive and unique to the financial domain of criminal and deviant behaviors. Because of the uniqueness and potential amount of investigative information, singular attention is warranted.

The complexity of the Financial Considerations domain is that security risk may derive from two sources. First, large debt in and of itself poses some degree of risk as an invitation to inducement or recruitment. This risk is not mitigated to any great extent by the reasons for the large debt. The second source of risk is driven by the psychological factors that contributed to the risky financial circumstances. Such factors are manifest in recklessly risky financial decisions, compulsive gambling, and criminal financial behavior. This second source of risk is mitigated by somewhat different factors than those that mitigate against the sheer size of the debt. These considerations lead to a recommendation for an additional mitigator.

### **Mitigators**

## Recommendation IB5. Consider High Recidivism Rates for Criminal Compulsive Gambling

It is recommended that an additional mitigator be added to Guideline F addressing the recidivism factors that should be considered when evaluating the likely effectiveness of treatment programs. The recommended language for the new mitigator is:

"In response to compulsive gambling, the individual voluntarily entered and completed a program of treatment and has been free of problem gambling behavior for more than 2 years and has been free of alcohol and drug abuse during that same period. The evaluation of this mitigator should involve the judgment of a duly qualified mental health professional approved by the U.S. Government"

## The Psychosocial Deviance Cluster of Guidelines: Incremental Recommendations

### **Psychosocial Deviance Cluster**

- D. Sexual Behavior (Disorder) (Proposed no longer to be its own Guideline)
- F. Financial Considerations (Disorder)
- G. Alcohol Consumption
- H. Drug Involvement
- I. Psychological Conditions

The Psychosocial Deviance cluster of Guidelines represents behaviors that are themselves dysfunctional and counter-normative. Evidence persuasively indicates that these behaviors are caused by the interaction of situational circumstances and personal attributes that put individuals at risk for dysfunctional and counter-normative behavior. The term "deviance" as used here refers to the dysfunctional, counter-normative quality of behavior captured by this cluster of Guidelines; it does not refer to any moral judgment about this cluster of behaviors.

A general finding for the Psychosocial Deviance cluster of Guidelines is that direct and indirect evidence is persuasive that psychosocial deviance is an antecedent of security violation behavior and other forms of counter-normative work behavior. This persuasive evidence is based on a broad set of findings that a common set of identifiable psychological attributes underlies the behaviors represented by the psychosocial deviance cluster and separate behaviors that underlie security violation behavior and similar counter-normative behavior in other work contexts. While the situational contexts may be different, the underlying psychological attributes revealed by psychosocial Guideline behaviors are also likely antecedents of security violation behavior. For example, a hostile narcissist who sabotages peers' work performance because of a denied promotion is very likely, if placed in a context of responsibility for classified information, to sabotage the security of that information. The same profile of personal attributes leads to context-specific behavior that is similarly dysfunctional and / or counter-normative. The heuristic example captures the essentially features of the social science research findings about the relevance of the psychosocial Guidelines to security risk.

#### **Cluster Level Incremental Recommendations**

## Recommendation IA2. Combine the Disorder Conditions of the Sexual Behavior Guideline into the Psychological Conditions Guideline

It is recommended that the disorder components of the Sexual Behavior Guideline be combined into the more general Psychological Conditions Guideline and be considered as one of many possible sources of evidence about the individual's psychological condition. (This recommendation is parallel to and for two of the same reasons as Recommendation IA7 to

combine the criminal components of Sexual Behavior into the more general Criminal Conduct Guideline.) There are two primary reasons for this recommendation. First, there is little evidence suggesting that disordered sexual behavior is, itself, an antecedent to security violations. In part, this is because there is little research on disordered sexual behavior as an antecedent to any form of work-related behavior, with the exception of workplace internet use. Second, disordered (noncriminal) sexual behavior is generally private or hidden and is very difficult to gather evidence about.

In general, this recommendation is based on the conclusions that (a) the linkage between disordered sexual behavior and security violations is likely to be similar to that for other forms of disordered behavior and (b) evidence about it is difficult to acquire, however frequent it is. There is little evidence that disordered sexual behavior presents unique information about security risk. Perhaps the most unique potential adjudicative consideration is the seemingly likely prospect that disordered sexual behavior creates a unique opportunity for "coercion, exploitation or duress." However, case studies of espionage in the past two decades find few, if any, instances of US-directed espionage committed as a result of such coercion.

#### **Guideline Level Incremental Recommendations**

#### **Guideline D. Sexual Behavior (Disorder)**

Recommendations IA1 and IA2 suggest that Guideline D, Sexual Behavior, be eliminated as a stand-alone Guideline largely due to its infrequency, lack of supporting evidence, investigative difficulty, and lack of distinctiveness with regard to security risk as compared to other criminal behavior and other psychosocial deviant behavior.

No specific recommendation is made for Guideline I regarding additional conditions or mitigators about disordered sexual behavior. In effect, this set of related recommendations is based on the conclusions that disordered sexual behavior should be adjudicated in the same manner as any other deviant psychological condition.

(It should be noted that this set of recommendations about disordered sexual behavior makes an assumption that the employment processes for positions requiring clearances will exclude job applicants with histories of disordered sexual behavior where such histories pose a threat to the organization's obligation to provide a safe, non-threatening workplace.)

#### **Guideline F. Financial Considerations**

The disorder components of Financial Considerations are most often expressed in the form of compulsive gambling. In addition, it is possible that other dysfunctionally compulsive behaviors such as compulsive shopping behavior may be part of the evidence profile for problematic Financial Considerations. In those cases where a pattern of compulsive behavior

satisfies Guideline F, condition (i), any consideration of mitigators for that condition should apply the new mitigator language in Recommendation IB5.

#### **Guideline G. Alcohol Consumption**

The evidence reported in the Psychosocial Considerations White Paper supports the assumption underlying the adjudicative process that alcohol abuse and dependence increases the risk of future security violation behavior. This evidence supports continued reliance of the existing conditions and mitigators described for Guideline G.

The evidence about contributing factors to alcohol abuse/dependence suggests as additional risk condition.

## Recommendation IB6. Introduce a Condition That Captures the Importance of Contributing Factors to Alcohol Abuse / Dependence

It is recommended that the following condition be added to the Alcohol Consumption risk conditions:

"Evidence of problem drinking accompanied by any of the following factors:

- Financial problems or other personal stressors
- History of solitary drinking
- Association with heavy drinkers or those who tolerate heavy drinking
- Family history of problem drinking
- Personal history of impulsive behavior in response to distressors"

#### **Mitigators**

The evidence about alcohol abuse / dependence suggests an additional mitigator that parallels the recommended new risk condition.

## Recommendation IB7. Introduce a Mitigator Reflecting the Importance of Contributing Factors to Enduring Alcohol Cessation

It is recommended that the following be added to the list of Alcohol Consumption mitigators.

"Evidence of alcohol cessation accompanied by any of the following factors:

- Reduction in financial problems or other personal distressors
- Disassociation with heavy drinkers and those who tolerate heavy drinking
- Improvement in stress management skills through successfully completed training or treatment programs"

### **Guideline H. Drug Involvement**

Similar to the evidence about Alcohol Consumption, the evidence reported in the Psychosocial Considerations White Paper supports the assumption underlying the adjudicative process that drug abuse and dependence increases the risk of future security violation behavior. This evidence supports continued reliance of the existing conditions and mitigators described for Guideline H.

The evidence about contributing factors to drug abuse/dependence suggests as additional risk condition.

## Recommendation IB8. Introduce a Condition That Captures the Importance of Contributing Factors to Drug Abuse / Dependence

It is recommended that the following condition be added to the Drug Involvement risk conditions:

"Evidence of problem drug use accompanied by any of the following factors:

- Financial problems or other personal stressors
- History of solitary drinking
- Association with frequent drug users or those who tolerate frequent drug use
- Family history of drug abuse / dependence
- Personal history of impulsive behavior in response to distressors"

#### Recommendation IB9. Supplement Condition (a) to Reference Adult Drug Abuse

It is recommended that condition (a) be modified as follows:

"(a) any drug abuse continuing into adulthood (see above definition)."

#### **Mitigators**

The evidence about alcohol abuse / dependence suggests an additional mitigator that parallels the recommended new risk condition.

## Recommendation IB10. Introduce a Mitigator Reflecting the Importance of Contributing Factors to Enduring Drug Use Cessation

It is recommended that the following be added to the list of Drug Involvement mitigators:

"Evidence of drug use cessation accompanied by any of the following factors:

- Reduction in financial problems or other personal distressors
- Disassociation with frequent drug users and those who tolerate frequent drug use

• Improvement in stress management skills through successfully completed training or treatment programs"

## Recommendation IB11. Add a Mitigator about Adolescent Drug Abuse Discontinued by Adulthood

It is recommended that the following be added to the list of Drug Involvement mitigators:

"(e) a pattern of adolescent problem drug use that has been discontinued by adulthood."

### **Guideline I. Psychological Conditions**

The evidence about the linkage between Psychological Conditions and future risk of security violation supports the adjudicative process for relying on such evidence as indicators of future security risk. This supporting evidence is largely explained by the identifications of underlying clinical disorders such as psychopathy, antisocial personality disorder, narcissism, low impulse control, emotional instability and excitement-seeking have also been shown to be associated with a variety of types of counter-normative work behavior in a range of work contexts.

A critical and distinctive feature of the Psychological Conditions Guidelines is that, to a great extent, the evaluation of risk based on the conditions and mitigators evidence should rely on the professional judgment of mental health professionals. In part, this requirement ensures that the most current evidence about treatment strategies and effectiveness, recidivism factors, and specific circumstances of individual cases will be appropriately considered. For example, the most recent evidence about substance abuse treatment indicates that cognitive-behavioral methods have promising effectiveness. It would be inefficient, however, to incorporate into the Guidelines current evidence about specific treatment protocols. That approach would trigger the need to frequently review the currency of that evidence and revise the Guidelines as needed even though the fundamental basis for regarding Psychological Conditions as a source of risk may not have changed.

For this reason and because the current evidence supports the manner in which the Psychological Conditions Guideline is implemented, no modifications are recommended for this Guideline.

## National Conflict Cluster of Guidelines: Incremental Recommendations

- A. Allegiance to the US
- B. Foreign Influence
- C. Foreign Preference
- L. Outside Activities

The following recommendations are based on two considerations, (a) the evidence reviewed above, and (b) the practical benefit for the adjudication process. A small number of major themes from the evidence influence several of these recommendations. These themes are:

- 1. Security behavior is likely to be influenced by the attachments themselves and also by the manner in which individuals manage multiple attachments in the face of conflict and in other situations.
- 2. Identity-based attachment is likely to be the most consequential form of attachment for security behavior.
- 3. The roles of multiple attachments can change with circumstances.

While the scope of this project did not include an assessment of investigative processes or the decision making processes used by adjudicators, certain key observations about the adjudicative process influenced some recommendations.

- 1. Historically, new security contexts have led to additional Guidelines, which increase the complexity of the adjudication process.
- 2. Some adjudicator decisions are largely fact-based. Most require judgment about the weight of multiple sources of evidence.
- 3. A primary demand on adjudicators is to combine multiple sources and multiple types of evidence into a single assessment of the risk of security violation.

The recommendations are organized into three groups: Across Guidelines, Individual Guidelines including mitigators, and Research.

### **Cluster Level Recommendations**

#### Recommendation IA3: Increase Focus on Identity-Based Attachment

The adjudicative investigation and decision making processes should increase and sharpen their focus on evidence of *identity*-based attachments to the US, ethnic/social groups, foreign countries and other entities relevant to the particular Guideline. Investigators and interviewers should be taught to seek out attachment information that reflects identity attachment over other forms of attachment. Evidence reflecting identity attachment is described above and includes:

- ♦ Formal and informal group membership.
- ♦ Importance of group values and norms.
- Participation in group activities.
- Conformance to group rituals and rules.
- Group language use.
- ♦ In-group contacts.
- Group-specific civic/political/social participation.
- ♦ In-group marriage.
- Dominance of group identity in situations of conflict and stress.
- Circumstances/situations in which group identity is prominent.
- Managing multiple attachments such that group identity is sustained over time.

Adjudicators should be taught to give primary weight to the implications of identity attachment over other forms of attachment such as instrumental/exchange attachment, ideological attachment, and political attachment.

### Recommendation IA4. Explicitly Evaluate Strength of Attachment

Adjudicators should be trained to evaluate, estimate and rely on "strength of attachment" for US attachment and other significant attachments. The evaluation of "strength of attachment" should take into consideration the number of indicators of attachment and the "strength-level" associated with each indicator. Strength level of an indicator may be an informed judgment based on scaled examples. For example, for ethnic group attachment a leadership role in regular group rituals is likely to be an indicator of stronger identity attachment than frequency of contact with family members. For national attachment, holding public office is likely to be a stronger indicator of national identity than registering to vote.

Some amount of research would be required to develop instructions and exemplars/anchors necessary to systematically evaluate "strength of attachment."

# Recommendation IA5: Where There is Evidence of Significant Multiple Attachments, Gather and Evaluate Indicators of Individual's Strategy for Managing Potential Conflict

Research shows people often successfully manage multiple attachments. Where multiple attachments are in evidence, adjudicators should assess the individual's perceived success in managing the attachments in those occasions or events that pose potential conflicts, especially where those potential conflicts are nation-oriented. This assessment should focus on the manner in which the individual applies the multiple attachments to the particular circumstances of the occasion or event.

### Recommendation IA6: Where There is Evidence of Change in an Attachment, Investigate and Evaluate the Factors Leading to the Change

Investigators and adjudicators should gather and evaluate evidence describing the factors that led the individual to significantly increase or reduce, or alter or eliminate a previously significant attachment. The focus should be on the extent to which the change factors bear any relevance to security risk.

## Recommendation IA7. Integrate Evidence of Conflict Risk Across Guidelines Using a Conflict Risk Assessment Scale

All national conflict Guidelines provide evidence relating to the individual's conflict-based risk for future security violations. A cognitively challenging task for the adjudicator is to aggregate all evidence from the four Guidelines into a single overall assessment of the conflict-based risk posed by the individual. Adjudicators should use a structured Conflict-based Risk Assessment Scale as the mechanism by which they systematically aggregate diverse information about the individual's risk for future violations.

A "working" Conflict Risk Assessment Scale and accompanying explanatory information are provided in Appendix A. The Scale itself is shown here.

#### LEVEL OF RISK Lowest Highest Mixed with Mixed with Mixed with Mixed with Identity Source(s) American American American Alternative American Alternative Alternative Alternative Alternative Alternative Leaning Leaning Leaning Leaning American: American: American: American: Exchange-Exchange-Exchange-Values-Exchange Based Based Based Based Exchange-Values-Value-Based Based Based Based Alternative: Alternative: Alternative: Alternative: Based Based Exchange-Exchange-Based Based Based Based Nature of Relationship N/A N/A Congenial Congenial Adversarial Adversarial Congenial Congenial Adversarial Adversarial with US Governmen

**Overall Conflict Risk Assessment Scale** 

The design of this Conflict-based Risk Scale captures the operational implications of the literature review on the influence of national and foreign attachments of the individual's likelihood of future security violations. The risk assessment is based on three considerations: (1) the sources of one's important identities, (2) the strength of attachment associated with each attachment, and (3) an overall assessment of the individual's relationships with the US government. Each of these three factors would be judged by the adjudicator based on attachment evidence from across the Guidelines. These three factor-level judgments would then be aggregated into an overall assessment of risk based on the standards expressed in the model. While this Conflict-based Risk Assessment Scale was designed to capture the implications of the

relevant research, it may well be that additional planning, design and research would result in modifications to this approach.

It is worth noting that this proposed Conflict-based Risk Assessment Scale does not change the fundamental complexity of the adjudicator's judgment task. Rather, it is an attempt to provide structure and an organizing framework to enable adjudicators to manage this complexity in more systematic, evidence-based manner. Arriving at an overall assessment of risk is a complex and somewhat ambiguous judgment task for the adjudicator. The adjudicator must collect information on a variety of indicators and combine these indicators in a meaningful way. The Conflict-based Risk Assessment Scale provides a way of managing this complexity based on the most important considerations to yield the most valid assessments possible. Further, this risk scale is intended to be illustrative of a structured method of supporting adjudicators' risk judgments. Certainly, additional development work would be needed to optimize the structure of the scale components and provide a set of user instructions to support adjudicators' use of the scale.

#### **Guideline Level Recommendations**

### **Guideline A. Allegiance to the United States**

None in addition to the Cluster Level recommendations. See the Recommendation S1 about a new "Eligibility Standard."

#### **Mitigators**

### Recommendation IB12. Revise Mitigator (d) to Focus on Two Types of Evidence:

- a. The individual has deliberately ended the involvement/association in question.
- b. Since ending the involvement/association, the individual has demonstrated increasing attachment to and support of US interests as manifest by changing social norms groups, changing beliefs about US interests, and changing plans with respect to US interests.

#### **Guideline B. Foreign Influence**

None in addition to the cross-guideline recommendations. See the Guideline L recommendation.

See the recommendation about an "Eligibility" Standard.

#### **Mitigators**

#### Recommendation IB13. Revise / Supplement Guideline B Mitigators as Follows

- 1. Add a mitigator addressing evidence that the individual has integrated foreign connections into a pattern of behavior supportive of US interests.
- 2. Add a mitigator addressing evidence that the individual has experienced conflicts in the past relating to dual attachments and has resolved them in a manner that does not imply security risk.
- 3. Add a mitigator addressing evidence that the individual has been increasing identity-based attachments to the US while maintaining / developing foreign expertise for US purposes and/or decreasing foreign identity-based attachments.
- 4. Modify mitigator (b) to emphasize the "depth" of foreign relationships (i.e., strength of attachment or personal importance accorded to that person, group, government or country) rather than how long the relationship has lasted.

#### **Guideline C. Foreign Preference**

## Recommendation IB14. In Cases of Dual Citizenship, Emphasize Evidence of National Identity

Recommendation A1 directs attention to a sharper focus on evidence of identity-based attachment. The role of national identity information is especially relevant in cases of dual citizenship. Research shows that dual citizens tend to have lower US national identity and, therefore, are likely to be somewhat more risky for security violations. In any particular individual's case, evidence of strong US national identity or, conversely, strong foreign national identity, would be important for assessing the weight to attach to dual citizenship.

#### **Mitigators**

#### Recommendation IB15. Revise / Supplement Guideline C Mitigators as Follows

- Add a mitigator addressing evidence that, for individuals holding dual citizenship, the individual has demonstrated a pattern of increasing attachment to the US in any of a variety of ways including English language usage, voting, civic/political participation, and knowledge of US values, history, governance, and social systems.
- 2. Add a mitigator(s) to reflect the nature of the relationship (adversarial or congenial) between the US and the country with which foreign attachment is indicated. Such a mitigator should also take into consideration the relatively chronic (or capricious) nature of the relationship between the given countries.

3. Mitigator (c) should be modified to also capture the extent to which the exercise of any right, privilege, or obligation of foreign citizenship is important to that person's self-concept.

#### **Guideline L. Outside Activities**

#### Recommendation IB16: Fold Guideline L into Guideline B

With the significant exception of condition (a) (4), Guideline L covers foreign relationships very similar to those covered in Guideline B. Employment and service relationships could be easily captured under the broad component of condition (b) regarding "connections to a foreign person, group, government, or country that create a potential conflict of interest" The distinctive element of L is condition (a) (4) regarding relationships with others involving the communication of security relevant content. Because this condition does not rest on foreign relationships necessarily it is unique within the foreign conflict cluster of Guidelines.

The evidence-based rationale favoring moving L into B is that the foreign attachment issues associated with L are very highly related to those at the core of B. Both consider foreign attachment unrelated to citizenship (Guideline C) where dependencies or identification with foreign entities may create a risk of disloyalty or inducement or coercion. Employment and service relationships do not introduce a qualitatively different set of attachment considerations than the broader range of relationships captured in B.

Combining L into B would reduce the complexity in aggregating evidence across Guidelines.

#### **Mitigators**

#### Recommendation IB17. Revise / Supplement Guideline L Mitigators as Follows

- 1. Add a mitigator addressing evidence that individual has taken steps to eliminate potential conflicts with employment/service responsibilities.
- 2. Add a mitigator addressing evidence that the employment/service relationship is not unusual for naturalized US citizens with the individual's skills, experience and country of origin.
- 3. Add a mitigator addressing evidence that the individual has complied with prescriptions and expectations regarding security protection practices.
- 4. Mitigator (a) should be modified to capture both the security risk of the activity itself as well as the nature of the relationship (adversarial or congenial) between the intended audience or beneficiary of such an activity and the united states government (and its interest).

#### Research Recommendations

A number of topics relevant to the effectiveness of the Guidelines are warranted given the considerable lack of evidence directly related to the prediction of security behavior.

## Recommendation IC1. Investigate Measures and Meaning of "Strength of Attachment"

The above recommendations assume, with some support from the literature, that attachments vary in strength, and strength predicts dominance of attachments in situations where different attachments imply different actions. This assumption is central to the manner in which adjudicators make decisions about risk for violations. There is no evidence about this assumption in the security behavior domain and it is possible that the security contexts, with their extreme demands, are qualitatively different from other domains with fewer such demands. Investigations of strength of attachment should compare type of attachment (values-based (identity) v. exchange-based), source of attachment (ethnic groups v. nations), and owner demographics (e.g., race/ethnicity, age, experience with group membership).

## Recommendation IC2. Investigate the Ways in Which Cleared Employees Manage Multiple Attachments

Using existing cleared employees, investigate the manner in which they managed multiple attachments in contexts where the attachments imply different behavior. In the very strong security context people may have uniquely adapted the manner in which they manage multiple attachments.

# Recommendation IC3. Develop Measures of Identity Attachment to be Applied in the Adjudication Process

Recommendations above call for the assessment of identity attachments as part of the adjudication process. While such measure could be developed initially based on conceptual translations of identity measures in other domains, systematic work should be done in the investigations context of the adjudication process. The distinction between identity attachment and other forms of attachment appears to be significant for the prediction of other nation-oriented behavior but the measurement differences between these forms of attachment can be subtle. Good measurement is necessary for effective adjudication processes.

#### REFERENCES

- Collins, J.M., & Schmidt, F.L. (1993). Personality, integrity, and white-collar crime: A construct validity study. *Personnel Psychology*, *46*, 295–311.
- Thompson, T. (2003). A study of vulnerability factors in espionage by the trusted insider. Dissertation Abstracts International: Section B: The Sciences and Engineering. 64(11-B), 5841.

# APPENDIX A: GUIDANCE FOR THE USE OF THE CONFLICT RISK ASSESSMENT SCALE

In the following, a Conflict Risk Assessment Framework is described that serves as a recommendation and the basis for additional recommendations. As a recommendation in and of itself, the Conflict Risk Assessment Framework is intended to illustrate how to integrate major research findings from the social identity, commitment, and identity management literatures and how this can potentially refine and improve the assessment of risk of future security violation behavior based on Allegiance/Loyalty/Attachment issues. It is important to note that the Framework is not introduced with the goal of automating decisions. The intention is to provide structured guidance for aggregating identity-based evidence and making decisions that are consistent with theoretical and empirical evidence.

The Conflict Risk Assessment Framework also provides a basis for recommendations relevant to the improvement and/or modification of Guidelines A, B, C, and L. We turn to this issue subsequent to describing and explaining the proposed Framework.

#### The Conflict Risk Assessment Framework

The Conflict Risk Assessment Framework represents a continuum of risk for future security violations based on different combinations of three underlying dimensions: Identity Source(s), Strength of Attachment, and Nature of the Relationship with the United States. These dimensions are based on major findings from the social identity, commitment, and identity management literatures. Based on different combinations of these dimensions, 10 levels of risk are identified. In the following section, each dimension of the Conflict Risk Assessment Framework is described along with the theoretical/empirical rationale for its use. Also included is a discussion of how each dimension can be used to assess risk and improve the predictive accuracy of security clearance decisions.

#### **Key Dimensions of the Framework**

#### **Dimension 1. Identity Source(s)**

The Identity Source(s) dimension is intended to capture the group(s) with which an individual identifies. As discussed, the groups with which a person identifies can influence his or her attitudes, motivations, and behaviors, making this an important piece of information to capture. The risk assessment is based on three possible identity sources: American, Alternative and Mixed. The Alternative designation is meant to capture both international (e.g., France, Iraq) and domestic (e.g., Ku Klux Klan) groups with values, ideologies, customs, habits that are at some cultural/political distance from those characteristic of the American identity. The Mixed category represents a social identity based on some combination or multiplicity of American and Alternative influences.

With information relevant to this dimension in hand, three levels of risk can be distinguished: low, medium and high. These risk levels correspond to individuals with American, Mixed and Alternative identities, respectively. This dimension provides the most rudimentary assessment of risk. The literature suggests that reliance on this dimension alone would be too coarse and could contribute to a high level of prediction error, such as a high incidence of false positives, whereby people with acceptable risk are more likely to be classified as unacceptably risky and denied a clearance. A more sophisticated, and potentially more accurate, assessment of risk requires collecting information on at least two additional dimensions: Strength of Attachment and the Nature of the Alternative Group's Relationship with the United States.

#### **Dimension 2. Strength of Attachment**

As discussed, the literature indicates that a group's influence on an individual's attitudes, motivations and behaviors is contingent on the strength of his or her attachment with that group. The stronger an individual is attached to a group, the more likely the group is to influence the individual's attitudes, motivations and behaviors. Therefore, a "Strength of Attachment" dimension was deemed important and necessary. The organizational commitment literature provides additional insight on how to conceptualize this dimension, suggesting that there are at least two different types of attachment that vary in the strength of their influence on an individual's attitudes, motivations and behaviors. These were referred to as value-based and exchange-based attachment and that the former type of attachment is more influential than the latter. Based on this research, value- and exchange-based attachments are used to define two levels on the "Strength of Attachment Dimension." Value-based attachment represents a stronger form of attachment and exchange-based attachment represents a weaker form. The label "values-based" attachment used in the organizational commitment represents the same type of identity-based attachment as represented by national identity in the country allegiance research.

As shown in Table A1, the addition of this dimension expands the number of risk levels from 3 to 6, providing the adjudicator with a finer-grained representation of risk that may improve the accuracy of prediction. While the American, Mixed and Alternative identities still

correspond to low, medium and high levels of risk, respectively, there is now more room within these categories to draw finer distinctions regarding risk.

Table A1 shows how this works. At risk levels 1 and 2, an individual who identifies with the American identity is a greater or lesser risk based on the nature of her attachment to an American identity. A person with a values-based attachment to the American identity (risk level 1) can be considered less risky than a person with an exchange-based attachment (risk level 2). The assumption is that values-based attachment is not as deep or stable or general as affect-based (identity) attachment, and, therefore, they may be more vulnerable to inducements or incentives from external sources to engage in behavior that violates security rules and regulations.

At risk levels 7 and 8 the relationship between the strength of attachment and risk is reversed. A values-based attachment to an Alternative identity (risk level 8) is riskier than an exchange-based attachment (risk level 7). Since an individual with a values-based attachment is more strongly attached to the Alternative group, they are more likely to act in a manner favorable to that group. Under some circumstances, this may involve engaging in behavior that is in violation of security rules and regulations.

The previous example was based on a single identity, either American or and Alternative identity. When the adjudicator is evaluating an individual with only one identity to consider then risk is best assessed by conducting a comparison of attachment types (values v. exchange) within the identity. The nature of the comparison is different for those with Mixed identities, since both an American and Alternative identity are involved. Within this identity category, risk assessment is based on a comparison of attachment strength across groups. Such a comparison would require the adjudicator to determine the strength of the individual's attachment to both American and Alternative identities. This is intended to answer the question, "Which identity is the individual most strongly attached to?" Individuals with a stronger/more dominant attachment to the Alternative identity would be a higher risk than those with a stronger/more dominant attachment to the American identity. As shown in Table A1, individuals at risk level 3 are less risky than those at risk level 4 because they have a stronger attachment to the American identity, which is value-based, than the Alternative identity, which is exchange-based.

#### Dimension 3. Relationship with US Government

Including the strength of an individual's attachment to American and/or Alternative identity(ies) improves the predictive accuracy of risk assessment over and above reliance on the Identity Source(s) dimension. However, an even greater level of predictive accuracy may be achieved by considering a third dimension: the relationship of Alternative groups (and associated identities) with the United States. This dimension has two categories labeled Congenial and Adversarial, which are intended to provide a characterization of the relationship between the American and Alternative identities. Adversarial relationships refer to those in which political, economic and/or cultural conflict exists between the United States and the group, whether foreign or domestic, that the Alternative identity characterizes. A current example of a group with an adversarial relationship to the United States is North Korea. Congenial relationships, on

the other hand, refer to those that are positive in nature by way of shared political ideologies or alliances, economic interdependencies, and/or shared cultural values and beliefs. Great Britain is a good example of a foreign group that has a Congenial relationship with the United States. Of course, even "Congenial" nations may have an interest in clandestine access to US information. So, the distinction between "Congenial" and "Adversarial" fundamentally represents an assessment of the Alternative nation's threat to engage in counter-intelligence against the US.

The basis for this dimension is empirical evidence that people can possess multiple identities. Apparently, our psychology does not require that we identify with one and only one group. This feature, however, appears to be contingent on contextual variables, such as the nature of the relationships between the groups with which one identifies. Under conditions of conflict, an individual may feel the need to resolve dissonant feelings by allowing one identity to gain dominance over another. When this occurs, the identity with which a person is most strongly attached is likely to take over. This has direct implications for the risk associated with individuals characterized as Mixed in Dimension 1. In Table A1, where the nature of the relationship between the United States and Alternative group is Adversarial, the person is deemed a higher risk than when this relationship is Congenial. This is the case regardless of the individual's level of attachment to the American and Alternative identity. This is not to suggest that the second dimension is not useful. In fact, considering these dimensions together within the Mixed identity category results in four levels of risk that may aid in predictive accuracy beyond the two risk levels distinguished by the second dimension.

Table A1 shows that a person with a values-based attachment to the American identity and an exchange-based attachment to an Alternative identity where the nature of the relationship between the United States and Alternative groups is Congenial presents the lowest level of risk within this category. In this case, a person is most strongly attached to the American identity and, therefore, is most likely to act in the interests of the United States. Additionally, although the person is attached to an Alternative identity through an exchange-based attachment, the absence of conflict makes it less likely that a representative(s) of that group would use the attachment against them in the form of coercion. An individual that has a values-based attachment to an Alternative identity and an exchange-based attachment to the American identity when there is conflict between the Alternative group and the United States presents the highest level of risk in the Mixed category. In this case, conflict is likely to promote the dominance of the Alternative identity over the American identity, especially since the former is stronger than the latter. Consequently, the individual may be more likely to act on behalf of the Alternative group. In some instances, this may involve the violation of security rules and regulations on behalf on the Alternative group. In addition, this individual may be more likely to feel external pressure from a representative(s) of the Alternative group to engage in security violation behavior.

The applicability of this third dimension is not restricted to individuals falling into the Mixed identity category; it also applies to those with an Alternative identity(ies). Table A1 shows that the addition of this third dimension allows for the expansion of the Alternative category from two to four risk levels. As with the Mixed identity category, individuals attached

to identities characteristic of groups with an Adversarial relationship to the United States are judged to be more risky than those with identities characteristic of groups with a Congenial relationship with the United States, regardless of the level of attachment. Considering the second dimension in conjunction with the third for this category, however, results in a more fine-grained characterization of the level of risk. At the lowest level of risk within the Alternative category is an individual with an exchange-based attachment to an Alternative identity characteristic of a group with a Congenial relationship with the United States. At the highest level of risk is an individual with a values-based attachment to an Alternative identity characteristic of a group with an Adversarial relationship with the United States.

#### **Putting It Together**

Combining the different levels/categories of each dimension results in a 10-level continuum of risk. The inclusion of the second and third dimensions allows for a more fine-grained characterization of risk that may improve predictive accuracy/validity. The individual with the lowest level of risk is a person who has a strong attachment to the American identity based on a set of shared values. In contrast, the highest level of risk is posed by a person who strongly identifies with the values of an Alternative group that is threat for counter intelligence against the United States.

## Evaluating Conflict Risk Assessment Dimensions with Guidelines A, B, C, and L

Applying the Conflict Risk Assessment Framework to each of the Guidelines comprising Cluster I indicates that this Risk Assessment Framework is consistent with the Guidelines in certain ways and not in others. Consistency between the Framework and Cluster I Guidelines reinforces and validates some features of the Guidelines in their current form, while discrepancies emphasize how the Guidelines might be modified or improved to more accurately reflect social science research on identity and identification processes/dynamics, thus improving the validity of the Guidelines.

Though features common to and distinct to the Conflict Risk Assessment Framework and Cluster I Guidelines will be addressed, the goal of this section is not to provide an exhaustive analysis and/or set of recommendations; rather, the goal is to describe the most readily apparent consistencies, distinctions and implications for the validity of the Guidelines in their current form as well as potential steps needed to modify or improve their validity. To accomplish this, the extent to which dimensions 2 and 3 of the Conflict Risk Assessment Framework are evident in Cluster I Guidelines is discussed.

#### The "Nature of Relationship to the United States" Dimension in Cluster I

The third dimension of the Conflict Risk Assessment Framework – Nature of the Relationship to the US – is considered more or less explicitly in several of the Cluster I Guidelines. A potentially disqualifying condition in Guideline A is "association or sympathy with persons who are attempting to commit, or who are committing (sabotage, espionage, treason, terrorism, or sedition against the United States of America)." This condition refers to an attachment with a group with adversarial relationship with the United States. As another example, a potentially disqualifying condition in Guideline is C is "performing or attempting to perform duties, or otherwise acting, so as to serve the interests of a foreign person, group, organization or government in conflict with the national security interests." As with the condition for Guideline A, this indicates that risk is heightened when an individual is attached to a group in an Adversarial relationship with the United States. Since the third dimension of the risk assessment is consistent with social science research on identity, commitment and identity

management processes, and this dimension is evident in several of the Cluster I Guidelines, there is some evidence for the validity of these Guidelines in their current form.

Typically the assessment of whether the US and Alternative groups are "Congenial" or "Adversarial" will be based on expert sources available to the adjudicator. "Congeniality" is not based on evidence from the individual. It is not the individual's perception of the US – Alternative relationship. Rather, it is the most expert, available assessment of the threat the Alternative nation represents for intelligence gathering against the US.

#### The "Strength of Attachment" Dimension in Cluster I

The Adjudicator's Desk Reference identifies several indicators that can be used to assess the risk associated with a particular individual. Several of these indicators refer to the attachments between an individual and a group. For example, a disqualifying condition of Guideline B is "unauthorized association with a suspected or known agent, associate, or employee of a foreign intelligence service," and a disqualifying condition of Guideline L is "any employment or service, whether compensated or volunteer, with: (1) the government of a foreign country." What these examples illustrate is that although the indicators of person-group attachment are considered, the strength of attachment denoted by these attachments is not always clear, making it potentially more difficult to assess the true level of risk. This is not to say that there are not indicators more clearly denoting the strength of the attachment. For example, a disqualifying condition of Guideline A is "association or sympathy with persons who are attempting to commit, or who are committing(sabotage, espionage, treason, terrorism, or sedition against the United States of America)" and a disqualifying condition of Guideline B Is "a substantial business, financial, or property interest in a foreign country, or in any foreign-owned or foreign-operated business, which could subject the individual to heightened risk of foreign influence or exploitation." The former condition seems indicative of a valuesbased or strong attachment, particularly considering use of the word "sympathy," while the latter condition appears to be indicative of exchange-based or weak attachment.

This rationale is the primary basis for Recommendation A2 that strength of attachment should be explicitly evaluated.

Table A1. Overall Risk Assessment Scale

	LEVEL OF RISK									
Key Dimensions	l Lowest	2	3	4	5	6	7	8	9	10 Highest
Identity Source(s)	American	American	Mixed with American Leaning	Mixed with Alternative Leaning	Mixed with American Leaning	Mixed with Alternative Leaning	Alternative	Alternative	Alternative	Alternative
Strength of Attachment	Values- Based	Exchange- Based	American: Values- Based Alternative: Exchange-	American: Exchange- Based Alternative: Values-	American: Values- Based Alternative: Exchange-	American: Exchange- Based Alternative: Values-	Exchange- Based	Values- Based	Exchange- Based	Value-Based
Nature of			Based	Based	Based	Based				
Relationship with US Government	N/A	N/A	Congenial	Congenial	Adversarial	Adversarial	Congenial	Congenial	Adversarial	Adversarial

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

### Examination of the Adjudicative Guidelines

Appendix C Part 1
External Subject Matter Experts: Focus Group and Interview
Session Notes

LEADING INTELLIGENCE INTEGRATION

March 2011

ONCIX Special Security Directorate Research Program

These notes capture the discussion that took place among participants in a research context. They do not necessarily represent the positions of any agency or of the Security Executive Agent.

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#### Introduction

The *Examination of the Adjudicative Guidelines* Project has three components: reviewing the relevant social science literature, gathering the views of subject matter experts from outside the security community, and soliciting in a formal setting the thoughts and opinions of a body of government personnel security professionals on the substance and structure of the Guidelines. The notes that follow record the results from the third of those components.

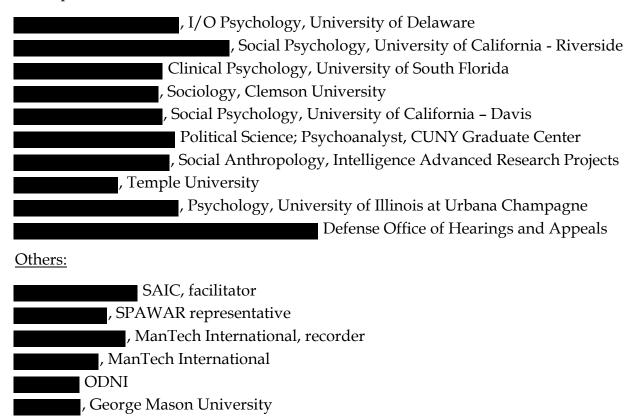
Following the clustering model developed for the project, we conducted three focus groups for outside experts, one each to address Clusters I, II, and III, and two one-on-one interviews to address Cluster IV. The material in Cluster V (generic personal conduct and security practices) did not lend itself to soliciting outside expertise. The focus groups varied in detail, but all were meant to capture the views of people with professional interests in areas of concern but who did not come to the discussion with working knowledge of the personnel security system and were thus positioned to provide fresh insight.

Participants were selected based on the strength of their publications and professional reputations, and of course their willingness to participate. They were reimbursed for travel and lodging, but received no honoraria. All spoke in their own voices, not as representatives of their institutions. The participants of the first focus group requested non-attribution, a request that we have honored.

#### CLUSTER I: GUIDELINES A, B, C, AND L

September 24, 2009 9:00 am—4:00 pm Washington Dulles Airport Marriott Hotel

#### Participants:



Participants requested that this session be conducted under terms of non-attribution.

#### I. Is there a meaningful distinction between Allegiance and Loyalty?

A: What does it mean to be a U.S. citizen? Consider the concept of *attachment* rather than assimilation. There is the idea of instrumental assimilation: "What's in it for me?"

B: There are three forms of employee commitment that may apply to commitment to country as well: affective (emotional: "I feel good when I see the flag"), normative (obligation: "I belong here") and instrumental (no other option: "I'm here because I have no choice").

A: People want to be here, but why? Polling data suggest that the reasons are mostly instrumental (public funds, ease of travel), with only 17 percent expressing an affective reason.

C: In the course of the discussion we should also think about the subset of people who will be looking for a security clearance. They are not like the general population. The clearance citizenship requirement does not consider how long a person has been a citizen.

D: There is an issue with anything suggesting "conditional citizenship" such as a waiting period after citizenship for clearance eligibility. At one time we did have just that, but the courts struck it down in a case called Huynh v. Carlucci (1988). We need a more sophisticated solution because we cannot discriminate based on naturalization status. There is no such thing as probationary citizenship.

E: There's evidence from psychology that *assimilation* should not be used because it assumes a uni-directional degree of attachment or affinity, which would mean that the more one is an American the less one is some other nationality. Assimilation as a concept is too limiting. *Cultural competency* or some other such term may be better.

F: Burton talks about information coming into the reptilian brain and then going to the cortex where it is edited. Maybe loyalty is the reptilian brain and allegiance is the cortex.

G: Neuroscience is important, but we need to be careful about making radical distinctions. Emotions are the giant elephant in the room and reason is the pony strapped to its side.

E: With loyalty, think about relationships—there's commitment, you join something because you like it, it feels good.

H: Allegiance is straightforward, but there are different levels and interpretations of loyalty that you need to deconstruct to get at it. Allegiance is a contractual relationship, you're either allied with a particular group or perspective or you aren't. With regards to loyalty—loyal to what? The Constitution? Bill of Rights? Country?

I: What are the dimensions? Both terms are constructs, cognitive and emotional facets.

J: Look at predicting behavior—which is more predictive: affective or conscious, more explicit thoughtful attitudes? It is more important to demonstrate allegiance than the affective loyalty.

F: Behavior follows both from what comes from the outside (reality, objective) and from the inside (emotions, culture, expectations). In some situations you have 100 percent

control from the outside, in others 100 percent control inside, but most of the time it's split. Look at the importance of the situation as an influencer.

C: Is there in fact anything meaningful about loyalty or allegiance? What does either add? How is loyalty to a country different from loyalty to a corporation? Shouldn't someone meeting the criteria get a clearance? The concepts seem anachronistic.

D: Can we use the term *attachment* in place of the word *allegiance*? If so, what makes attachment important? How do we translate this into meaningful language? What are tangible measureable aspects of attachment?

A: To what degree is the loyalty/allegiance distinction based strictly on national security concerns? To what degree are we interested in predicting attachments and identifying conflicting attachments? National security needs a high barrier regarding where people's attachments lie because, along with what is directly observable, there are hidden affective concepts behind what people do. The concepts are important because the U.S. is recruiting people with attachments pre-dating their arrival in the country. It's not a question of loyalty but conflicted attachment.

B: People attach to things for multiple reasons. Loyalty is important because the literature shows it makes a difference. Those who affectively commit to an organization are less likely to leave than those who commit in other ways. This applies to organizational citizenship behavior, which affective commitment predicts strongly and positively.

H: That seems like a binary outcome: you either give up commitment or maintain it. There's an assumption that loyalty and allegiance are the only things to have an impact on this outcome, but there may be other variables. Is it possible to come up with a multivariate model that gives a score on the model of a financial credit score?

A: Does loyalty equal attachment?

D: Loyalty and allegiance are proxy words. Can attachment be used in lieu of loyalty? A: Yes.

B: Another concept to think about might be faithfulness.

D: Ross Perot wouldn't have anyone work for him who had had an affair because he felt that, if you couldn't be faithful to your spouse, he couldn't trust you to be faithful to him. Is that an example of the faithfulness you're thinking about?

B: That's an example of being confident and wrong. It doesn't follow that greater commitment in one area must mean lesser commitment in another: the issues involved are too complex.

I: The question should be attachment or allegiance to what? Clearly to the U.S., but what aspects of the U.S.?

E: What does commitment mean to an individual – is it solid, thought out, affective?

D: Maybe we should discard loyalty and allegiance as relevant concepts and come up with something else instead of arguing these. If so, we need a more precise understanding of attachment.

A: I think it's a matter of accepting and integrating three things into one's own life: American institutions, the American way of life, and fellow American citizens. My theory of attachment encompasses five aspects: warmth and affection for, appreciation of, pride in, commitment and responsibility toward, and support of these three things. We also need to consider how to interpret the extent to which we can use a corporate model. The measure of affective commitment applies to a second layer of commitment, a determination of value beyond a job offer.

F: There is a need to focus on a model of the act of revealing secrets, which would involve an individual's self-concept, the norms for the group, affect, the consequences of the behavior, and the ease of getting caught. "Is this the sort of person who reveals secrets?" then becomes the relevant question.

J: If you think of yourself as an American and then give away American secrets, there's a conflict with your self-image.

E: But people rationalize.

J: After the fact.

I: Breaches occur against the norm, so the general criteria applied in adjudication may not deal with their direct causes. Personnel security evaluation is a risk assessment. Adjudicators would rather err on the side of being too careful than not careful enough.

G: The emphasis is on emotional valence. Beyond prediction, what is one's obligation to the government? Allegiance leads to loyalty, and loyalty is to the Constitution.

B: Maybe loyalty is not a good criterion for purposes of selection. There are different definitions of organizations by members of organizations. When we measure organizational commitment we usually see loyalty to the local environment, the team vs. the organization. Individual motivation may be very local in terms of the organization.

I: We might say, "All motivation is local."

# Are there other indicators (positive or negative) that could be measureable or predictive of this notion of allegiance or attachment?

J: Attachment may be to symbols.

I: In the investigative process, positives are rarely gathered or pursued. Thus it's assumed that allegiance exists in the absence of information proving that it doesn't.

F: People rationalize, and self-deceptions can be powerful. These cognitively simple deceptions are measureable in statements of hopes, needs, desires, and these can be a clue that someone is hiding cognitively simple deceptions. Examples are 9/11 terrorists who saw themselves as divine instruments, holocaust deniers, and Cheney in his view of Iraq. This may be a risk factor—relying on too many cognitively simple statements.

A: We should keep in mind that adjudication in DoD is an assembly-line process, and adjudicators are looking for hard and fast guidelines. Smaller agencies have the luxury of being able to ask more refined questions.

# Are there other indicators, observable behaviors that get at attachment? Is attachment to the U.S. sufficient?

F: I would like to bring up the "I am" stem as a type of question. There was a study in which people with Korean backgrounds were asked to complete 20 "I am" statements. There were differences between those who gave two "Korean" answers and those who provided one or none. What responses do people give when prompted by this stem? How do these responses correlate with other scales?

E: I wonder about the foreign bank account question, which Guideline C identifies as a potential issue. Its value varies with country and other things. The same is true for passports. Often there are practical reasons for having two passports. The country the passport comes from is important; you have to look at it on a case-by-case basis. Having a 2<sup>nd</sup> passport doesn't affect how I feel about being an American, yet the Guidelines suggest that a person is less American because of attachment to a 2<sup>nd</sup> country, for which having a foreign passport is offered as evidence.

F: National identity alone is not sufficient; tribal and other similar loyalties are also important to consider.

C: There's a false premise that this is a zero-sum game. An assumption in the Guideline is that there is a conflict of interest; this is less true today. Identity is more salient than loyalty. How about grouping together passport with foreign military service as an

indicator of divided allegiance? There's no nuance in the Foreign Preference guideline. Yet having an attachment to a high-risk entity doesn't necessarily mean anything.

D: The existing Guidelines worked backward from what can be measured to the concepts behind them. There is now a need to flesh out concepts in order to go forward and get better predictors. The rule in DoD mandating no clearance for anyone holding a foreign passport resulted from particular circumstances and was later made part of the Federal Adjudicative Guidelines. Intelligence Community agencies just want to know that you have the passport; there is no absolute requirement to surrender or destroy it.

A: How do you figure out whether in a specific instance holding the foreign passport means anything?

D: Agencies spend a great deal of time and effort trying. Destroying a passport is meaningless, the person can simply get another one. The real issue is why the person has the passport.

G: It's important to have measurable criteria. To predict people's behavior, ask others. This is more accurate than asking them themselves. Ask, for example, whether they can they keep a secret or whether they have expressed a desire for their country of origin to take precedence over the U.S. Interviewing neighbors is irrelevant; it would be better to send an email survey to people who know the person, you'll get a better feel for who he or she is.

D: Written inquiries were mandated back in the 1950s at the time of President Eisenhower's Executive Order 10450 and are still used today. However, our working experience is that most are not returned.

I: Why not email? People sign waivers. Why not mine their emails?

G: Using emails to make inquiries may be the best way to get information from third parties effectively, but I was not suggesting mining emails.

# Is there a perception of conflict between the country of origin and the U.S. within the individual? What are the specific questions?

I: The current process is a series of close-ended questions rather than open-ended, "explain a time when..." questions. It would be better to elicit a narrative. You usually get nothing from neighborhood canvassing.

J: There's a method of content coding language. Record and listen to the narrative.

D: This plays into the question about whether or not loyalty stays a part of the guidelines.

I: Look at a situation where someone stuck to their principles when there were good reasons not to.

G: Hypotheticals are important: "What would you do...?" sorts of questions.

B: Do supervisors and managers have insight into trust? What predicts trust? What makes an employee trustworthy? There's a biodata technique: which answer differentiates the most and least trusted employee (captured through managers rating employees). Then look to hire people who resemble the most trusted. Not sure if this is transferable, that's an empirical question. It would be necessary to get a sample from across agencies because they could be different by agency. It's a way to distinguish one group from another.

## II. Foreign Influence and Foreign Preference: What should we look at? Do we need to look at all?

K: The Guidelines retain much of the character they had during the Cold War when the staffing requirements of the national security community could be met with relatively little need to recruit from immigrant and 2<sup>nd</sup>-generation populations. However, the changing nature of the threats against the United States calls for skills present in those populations. Demographics are also changing, with immigrants and members of the 2<sup>nd</sup>-generation increasing as a percentage of U.S. citizens. In the face of these changes, we need to understand what is in fact important today and tomorrow to take into consideration when considering a person with foreign associations for a security clearance, always keeping in mind that the clearance, which itself is about the person's ability to protect classified information, is also a surrogate for assessing an individual's reliability and trustworthiness to work in the national security environment. As a tangential issue, it is clear that the framework we use today for personnel security is a quasi-legal one, as is suggested by some of the vocabulary used: adjudicators, investigators, mitigators, appeals of adverse outcomes. Perhaps a medical model would be more apt.

K: The Guidelines split foreign association and preference for practical purposes, making a distinction between things an individual has little or no control over (e.g., the citizenship status of one's relatives) and choices made (e.g., to vote or not vote in a foreign election). Is there an underlying concept that requires paying attention to?

F: There is also something to think about in the relationship to technology and the ease of communication it brings.

I: The guiding question here is "What should we be looking at?" This begs the unanswered question of why should we be concerned. What kind of breaches are we concerned about? What is the threat? Otherwise this is unanswerable. Does foreign preference affect my security risk?

D: There's a critical difference between Foreign Influence and Foreign Preference: with Foreign Influence, you can meet all factors including allegiance and still be a risk due to forces beyond your control; with Foreign Preference, you're looking at volitional behavior.

G: We keep forgetting the environment. Who is the authority? Anthropology was developed to figure out who was the authority as a way to understand influence. This depends on the cultural environment—immigrants from other societies may have authority structures other than those of a nuclear society like U.S. or Canada. We need to rethink authority, it's not necessarily nation-based.

E: I may agree. It comes to a consensus regarding authority, but the training of adjudicators will be vital. There are two threats: one from those who disclose protected information because it benefits their country of origin, and another from those who disclose it in order to harm the U.S. for whatever reason. The needs and goals of the country of origin and the U.S. may well be different, and loyalty and allegiance take time to develop.

I: That's an open question if it takes time and, if so, how long.

D: We are in fact looking for people who are loyal to the institution. In the military, one can become a citizen very quickly. What is it about citizenship that we care about in looking for trust? Citizenship can be prosocial behavior, finding people who go beyond their roles as good citizens—which goes back to the five aspects mentioned earlier¹ when we think about citizenship with a small "c." Can we trust this person is the main question.

B: Hypotheses are necessary, but it's also necessary to ensure that the methodological approach used is sound. When validating, there are always going to be errors, and decreasing one error may increase the likelihood of another error. For example, when granting security clearances, reducing the likelihood of screening out candidates who

<sup>&</sup>lt;sup>1</sup> page 3.

are in fact acceptable could well increase the likelihood of allowing an unacceptable candidate. Which error is more important to avoid?

A: We seem to be focusing on terrorism, but should be talking more broadly. There are many ways to harm a country. Any disclosure or action is relevant. There's a relationship between Foreign Influence and Foreign Preference. Foreign Influence is linked to attractiveness to a foreign power and Foreign Preference is linked to availability, that is, how available for exploitation the person is. Foreign Preference seems most important and most difficult. Be careful not to assume too much about people who are coming to the U.S. How individuals were brought up and when they came to the U.S. are relevant to the discussion. You have to take into account a person's association with and feelings for the home culture. The real question about the individual in question is, when a choice needs to be made, where will they stand? I agree with the point regarding narrative—it's not what they say but how they think. Look at people's grievances. There are different types: some historical, some policy, some personal. People with grievances are more likely to act out.

G: There is also the issue of human brain development, where were people at certain ages. There are important periods in people's lives; ask about those points in time.

J: The criteria should also be expanded. It is more difficult and less likely for a person to do something harmful to a country when he or she identifies with that country. Foreign contacts and associations have little to do with the extent to which they have a strong U.S. identity. There's an assumption that being a U.S. citizen automatically means loyalty, but this doesn't always happen.

C: Look at threat assessment in terms of historical experience. There are no instances in which dual citizenship has played a role in committing espionage. The number of dual citizens is increasing. Most countries allow citizens obtaining U.S. citizenship to maintain their foreign citizenship. It makes no sense to maintain the Foreign Preference guideline.

## When looking at the whole person concept, is vulnerability the key for Guidelines A, B, and C?

D: There is one aspect of the Guidelines that addresses the potential for pressure. The whole-person factors require that all factors work together. Most important when looking at foreign influence and preference is the potential for coercion and duress. These are vital for guidelines B and C.

C: The guidelines are based on a loyalty premise for other countries, but these authority structures have changed. Citizenship may no longer be determinative. Other relationships of authority may lead to new types of loyalty. Just by holding a 2<sup>nd</sup> citizenship doesn't make you more likely to act in ways harmful to the U.S.

J: This has more to do with a close family member in another country. In this instance, your family member could be threatened and this would influence you, regardless of citizenship status.

A: Risk increases because foreign governments see nationals as resources to be used. And they even have the tools readily in place in the form of embassies and consulates. We need to recognize trend lines.

E: This will vary from country to country.

L: The government considers that what matters here is the CI threat from your country of origin. This concern is status neutral; it has nothing to do with citizenship affiliation.

# Should foreign preference and dual citizenship not be eliminated as potentially disqualifying criteria but rather monitored?

A: You can't totally ignore dual citizenship. Look at the voluntary steps an individual takes to keep relationships up in the home country. It's not exclusionary, but if you see a pattern, then maybe the individual's focus is elsewhere. You want their focus to be primarily on the U.S.

C: I disagree. We're looking to predict security threats—going home or voting in elections outside the U.S. is not predictive. Standard conflict of interest rules apply. This would be the case in industry; it should be the case in the government.

D: All of the subparts under Guideline C, para 10(a)<sup>2</sup> may be valuable as flags but should not be exclusionary on their own. But that's how adjudicators use them. They take on a life of their own because they are written down.

B: If we had good evidence that a particular configuration of attachments is problematic, should we not exclude people exhibiting that configuration? Is it worse to

<sup>2</sup> "[E]xercise of any right, privilege or obligation of foreign citizenship after becoming a U.S. citizen or through the foreign citizenship of a family member. This includes but is not limited to: (1) possession of a current passport; (2) military service or a willingness to bear arms for a foreign country; (3) accepting educational, medical, retirement, social welfare, or other such benefits from a foreign country; (4) residence in a foreign country to meet citizenship requirements; (5) using foreign citizenship to protect financial or business interests in another country; (6) seeking or holding political office in a foreign country; (7) voting in a foreign election."

keep a good person out or to let in someone who will do you harm? But you have to know that the attachment is a problem.

G: Ask why they're not willing to give up their foreign passport.

D: DoD used to ask cleared people to surrender their foreign passports to the issuing authority, but the exercise was counterproductive.

E: Yes, but it goes beyond that in the potential that acts such as making people give up their previous citizenship undercut support. If you asked me to give up my foreign passport to be here today, I would not. You would be making me choose and I wouldn't feel free to participate in the task then.

L: There is some inconsistency in how this is done. In some branches (legislative and governors) individuals have access to classified information even though they have dual citizenship.

Back to the specific guidelines—are these the right things, are they relevant? There is sometimes the problem that a list of examples is interpreted as exhaustive. Does the list in Guideline C para 10(a) mean that some other relevant things are not being considered?

D: Should possession of a foreign passport be a reason to exclude someone?

A: No. Instead you should consider clusters of facts and events. If you see one, look further at the rest.

J: Alone passports are neither necessary nor sufficient for exclusion.

F: Adjudicators need constant feedback (like weathermen).

J: Feedback isn't there because the cases of spying are so low.

# Should we be looking at anything differently? Is there anything we should be looking at that we're not? Is there anything that doesn't belong?

D: Simple lists of likely disqualifiers—not unlike what is in the 2005 version of Guideline C—too easily become shortcuts to denial, laundry lists of things the presence of which is sufficient to make a negative decision. Let's hear more about grievance psychology. Some spies did what they did because of grievances.

I: Those who have committed espionage did so years after being cleared; it's not representative of failure in the personnel security process. This suggests that monitoring

is far more important than clearance. To do so would get us away from the bad apple model. Guideline B, Foreign Influence could be reduced. Would there be any reason to care about Foreign Preference without Foreign Influence? I can see the rationale for para Guideline C, para  $10(d)^3-it's$  the affinity, the ordinal commitment—but not para 10(a)(1) through (7).

G: How is seeking political office in a foreign country not a conflict of interest?

I: It could be a conflict of interest but not necessarily express preference. I don't see Guideline C, para 10(a)'s list of concerns as sufficiently compelling to single these out as risk factors. There could be another 20 things that are equally compelling.

J: If there were foreign affiliation without preference this could be a case where you'd be presented with a conflict. What would the person do in that situation? Does anything in para 10(a)(1)-(7) make someone more prone to being a risk to national security if granted a clearance? To the extent that a passport means emotional attachment, yes. To the extent that it makes getting through customs easier, no.

C: If that is true, then they could fall under Foreign Influence. Maybe we should get rid of Foreign Preference and just stick with Foreign Influence. This is our opportunity to do so.

A: Why can't adjudicators be trained to think in clusters or categories and not on single issues?

D: I agree, but training regresses. It's a big task. Apart from training, the language used in the Guidelines has to create the clusters.

I: Maybe it's possible to restructure the items in the Guidelines to make them less complex. Adjudicators are faced with much cognitive complexity; condensing and removing the overlap could make the process simpler.

A: Different cognitive frames could help cue people to pay attention to certain things. If we see a cluster, we see the potential for a preference conflict. There is some overlap between Guidelines B and C, but they do point to a useful distinction.

J: Going back to grievance—a set of questions regarding reaction to unfair treatment on the job would be useful.

D: Grievance psychology could be substituted for some Foreign Preference items.

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<sup>&</sup>lt;sup>3</sup> "[A]ny statement or action that shows allegiance to a country other than the United States: for example, declaration of intent to renounce United States citizenship; renunciation of United States citizenship."

B: All this boils down to an issue of trust. How can we best measure trust? From this perspective dual allegiance is irrelevant. There are trust scales out there. With these scales you can control for impression management, that is, the tendency for people to put themselves in a positive light. Could self-deception/social desirability scales be part of a trustworthy assessment? Try to do some sort of 360-degree survey of trust. This then moves away from the laundry list.

E: That would be possible to the extent that you can quantify the list. The key is determining how active a person is in U.S. civic life rather than involvement with another country. I vote in both elections. My activity in Spanish politics is predictive of my involvement in American politics. This could be part of a monitoring process. Then there's the issue of preference—why would having a business in another country indicate a preference for that country?

H: The Guideline C criteria are not particularly relevant for posing risk, given that there are so many exceptions. If several indicators together are not good, does throwing them together make a better measure? The only think I see as a risk is para 10(a)(2), the willingness to bear arms. I think this is most relevant. But then again they could have been conscripted.

C: The process itself results in distrust. A public health model sounds like making foreign associations into an illness. You'll scare away prospective employees.

K: But does not the current quasi-legal model make foreign associations sound like a crime?

B: We should not forget that fair treatment of employees drives behavior.

A: I disagree. The questions being asked are fair ones; people being considered for a clearance who would take umbrage at the questions are raising doubts about themselves by doing so. There should be an expectation on people who are in a national security environment. People who want to work in this environment should not be offended by this measure of security.

C: That's an old worldview, that the state is above everything. The new world is different. You don't want to scare people away.

B: It's not just about selection for the job, it's about job performance and trustworthiness in that job.

It appears we have a consensus (although not a goal today) that the criteria should not be treated in isolation and that the issues identified in the Foreign Preference Guideline shouldn't be seen alone as cause for disqualification/exclusion.

J: They are just risk factors, with monitoring appropriate if any are present.

C: It may seem obvious that this should raise a flag, but when you're getting another passport you may have to renounce your citizenship and take a loyalty oath. In a loyalty oath, the words are spoken, but there isn't necessarily any meaning attached.

A: You wouldn't care if someone renounced U.S. citizenship to take a loyalty oath in another country?

C: No.

L: The State Department says when you do that, we don't care, absent any other activity. This is their policy. But if the security people do care, then such an action becomes problematic.

I: The State Department view is based in another rationale.

D: But what is the message that goes to the rest of government? If the State Department says it doesn't matter, why do we think it does from a security perspective?

F: Renunciation is in fact serious. The best direction is to train the adjudicators in a number of ways to learn about the clues they should be looking for. They should be trained in understanding their own limitations.

D: There is a need to focus the question underlying Guideline C, para 10(d) as a concept. How do we do that? Or should we?

C: There's no correlation between Guideline C, para 10(d) and grievance. It's a hoop to be jumped through, a vestige of the old world when oaths mattered. Such oath-taking used to mean something but today it doesn't.

D: If we have that problem, it is a Guideline problem. Getting EU citizenship for purposes of facilitating employment is one common occurrence today; it's an instrumental reason only. It says nothing about trustworthiness.

A: We mustn't assume everyone addresses these issues rationally. We need to think about attachment. We want the people who will give up instrumental attachments elsewhere as a consequence of the sentiments they hold for the United States. This concept of instrumentality represents one way of navigating the world. Most Americans are grounded in an American outlook (post 9/11). It behooves us to be careful with the concept of post-national identity, not to put too much faith in a new world where

people leave behind their attachments for personal convenience. The person who is unwilling to give up instrumentality is making a statement.

C: Who should be preemptively disqualified? That goes too far for symbolism.

A: Any actions related to allegiance could also be a trigger.

D: We are moving more toward attachment than allegiance?

I: One alternative may be to say that concern is with allegiance to a country in conflict with the United States or that poses a heightened risk.

D: Guideline C is more neutral as to risk but concerns itself with any form of statement of preference for a particular country over the United States.

B: Guideline C, para 10(a) makes no sense without the examples, but the examples may be too narrow.

A: There is a need to retain categories that are distinctly behavioral. A national security clearance is one thing, getting an Irish passport for sentimental reasons is something else entirely.

B: Don't we want people who will perform their duties even in the face of conflict? In that case allegiance or attachment are irrelevant. Their real question is their trustworthiness. Do they have a grievance?

E: Attachment to another country doesn't mean conflict. Which attachment takes precedence depends on the situation. There's a danger in narrowing the pool and having only alike people, which leads to group think. Multiculturals have skills that others do not, they have a unique perspective. They could be better off because they don't take loyalty for granted. If you're going to have training, there should be multiculturals involved.

What do you think of Guideline B? Is there any research into what else should be considered by the guidelines? Or is there some research showing that some things are irrelevant?

H: We might be thinking of geography in a limited way in terms of risk. Something could take place within the community (ethnic relations) that could increase risk, creating a fertile ground for ideology to take root. For example, there are young Somali men disappearing in Minneapolis and joining Al Qaeda. In instances such as these, there may be something going on in a local environment that produces heightened risk.

F: There are people whose self-concept is as a member of a group, and they tend to obey the rules of the group; there are others who see themselves as standing out from the group and are more likely to try to beat the system. It is useful to look at associated behaviors.

A: One could also suggest that there is risk with individuals who closely follow events in their home country. The piece about "closely follows events…" should go into Guideline C. Foreign Influence and Foreign Preference should be related—increased attractiveness and availability are clues.

F: With the internet one can do this easily and frequently.

B: You should capture the decision-making process and apply it consistently instead of asking adjudicators. The process could eventually be automated and therefore would be more reliable than an individual's judgment over time.

#### Any final observations?

I: I end where I started. The Guidelines are processes that support concepts that are not very well defined. The terms used are proxies for ill-defined constructs. Foreign Preference and Foreign Influence should be merged and re-conceptualized to focus on potential conflict to U.S. interests. What are the constructs and why do we care?

A: Maybe you should commission two teams, one to write out the rationale for having each Guideline and the other to assess why it should be dropped. This would lead to two separate perspectives which may be helpful to sort out the basis on proceeding. What are the means to measure the concepts behind the guidelines?

C: Do that with a clean slate. It should be started from scratch and not from the existing guidelines. They used to have meaning historically but may no longer apply.

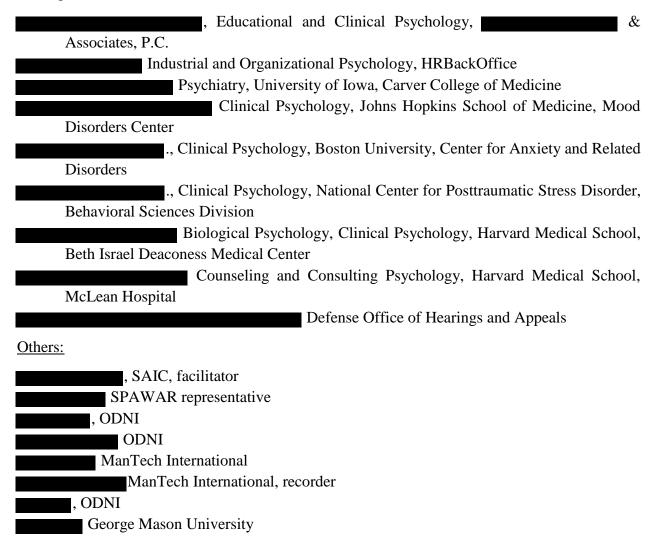
D: The real question is whether or not we trust someone and how do we catch those who we should not trust. We all seem to agree that allegiance is misnamed. Also we seem to agree that Foreign Preference ought to be seen in light of trust, not a rote list of facts such as possession of a foreign passport..

B: I agree we need to gather evidence that indicators of trust are actually indicators of trust (validate), go beyond theorizing. But we should focus on trustworthiness.

#### CLUSTER II: GUIDELINES I, D (PSYCHOSEXUAL ASPECTS), G, AND H

April 26 and 27, 2010 9:00 am—3:30 pm; 9:00 am—noon Washington Dulles Airport Marriott Hotel

#### Participants:



#### **First Day**

#### I. Discussion of Psychological Conditions (Guideline I)

KJ: Patients may not always respond to treatment, or may fail to adhere to treatment, and there are risks of recurrence, but these possibilities are monitorable, they need not be exclusionary. We don't want to discriminate against people who may be able to provide a unique perspective.

MO: The nexus to security clearance considerations appears when there are failures of judgment. The word missing is "delusional," which captures the capacity to lose one's judgment; it is also necessary to think about a sense of grandiosity, the feeling that one's judgment is so good, so superior, that one is outside the rules.

DB: Regarding para. 29<sup>4</sup> there are obvious psychological conditions that could raise concern that are not listed (e.g., bipolar, schizophrenia). There are also DSM disorders which are minor and of no concern (e.g., generalized anxiety disorder), not calling any specifics out. Some terms included apply to personality disorders (e.g., emotional instability), but the question remains how to distinguish between someone with a condition who is a threat and someone with the same condition who is not a threat. The Guidelines are out of date. Several disorders are not treated by medication, and even with medication can still have symptoms. For example, para. 29(e) makes the absence of a *current* problem a mitigator, but this overlooks the reality of recurrent and chronic conditions. A person with such a condition might be symptom free-today, but would be unlikely not to have symptoms later on, which is why you need a monitoring program.

KJ: The Guidelines appear to assume that all disorders are homogenous, but they're not, they're very different. Being compliant and the consequences of failing to comply vary with the disorder.

KA: There is more than just compliance or non-compliance; there needs to be an awareness that compliance can be manipulated. Different personality disorders also present different risks. It is important to break down the disorder to find out who is a candidate for treatment.

MO: The Guidelines should talk about symptoms independent of diagnoses. Diagnosis is too sophisticated for the process and skill level of the adjudicators.

BS: I agree with de-emphasizing diagnosis for those reasons; besides it is often beside the point. Behavior and issues of judgment are more important. It would seem unlikely that diagnosable schizophrenics are applying for a security clearance. I have more concern about someone with ADHD who will leave a document lying around than about someone with a treated personality disorder in the schizoid spectrum. Psychological conditions can and do relate to judgment, the most common of which include delusions, but cognitive problems (i.e., attention, cognitive judgment/problem solving) also speak to poor judgment. Using a diagnosis label as a criterion

<sup>&</sup>lt;sup>4</sup> This and all subsequent para. references are to "Adjudicative Guidelines for Determining Eligibility for Access to Classified Information," December 29, 2005.

for granting a clearance can be counterproductive, because there are many successful people with personality disorders.

KJ: I agree, but a lot of diagnoses give information about an individual and may be predictive of the course of the disorder.

BS: Agreed, I'm not saying that diagnosis should be thrown out, sometimes it's crucial, sometimes it's misleading. I am saying it's important to consider other factors.

*Is the listing of symptoms/traits in para. 28(a) sufficiently comprehensive?* 

PB: It's not complete enough if focusing on behaviors, and all of these areas are difficult to measure. My research is on psychopathy and all of us have some characteristic behaviors. I have listed several behaviors that describe a psychopath, including pathological lying, cunning/manipulation, failure to accept responsibility for one's own actions, impulsivity, irresponsibility, grandiose sense of self-worth, poor behavior control, glibness/superficial charm, lack of remorse/guilt, lack of realistic long-term goals, and promiscuous sexual behavior. It would be possible to have discrete examples like a checkbox.

MO: I like that suggestion, it seems more useful for employee screening. It's difficult for mental health professionals to go from diagnosis to security risk, rather like behavioral descriptive level linked to behavioral security risk.

DB: I'm not entirely comfortable staying away from diagnosis; as written, the Guideline covers most disorders. Each of us has a cherished list of symptoms and if we keep adding, it may become unworkable. These are just examples.

MO: I don't know if emotional instability should be on a list; I'm not sure how that translates into security risk. It may lead to many false positives.

(b)(6)

KA: Some listing can be useful for establishing risk. List is useful for identifying trust issues in my area (sexual disorders).

MZ: We should begin with a diagnosis as well as behavior; diagnosis for its own sake is not so important but problematic symptoms are, and these things flow naturally from diagnosis. We can create a list of problematic symptoms in lieu of listing every trait.

KJ: I think we need to do both, but I'm thinking more about the course of the illness and what may come up in the future, thinking more of people who are asymptomatic at the time of investigation. With mood disorders there is a lot of science about how they can develop.

MO: There is a difference between paras. 28(a) and (b); (a) asks for a list of behaviors, while in (b) expert opinion is called for.

DB: Adding a list of diagnoses that could specifically pose security threat to para. 28(b) might be helpful.

KJ: Also add mitigating factors. For example, bipolar disorder is treatable; there is no reason automatically to make it disqualifying.

DB: At the same time, identifying people who require greater scrutiny would be useful.

BS: There needs to be a recognition that behaviors can be linked.

DS: There is always the potential for misdiagnosis; diagnoses should not be relied on solely, rather symptoms should always be examined.

MZ: Certain disorders have symptoms or traits that put a person at a greater risk, and there are people without a diagnosis that can do some really bad things, Bernie Madoff for example.

MO: What is not captured in the Guideline is any consideration of "course." How a patient is currently doing and how he or she will do over time are different questions. Para. 28(a) appears to be the best place to address behaviors and para. 28(b) to address diagnoses.

MZ: Lacking information on course, at the least it's necessary to have the latest information in order to understand a person's chances of doing well or poorly. With some disorders recurrence and remission are much lower than with others.

PB: I have a question about working in controlled spaces. Are there certain disorders that are going well in treatment and then when a person is put in this type of space, they get worse? In the business world, this is talked about as the fit between job and person.

KJ: Like sleep deprivation to create a manic state in bipolar, there's a lot of research about it and ways to avoid it.

GH: "Controlled spaces" is a generic term meaning the places where classified information is handled. They may be very obvious and unexceptional, like the Pentagon, or, on the other extreme, carefully hidden, covert facilities only small numbers of people are supposed to know exist. In the latter, part of your job not to disclose where you work and what you do. This secretive nature, and the need to obfuscate, can be disturbing to some people.

JC: What about stressors that are not job-related but may increase risk? How can we detect these underlying vulnerabilities that may be missed in the initial screening?

KA: This is where diagnosis is important. Under stress, certain diagnoses will have certain prognoses.

MO: Control is significant when considering the course. Also potential future behavior.

DB: "No indication" in para. 29 is really getting into course; the problem is that these Guidelines are for lay interviewers rather than clinicians and so need lay language; if you get over-specific or over-detailed, it becomes unworkable.

Can we expand behavioral examples in para. 28(a)?

PR-H: "Emotionally unstable" covers a lot of ground and may not get at what people are interested in. Are there other phrases?

KJ: "Volatile" is possible, although it has a different connotation.

DB: The list in the para. is not bad. Perhaps suicidal behaviors should be added?

KA: How about a "persistent and recurring pattern"?

PR-H: Is there a better word for "grandiosity?" It tends to align with many of our biggest problems.

KJ: Probably "manic," inherent to mania, not personality disorders.

MO: We can get better words than these, some are so non-specific, like "dysfunctional," and don't get at security risk. This is where "delusional" is important, a sense of being grand when there is no substance to it. "Delusional" is key—there has to be training in what this word means. What do these words mean in relation to trust and reliability.

PB: What kind of guidance do investigators have?

GH: There is an investigator's handbook that has more specificity, but for any number of operational reasons the extent to which investigators pursue certain issues can vary.

PR-H: One problem we face in the adjudicative realm is the unintended consequence of the very important and positive policy statement that no negative inference is to be drawn from an individual seeking mental health treatment. This is very good policy, but personnel security adjudicators often complain that it also has the result of limiting what can be gathered to the point that very little valuable information is obtained. One example of this that was raised specifically in the adjudicators' review of the Adjudicative Guidelines was the portion of SF 86 Question 21 in which marital counseling does not need to be reported unless it involved violence. Another example is that the release used for mental health treatment in the SF 86 limits the investigator to asking three questions. Adjudicators find this limiting, but there is strong policy behind these limitations. The question is, do these limitations make sense from your professional perspective as a practical place to draw the line?

KJ: Is there any kind of routine testing?

PR-H: Only in cases where people are going to be sent into areas where a problem is expected due to the situation.

MZ: Dishonest acts, exploitation, extortion, and the like are all things people can do inadvertently. The problematic people are those who do them volitionally.

BS: Given the importance of the task, I'm struck by the little routine consultation that is done. If we were talking about a physical problem, would we have people just out of college asking about tumors and hormones?

PR-H: Most often what happens is that a naïve report of bizarre behavior by a coworker is then checked by an appropriately qualified professional, although there is variation between agencies.

Specific points regarding the text of Guideline I.

Para. 28(a).

- Remove "emotionally unstable" and "dysfunctional."
- (b)(6)
- Include some terms from list
- Avoid "delusional" and "psychotic." Some additional examples could be "manipulative," "impulsive," "irresponsible," "chronic lying" or "deceitful." I don't believe it necessary to establish a pattern.
- Include "exploitative" or "extortionate."

#### Para. 28(b)

- Include a suggestion to get two mental health professional opinions, if feasible.
- Include something reflecting "course" and future risk, possible monitoring system.
- Add list of diagnoses.
- Be general. Disorders that tend to have relapses, where there's concern for a problematic course, won't be picked up by any list of traits included in para. 28(a).

#### Para. 28(c)

- Change "advice" to "plan."
- Change "emotional, mental or personality condition" to "psychiatric condition."
- Remove the example of failure to take prescribed medications and replace with it with "failure to follow treatment plan or treatment recommendation."
  - MO: Many patients don't take their medication, but the consequences of failing to do so depend on the condition and medication. Prozac is different than Lithium.
- Add language to capture "persistent and recurring" illness.

Paras. 29(a), (b), and (c)

No changes.

Para. 29(d)

• Remove "emotional instability" and replace it with "psychiatric impairment."

#### Para. 29(e)

Add language addressing "course."

DB: It is possible to have a psychological condition and function fine in the workplace and just need monitoring. Monitoring should not be tied to some artificial time limit but should be open-ended.

#### II. Discussion of Sexual Behavior (Guideline D)

KA: Current limitations on investigation mean that at least some relevant information is being intentionally excluded. For example, by making counseling not reportable, some sexual behavior issues of concern can be overlooked.

PR-H: The rules do narrow the net of what is called forth voluntarily. However, collecting all marriage counseling information would bring in too much marginally relevant data and could discourage people from pursuing counseling.

MZ: The inability to stop may be indicative of a personality disorder. Instead of "personality disorder," para. 13(b) should use "psychiatric disorder."

DB: Perhaps the Guideline should emphasize the inability to stop as a behavior: something on the order of "loss of control" or "inability to stop regardless of adverse consequences." For para. 13(b), the sentence should end after "unable to stop."

KA: I agree the sentence should include something like "loss of control despite consequences." As it exists, it's too vague.

KJ: What's the course of this inability to stop?

KA: With cybersex, we have a new behavior that we wouldn't have seen previously. The cybersex phenomenon is a security concern because it's changing the landscape, changing the way we think about sexual addiction. Because of it, people are becoming addicted very quickly and taking risks such as participating in sex vacations and using prostitutes. It is a new phenomenon that is changing counseling practices and raises real concerns for personnel

How should the language be modified to account for trends?

KA: Change the language in 13(b) in a way that explicitly addresses cybersex addiction.

MO: What would be the security risk as a result of increased tolerance to high risk behavior?

KA: At a minimum it would be an increased vulnerability to exploitation. New behavior is being incorporated into the sexual realm and things that are not normal are being normalized. Then difficulties arise when the person goes out into the world where these behaviors are not considered normal. I am stunned at the rapid escalation and inability to predict who gets hooked, although there are markers. There's a new concept: addiction interaction disorder—mix or mediate like a cocktail. Thus keeping addictions separate may not clue you into the risk. The security concern may be from a combination of addictions.

DB: What would you say the course is? Take for example a middle-aged man who develops a full-scale problem and seeks your advice. How would his situation be classified according to the current Guideline?

KA: Normally it requires 2-3 years before it's possible to conclude there's been a lack of recurrence, with a year as the absolute minimum. Those who go through multiple dimensions of

treatment and come to terms with issues are most successful. The whole lifestyle needs to change.

KJ: Does treatment work?

KA: In many instances, yes

DS: Who defines loss of control? Is it the person's perception or someone else's perception?

KA: Both can be true. It is a persistent pattern of behavior in the face of adverse consequences.

PB: What happens with adolescent indiscretions that are captured someplace on the Internet and so follow a person around forever after?

MZ: Can you ask people if there is anything about them on the Internet they would be embarrassed about?

PR-H: We don't currently do web scrubs, so it wouldn't be captured.

MO: The whole sexual behavior Guideline originated because of concerns with homosexuality, does it deserve to be its own category?

KA: Yes, with the evidence of cybersex.

DB: Yes, because the issues are distinct and problematic. What about gambling?

PR-H: That's currently addressed, but in the Financial Considerations Guideline.

KA: Sexual shame is unique to sex disorders, which is another reason to keep their behavior separate. People go to great lengths to hide and may be willing to make bargains and deals to keep it secret. It needs to be kept separate.

MO: Shame has to do with something being hidden. What other disorders are like that, that they raise such a level of shame? How do you assess that?

PR-H: The current distinction is between sexual behavior that is criminal and that which is indicative of an underlying psychological condition. That means that sexual behaviors could be divided between two Guidelines, Criminal Conduct and Psychological Conditions. I hear people saying it should stay on its own.

KA: People can misuse a substance to manage mood, and they have a different profile from that of a drug or alcohol addict. The same is true of people who use sex as part of another disorder, but there are also people for whom the sex addiction is primary. If you put it in another category, you will lose focus.

MZ: All sexual behavior should be in its own category, criminal or not, including stalking, prostitution, pornography, sexual abuse.

PR-H: Ross Perot had a notion that anyone who would cheat on their spouse is also likely to cheat on their employer. This attitude in part underlies Guideline D.

PB: There appear to be three categories: sexual shame, criminal activity, and psychiatric disorders.

DB: Other disorders could lead to embarrassment. Take, for example, transvestitism: it's not criminal but could be exploited and therefore be a security risk.

KA: A quarter of the workforce is involved in cybersex activity on the job to one degree or another. You can't fire everyone; the phenomena is going to grow, it's dynamic, and it will be critical to define these terms.

GH: The personnel security program draws a line between accessing pornography at work and at home, taking the former to be a problem and the latter not. What concerns, if any, should we have about a recreational user of pornography at home? When does it become a problem or addiction?

DB: A big problem is that no one will volunteer this type of information, it would have to be developed from an informant. Given current standards in society, does anyone care that someone is casually viewing porn? If not, is it a basis for coercion?

DS: What about the ability to stop?

KA: The inability to stop despite consequences is a useful criterion.

KA: A pattern of increased behavior to reach the same or previous level of mood alteration is problematic. All addicts will report that what they did before no longer gets them high. A tolerance that requires an increase in activity to shift mood.

DB: Evidence of any increased activity and increased risky behavior is also problematic.

KA: We almost always see an increase in emotional regression.

BS: All of that will be hard to discover. Addicts lack the ability to be alarmed by their behavior until it's over, Their behavior is so compartmentalized that they fail to recognize how far outside the norm they are in that one area of their lives.

KA: In para. 14(a), I'm interested in the notion of an event's occurring before or during adolescence as a mitigator. In such a case, does this mean that the person has been a victim? The earlier an event occurs the more serious it's likely to be.

MO: Para. 14(b) seems to address the real issue of 14(a); 14(a) would appear redundant.

MZ: But there are events that are recent, such as spring break for college students, that take place under unusual circumstances. Time and age are not the same.

KA: There should be reference to treatment, parallel with the language in Guideline I. Sexual disorders are treatable and should be handled in the same way as was done in paras. 29(a) and (b).

PB: Whose perspective is relevant regarding coercion, the individual's or the adjudicator's?

MZ: There is also situational shame. You may not be ashamed of the behavior but still not want others to know about it because of the potential for coercion and its resulting consequences.

KA: The absence of shame may in fact be suggestive of another disorder.

*Specific points regarding the text of Guideline D.* 

Para. 12

• Remove "personality or emotional disorder"

Para. 13(a)

• No change.

Para. 13(b)

- End after "unable to stop."
- Weave in language regarding loss of control despite negative consequences.

DB: Add examples?

KA: "A pattern of increased risk to achieve mood alteration."

Para. 13(c)

• Include "past or present" sexual behavior.

Para. 13(d)

• Remove "of a public nature."

Paras. 14(a) and (b)

• Include mitigators regarding treatment, parallel with the language of Guideline I; borrow language from paras. 29(a) and (b)

Paras. 14(c) and (d)

No change.

#### III. Discussion of Alcohol Consumption (Guideline G)

KJ: Para. 23(c) doesn't make sense: "has no history of previous treatment and relapse"?

PB: Is the fact that someone is a first-timer relevant as a mitigating condition?

GH: The language is attempting to say that there is no history of treatment with subsequent relapse. The first-timer has yet to establish a pattern of trouble-sobriety-relapse.

DB: Rewrite as "the individual is a current employee, has no previous history of treatment and relapse, and is currently making satisfactory relapse."

KA: The previous treatment is a risk factor for relapse, so first time is less risky.

AA: Is this really a mitigator?

KA: By itself, it does not imply increased risk.

PB: According to this, you could have been a lifelong alcohol abuser but as long as you haven't gone into treatment, then you're ok; however, if you tried and failed and want to try again, you won't get cleared.

MO: First-time treatment is different than multiple treatments. A significant population is culled out with the first treatment.

PR-H: A current employee may be viewed more as a matter of risk management. The investment in the employee leads to a different attitude than in the case of a potential employee.

MO: What about people headed toward trouble—a pervasive pattern of coping with stress through alcohol intoxication? People who use substances to cope with stress usually face trouble sooner or later. Paras. 28(a) and (b) list critical items that are easier to check. On the other hand, para. (c) is broad and difficult to measure, but there is a clear link to impaired judgment.

KJ: Alcohol disorders frequently coexist with others.

MO: How about speaking of the use of alcohol when medically contraindicated?

KA: I would stay away from that phrase, some people take a drink for stress and it's okay and for others it's not.

PR-H: What do you think about the reference to licensed clinical social workers in para. 22(e)?

All agreed that term is outdated and meaningless.

PR-H: Para. 22(e) recognizes that someone coming in for help may not be talking to a doctor. It was written because para. 22(d) of necessity excludes addiction counselors. Short of a diagnosis by someone who is qualified, is there value to this type of evaluation?

JK: Given co-morbidity, solely to look at this makes no sense.

PR-H: We want it to be a recognized treatment program.

MO: Would that person be a duly qualified medical professional?

DB: Do we need 22(e) at all? Does it add anything?

PR-H: Is there value for diagnosis by an alcohol addiction counselor?

DB: The Guideline could say "evaluation or diagnosis by a duly qualified medical professional."

KJ: I remain skeptical of evaluations.

MZ: There are other types of professional, remove "medical."

PR-H: It's a way of making a difference between a diagnosis and an evaluation by a lesser qualified professional, a way to cast a wider net.

JK: What does the literature say?

JC: The issue of co-morbidity is significant.

PR-H: Is there a lower order of evaluation that could be used to trigger a disqualification?

AA: In neither the sex nor the psychological Guidelines is there a need for diagnosis. Is there something unique here about alcohol-related conditions that require a diagnosis?

MO: I can't see what para. 22(e) captures that isn't captured in the ones above it.

All agree para. 22(e) should be eliminated.

PB: Before para. 22(c) becomes relevant, do situations covered in 22(a) or (b) have to have occurred? If you don't do what's covered in 22(a) or (b) but get a diagnosis because you drink too much, is that a security risk?

DS: There are examples of this—no known negative consequences but drinking too much.

MO: At some point high blood alcohol will bring risks of poor judgment.

DB: Once there's a problem, there is always the risk of relapse. Why not say "recommended treatment" in para. 22(g)? None of the other Guidelines talk about following "court ordered" treatment.

MO: A person requiring treatment becomes a concern for the same reason that the treatment is required.

All agree with retaining 22(g).

PB: It would be helpful to add "jeopardize welfare/safety of others" to para. 22(b).

DB: Para. 22(d) should read "medical or mental health professional."

BS: With regard to mitigation, other Guidelines take into account time and age, this Guideline only takes time into account.

MO: There is a criminal component to age here, in the form of underage drinking.

PB: Para. 23(b) is interesting because acknowledgment is the first step in AA, but only the first step.

MO: Insight and the absence of relapse are both necessary to be mitigating.

KJ: Acknowledgement is important even with psychological conditions.

KJ: Why the level of specificity in para. 23(d)? AA doesn't work for a lot of people.

PR-H: Should reference to AA be dropped?

KJ/KA: Not necessarily, but it shouldn't be thought of as the only choice. Keep options open.

DB: Eliminate "inpatient and outpatient treatment" and change to "treatment program."

MO: I would recommend deleting everything after "treatment recommendations."

PR-H: Does that make sense to everyone to stop after "treatment recommendations"? All agree.

#### IV. Discussion of Drug Involvement (Guideline H)

PR-H: For consistency, should we remove para. 25(e), which speaks of licensed clinical social workers?

All agree.

DS: Para. 25(g) calls out illegal drug use while holding a security clearance, but there appears to be no reference to misuse of legal drugs.

GH: The "Concern" para. (24) speaks to "use of an illegal drug or misuse of a prescription drug." Both are intended, but the language is not explicit.

MO: I can now see why the drug and the alcohol Guidelines are separate. Both look at problematic use, but the legal issues with drug misuse mean that it's not necessary to look for a threshold of concern.

PR-H: Regardless of the law, does that make sense?

KA: Employees are told ahead of time, so they are either disregarding an explicit condition of holding a clearance or have an addiction.

MO: Paras. 25(a) and (b) look at law rather than pathology. Does it matter to look at use versus the law? What about marijuana?

KA: Long-term use of pot has shown significant damage.

DB: Cleared people are told from the outset not to use drugs illegally, so if they do, then it's a violation or disregard of the rules; this raises a red flag.

GH: We can change the policy if it doesn't make sense. Does it make sense?

DS: I think the policy makes sense. I wouldn't want someone in a cleared position using illegal drugs.

KA: There is a loss of control.

Assuming drugs were legal, is there a toxicity aspect to specifically marijuana not to be lost sight of?

MO: We could apply paras. 28(a), (b), and (c) from the Alcohol Consumption Guideline to marijuana if it becomes legal. There are other agents, though, where a single use can unleash a drive for the substance; it comes back to being against the law.

MZ: The focus appears to be on illegality rather than misuse. The Guideline seems to be a legal policy; the wording is odd—"illegal drug use" versus "use of illegal drugs"

PR-H: This heavy emphasis on the illegality aspect of drugs, a violation model rather than a substance model—is that practical?

MZ: One implication is that you're associating with bad people if getting street drugs rather than getting drugs from your doctor.

DB: The misuse of prescription drugs is becoming an epidemic; I would support a change in the language of paras. 25(g) and (h) to include prescription drugs.

MO: Would Rush Limbaugh get a security clearance?

DS: His case would fall under para. 26(c).

MO: It's difficult to determine if use "deviates from approved medical direction."

PB: I agree. There's a need to show intent on part of the patient; para. 24(b) includes "misuse of legal drugs." That should be sufficient.

MO: Separate illegal drugs from abuse of legal drugs in the Concern (para. 24). The list of mitigators is para. 26(b) is weak.

PR-H: It's meant as nothing more than a list of examples of how one can demonstrate their intent not to use.

MO: Abstinence is good to include, but pull in language from para. 23(d).

AA: There is no "demonstrated intent not to use" as a mitigator in the alcohol Guideline, but there is here. Does that make sense?

DB: There is a potentially meaningful distinction because you can buy alcohol legally at a store.

MZ: I see this as a simple acknowledgement of intent.

MO: The language in para. 23(b) seems to be a more comprehensive than 26(b).

KA: The examples in para. 26(b) are good. As written it has meaning and is somewhat predictive of abstinence, but I also like a combination of paras. 23 and 26.

Should there remain two distinct Guidelines or do you see value in combining the two?

MO: I like the parallels but see value in keeping them distinct.

BS: I like having the split, even though it's an artificial split because alcohol is a drug. However, not just law but the fact that the culture governing use is so different. From a practical point of view, it seems useful to keep them separate when evaluating potential security risk.

(b)(6) AA: and and won't be here tomorrow; do you have any final comments?

KA: "Addiction interaction" is an important concern not being addressed by the Guidelines that should be.

MO: There needs to be greater recognition in the Guidelines of the value of delusionality as a critical behavior: "Any pervasive pattern of lying, manipulation, lack of remorse, coercion,

irresponsibility, impulsivity, or failure to accept responsibility for own action." Compulsive gambling should be spelled out.

PR-H: How would you work compulsive gambling into the Guidelines? Guideline I? It does appear in the Financial Considerations Guideline, but is buried there.

KA: Maybe we need a Guideline on process addictions, by which I mean behavioral addictions, with subcategories called out; if we had a behavioral addictions Guideline, both gambling and sex addiction could fall under there.

#### **Second Day**

#### V. Behavioral Addictions/Compulsive Gambling

BC: I'm interested in your thoughts about something brought up yesterday, this idea of creating a Guideline for behavioral addictions—gambling, sexual behavior, and so on.

DB: It's not a good idea at this point. To do so is a big task since most of the behavioral addictions are not described in the DSM. You would have to decide what is important on your own without guidance from the DSM. I would save this task for a future discussion. But I do think pathological gambling needs to be better highlighted in the Guidelines.

BS: I like the idea of combining the addictions from an academic perspective. In fact, you could conceptually cover all psychological disorders with a single Guideline, but keeping separate Guidelines for types of behavior has value for practical purposes.

BC: Where do these behaviors fit in the current Guidelines?

DB: It varies, some fit under psychological, some under sexual, and some under financial. Gambling in particular fits well under the financial Guideline.

DS: I would agree. Gambling is a huge problem especially among veterans. It worries me that something is lost by defining it solely as a financial problem; doing so overlooks the psychology of compulsive gambling. I think it should be its own Guideline because there are more than just finances involved.

AO: I'd also add that you may want to move gambling to another place because the financial Guidelines are now under Congressional scrutiny. There is some thinking that disqualifying someone from a security clearance for financial reasons may be too onerous in tough economic times. So, if the concern for gambling is worth preserving, it may be useful to move it out of the financial section to another part of the Guidelines.

MZ: Yes, and there are other disorders that may have financial implications.

DB: I think the reference should be kept under Guideline F, but add some other conditions; I'm unsure where to highlight pathological gambling under these other Guidelines.

DS: It could be put under Psychological Conditions, or give it its own Guideline.

MZ: Psychologists have identified lots of disorders that may not be relevant to the clearance process. Conversely, people may have attributes that are considerable security risks but these don't add up to a disorder. The focus on behavior is important. There is a need to spell out high-risk areas better. People can have personality traits that don't add up to a diagnosis or psychological condition and still be a risk.

BS: The issue is to capture function, not diagnosis; add information under Guideline F to link to mental health.

DB: There are a variety of conditions listed under Guideline F. It would be possible to provide more detail there about gambling and not create a specific new Guideline for it.

DB: A behavioral addictions Guideline, based on the current Guideline D, could be created and include things like sex addiction, compulsive gambling, internet addiction, compulsive shopping and spending; as for compulsive sexual behavior, whether it's included in the DSM is beside the point; it exists, there's literature on it, and people have these problems.

MZ: Start with personality traits, then add actual psychological disorders that remit and relapse, then behavioral problems (i.e., sex and gambling), and then substance abuse disorders like alcohol and drugs; list everything that could be a problem. Some initial problems will be screened out and others will develop over time.

PB: I lean toward gambling being its own Guideline. Drugs and alcohol both have vulnerabilities, but while all are risky, gambling is by definition the taking of risk—that's what it is when all is said and done. I would not want a person who is so driven by risk to be handling state secrets. It deserves special attention.

DB: As a group, pathological gamblers score high on impulsivity, and there's overlap with other behavioral addictions. They also often lie which is bad for security risk. Either add a separate Guideline for it or change Guideline D to include behavioral conditions (internet addiction, compulsive gambling/shopping/spending, etc.). They all have similar traits that can be pointed out, associated with sociopathy.

DS: There is also loss of control, so wording similar to the sex Guideline would be appropriate.

PB: There is the financial vulnerability associated with gambling, but also impulsiveness may either lead one to sell secrets or may cause one to be distracted and inadvertently give them away. These different sets of concerns about the behavior may be a good reason to think about gambling under two Guidelines. The psychological considerations tied to impulsivity may be the most important.

BS: I don't quite see the uniqueness of gambling. All addicts are trying to control mood, all are deceitful. I see more similarities than differences between them, to include neurobiology. Conceptually, they should all go together if the intent is to describe psychopathology; however if the intent is to describe risk, highlight the ones already highlighted. I would keep them separate.

I might feel different if it weren't already captured under Guideline F. Of course, that Guideline might need some work

DS: Why put gambling under finances and keep alcohol and drugs separate?

BS: The way that the main risk is expressed is through financial means, and the vulnerability it creates is through financial means. The intent is to capture the vulnerability, less so to conceptualize correctly through a psychological point of view.

MZ: I still think it should be separate; all of these could lead to financial problems.

#### VI. Co-morbidity

BC: In previous discussions the idea of co-occurring addictive symptoms that by themselves do not meet the threshold for a disorder, but combined may meet the definition of a disorder. How should the Guidelines address this, if at all?

MZ: Certainly an individual may have co-occurring symptoms where each by itself is below the threshold for a disorder but combined they may have a significant cumulative effect. But mixing and matching would not be a good idea.

DB: I wouldn't worry about co-morbidity, leave that to the clinicians.

DS: I think it'd get picked up by focusing on behavior. For example, impulsivity can cut across behavioral domains.

#### VII. Whole Person Concept (Resilience/Hardiness)

BC: The Guidelines state that security determinations are made on the basis of a "whole-person" concept that includes consideration of the bad and the good. Yet, as we have discussed, the Guidelines focus almost exclusively on negative attributes. Should the Guidelines dictate consideration of positive attributes?

DB: Aren't in fact the bad traits the ones you're trying to ferret out?

BS: Good traits are implicit, not the focus of what you're looking for.

DS: The absence of bad equals good.

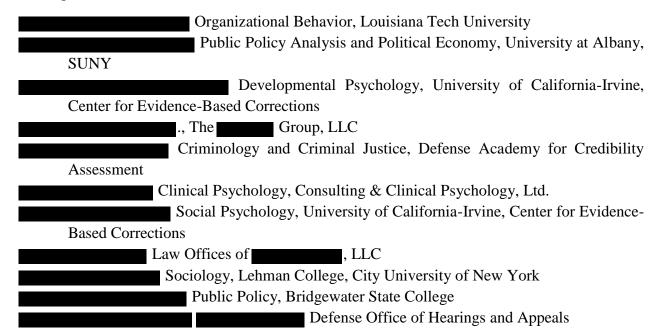
BS: It's a fascinating idea, but it's still in its infancy in the research; at the end of the day, it's the absence of negative factors.

MZ: All you need to care about at the security level is the bad things; otherwise, you would have to care about things like education, and all the positive comments that people say.

#### CLUSTER III: GUIDELINES J, D (CRIMINAL ASPECTS), AND M

August 17, 2010 9:00 am—4:000 pm Washington Dulles Airport Marriott Hotel

#### Participants:



#### Others:



FH: My suggestion is to look at the assumption behind the guidelines—that cleared individuals are in some way better, more trustworthy than someone who is not cleared.

EC: You could do some research on the topic. Do people with clearances have lower rates of dismissal or fewer problems with submitting travel vouchers?

SB: Most lifeguards have a certificate of some kind. Does this mean they are a better lifeguard?

ES: I have a question regarding social and family networks. The people who are hired and cleared have social networks that they don't abandon just because of their new status. It appears that neighborhood interviews aren't getting at this. Are social networking sites something we should address?

BC: The question is relevant, but there is currently no policy in place to look at social networking sites.

ES: I'm wondering about IT-based networks as well as the incarnations of social networks.

EC: The network aspect of crime is a good point to keep in mind. Much of the analysis of crime is very individual-oriented, but youth crime in particular is often social: adolescents commit crimes in groups. When looking at persistence of offending (in terms of frequency and variety) among a population of youth offenders, the only strong predictor was whether or not the father had a criminal history. Now you have to be careful because while this is true in the criminal population, it is not true of all people.

EW: There is a lot of academic work on networks and social capital. We don't want to view this deterministically, but there is risk.

PR-H: On a practical level, we speak to family members about the individual but not themselves because legally we cannot investigate them. I'm interested in hearing about the extent to which these things are useful. For example, we've wrestled with the question of the "criminal spouse."

RW: (refers to 31[f]<sup>5</sup>) Can you provide an example of clearances having been denied due to criminal sexual behavior, specifically where it was not prosecutable? I'm assuming this would be instances of rape, incest, etc.

PR-H: We do have cases where we learn of non-prosecuted serious crimes, admission of incest being one example. We are not bound to limit ourselves to serious crimes that are prosecuted.

RW: So we're talking about child molestation or rape...the majority are those cases?

PR-H: Yes.

AA: To the extent that it is a matter of public record, is the criminal activity of a family member something to be considered?

AO: If guidelines don't call for it, it is not done.

PR-H: We may accidentally pick up something because of similarity of names. The only time we deliberately investigate someone else is during the Spouse National Agency Check.

ES: Would you look at the family if I'm being investigated and I do something bad?

<sup>&</sup>lt;sup>5</sup> This and subsequent section references are to the section numbers in the handout of relevant portions of Guidelines D, G, H, and J used during the session. A copy of the handout is reproduced as the Attachment.

PR-H: No.

ST: There is a broader issue to consider. In the social science literature, family size and affiliation with delinquent others are more important in terms of predicting risk.

SB: There is a distinction between risk prediction in a general population and risk prediction in a special population (for example, offenders). As an example, it is easier to predict who gets into Harvard than to predict who will succeed at Harvard. The larger context as it relates to risk is risk prediction. What error rates (false positives and negatives) are you willing to accept? It's very hard to predict events that are infrequent, that is low base rate events. These are important concepts: are we predicting low base rate events? In criminology, false positives and negatives are seen differently. If you think one false negative is extremely costly than you can justify anything.

GH: The fundamental question is: Why should we care whether a person is or is not a criminal? Currently, we think we should for three reasons. First of all, because we think past acts provide clues to future behavior. Secondly, there is a confidence-in-government issue that arises if a government employee is involved in a serious crime. Thirdly, there is the assumption of a correlation between crime and other types of workplace deviance.

SB: It's a risk prediction exercise—you can't do it until you know what you are trying to predict. What are the base rates and what is the level of comfort with error rates? There are all types of potential measurement problems that require a degree of calibration to be able to do a risk prediction or a risk reduction.

AO: The purpose is to prevent unauthorized disclosures.

PR-H: (refers to 30) One of the concepts we are reviewing is the statement of concern in the guidelines. So yes, we do need better measures in the guidelines.

BC: There isn't any data that speaks to false positives and negatives, and base rates are very small. However, if all else fails, we err on the side of national security. We can live with more false positives.

SB: Under that condition, anything could be justified because you said infinite versus nothing. Not bounding the upper end means anything can be justified.

PR-H: If we had no risk tolerance, then we could all go home. We've been moving towards a risk management approach and away from one that's risk averse.

SB: Risk management is a quantifiable realm, you can justify that. The conversation you have to have is about false positives and negatives. When you are managing risks you need to ask: Will the process always generate false positives and false negatives and what are the relative costs of each?

EW: By probability if there is a 5 percent chance of something being missed, then half the errors will be false positives. You don't want to lose people who will be fine, but you also don't want

to admit people who could be a problem. It's a classical statistical problem. You have to make a decision about how much you are willing to tolerate.

MR: Looking at the people we represent in criminal cases—ones involving physical/sexual abuse—almost all are victims themselves. During the clearance process how do you determine if someone has him- or herself been a victim? There's the potential that a history of victimization may be a risk for later offending, although that's certainly not so for all crime.

EW: There is also the issue that the rate of unprosecuted crime varies with the job. Consider currently employed bank tellers who have been fired from former jobs for embezzlement, but whose crimes were unreported. Banks are often unwilling to prosecute.

FH: Statistically, it's better to have 17,000 leakers leaking one piece of information than to have one leaker leaking 17,000 pieces of information. I don't know if anything could have been done to identify the person suspected of being responsible for the leaks to WikiLeaks before during or after the clearance process. It raises a related issue about the source of information. What is the probability of someone being identified as a perpetrator? Is it 20 percent? Of that 20 percent, there's a small number who go to court and get convicted. There's a higher proportion of individuals who are offenders but who would be identified as non-offenders.

BC: If we were to start fresh to develop a screening tool, we would probably think about error rates. But that's not how the guidelines were developed; it's policy based on common sense. We would like to put some research legs underneath it.

SB: You could do more. You really do need to think about base rates if you are going to make progress at doing things better. Employers are doing the same thing wrong, they have no idea of what they are predicting. If we are talking about variables to predict risk, this is not how risk prediction is currently done. Ideally, to accurately predict risk you would want a situation where absolutely nothing is being done to reduce risk and then try to identify the variables that are associated with the risks. Currently, you have a situation where you are trying to identify the variables and estimate their impact when the process has already been modified to reflect the variables that have been historically identified. This is very far from a controlled experiment. You really need to be aware of this fact: trying to estimate the effect of variables in a contaminated environment is very difficult. You're in an environment where X is already known and being treated.

ES: I would feel more comfortable if there was a group designing a study to test these assumptions.

GH: The stated purpose of the personnel security process is to contribute to the protection of classified information by restricting from access those who would not protect it. Clearly, the predictive qualities of what is in the guidelines and the result actually achieved is not direct. However, the objective is less a predictive model than one that identifies whatever calls reliability and trustworthiness into question: questions about reliability and trustworthiness call into question the ability or willingness to protect classified information.

RW: What limits are there? What can't you ask about?

PR-H: The SF86 lays out a series of questions, and the applicant signs a release that lays out the scope of the investigation. So the investigation is consent-driven.

RW: There are several activities in the sexual realm, particularly online, that could be criminal activities. You would need a limit on what the government can and should look at.

PR-H: We have done neighborhood checks and there is recognition that they are of limited value. The online community is perhaps becoming the new neighborhood. It is not included currently, but should it be? The consent form of the SF86 doesn't get into this so the online environment goes uninvestigated.

AO: Personnel security investigations are very specific, not like a deposition or a fishing expedition.

EC: It's a double-edged sword. The most important predictors are past behavior and age, but age is really a proxy for development. There are no developmental considerations in 31(a). You can have 16 year olds arrested for felony possession, but the likelihood of them going on to a career of dealing is very low. Many young people may commit a crime, but this does not mean that all of them go on to continue to commit crime.

PR-H: We should review the guideline language because the first mitigating condition speaks to age and time—so much time has elapsed since the crime or it has occurred under unusual circumstances. But what degree of recency matters for crime? How does that vary by the event or type of crime?

AA: What is the role of age in criminality? How should it be reflected in the language?

EC: The age of first offense is the best predictor of future offending. Most kids desist from crime. Keep in mind that 60 percent of all criminal behavior is committed by 5 percent of the population. Developmentally, kids are malleable, and involvement in crime decreases over time. Based on the false positives and negatives talk, anyone who committed a crime would be excluded, which is an overzealous result.

PR-H: And that is we want to avoid. The Bond Amendment replaced the Smith Amendment, which said DoD could not grant a clearance based on four conditions: one year in jail, mentally incompetent, current drug user, or a dishonorable discharge. An anecdote illustrates the consequence of such an approach. An applicant at the age of 16 in the 1960s attempted to break into a house with his friends. They were caught and the judged decided to put a scare into them and sentenced them to jail for two years. Then, 30 years later, the applicant was precluded by statute from getting a clearance without dispensation from the Secretary of Defense. We need to avoid such blunt tools for making judgments. It is this degree of nuance that an adjudicator can take into account.

EC: This is exactly what most juvenile crime is like, "stuff happens." Two important points: 1) kids commit crimes in groups and therefore get lumped together for the same offense, and 2) the

charge depends on other things largely irrelevant to the actual act. Charging is very arbitrary based on context and the individuals involved. The problem with adolescents is holding them to the same strong standard.

SB: Relying on sentence versus the crime introduces policy discretion. Prison sentences depend on location—they vary from state to state—and not necessarily the crime; you are ten times more likely to get a year in prison in Texas than in Minnesota. It depends on whether you are less concerned about what actually happened and more about what happens to someone after they spend time in prison. Even employments can use arrest behavior, sometimes it is based on what you did and other times it's charged down.

PR-H: So, if we focus on sentences, it is at best unfair?

SB: Reliance on sentencing moves you farther from actual behavior and closer to policy choices that differ dramatically by location. It also means that you're including race factors that are correlated with the process. For example, if you look at racial disparity in drug sentences vs. arrest, 40 percent of variance is explained by race.

AO: Using the attorney profession as an analogy, most licensing boards would care less about a battery charge than fraud since fraud gets at trustworthiness.

RB: The issue goes beyond criminal and non-criminal. Sometimes the non-criminal could be more predictive of revealing secrets. Doing drugs may be a worse predictor of revealing a secret than cheating on an exam, but the latter is not a crime.

SB: Go back to age. Major predictors of initial offending are age and gender. Predictors of recidivism are age and criminal history, not the type of crime but the number of offenses and the time since the last one (with a rapid decline after 3-4 years), but even that is based on age and the interaction with other factors.

ST: Women are less likely to offend. Intensity and frequency are important.

AA: Let's examine 32(a).

EW: I think we need to think a bit about specific crimes vs. crime in general. Generically, a 40 year old committing his or her first crime looks like a non-offender after one year. At the same time, a 40 year old who's first crime is a serious white-collar offense has probably been offending for several years without being caught and so can't be considered in the same way. There should be a rethinking of modeling crime with attention paid to the baseline risk for specific crimes. The best indicator of risk is a history of offending. The longer you go without reoffending, the less likely that you will reoffend at all.

EC: Age is not development, but a proxy for it, used as a practical matter. A better predictor than age itself is impulse control—things like lacking a long-term perspective, the inability to resist peers, and impulsivity. We have psychological tools to assess all this. By law we may need to use age, but to understand the process we really need to look at psychological maturity.

AA: Are there other proxies like age, things we should be looking at that may raise flags?

EC: Moral development and engagement are things we have been studying and can measure. There is evidence that they are related. Motivation is another factor but it is harder to measure. The underlying motivation for behavior is something we need to explore. But its determination often depends on retrospective evidence that is not likely to be accurate.

RW: From a policy perspective, is there an intent or a plan to look at applicants' online behavior?

PR-H: There is interest to see whether it would be meaningful to do so, but if it ever is introduced, it will be based on individual consent. So the question then becomes, what should we ask people to consent to?

RW: It's complicated. If part of what you want to know is who is susceptible to blackmail, then look at Facebook or financial transactions. It depends on how far you want to go. There's lots of information online about all of our lives and many of us could be put in a compromising position.

AA: Could we make a recommendation to add language and specifically call out "online" information in the guidelines which would then affect the questions in the personnel security process?

AO: The question of scope is derivative from the guidelines. An extreme model is the general interrogation process found in legal inquiry. We need to move along the continuum of relevance. We need to ask if a guideline can be developed that would pass civil liberty scrutiny and legal scrutiny and that would create a scope for relevant questions for investigation.

EW: Why not go from existing guidelines? A specific online guideline makes little sense.

AA: Let's go back to age and frequency.

SB: The language in 32(a) and (b) provides enough room so you're not boxed in. It seems relevant, but the real issue is how long to wait? This language is so broad and general that you could make an argument any way you liked, it's almost meaningless, but it does give you room to work. Age and criminal history are so significant that crime type is irrelevant in terms of general risk. Then, in this case the specific types mentioned in the guidelines seem to be of little difference. White-collar crime and sex crimes are two areas where there seem to be criminal specialization.

RW: If I give consent to examine my finances does that include my online finances?

PR-H: Only to the extent that it effects your credit rating.

RW: Young people's perceptions of privacy are very different. They have a different conception of privacy and are much more digital. Much of their adolescence is online and will be there for all to see forever or at least for the foreseeable future. Potentially vulnerable data for this generation is stored in many places.

EC: The point is well taken. The things we did as kids on paper are seen very differently than what kids do online now. Consider the case of a 15 year old expelled from school for saying things about a teacher online. She was then was sued for defamation of character and lost \$500,000. These are all things that previous generations have done but because the activity was in another, less persistent media, they were not so vulnerable.

AO: There are certainly concerns with digital identity. Digital identity is relevant, but then we need to consider how it is relevant. Do applicants have a digital identity that they tried to remediate? If so, we may wonder what they are trying to hide. Further, does someone have a digital identity that is deceptive? This may be the most dangerous aspect.

SB: In the private sector, they often do background checks. They may discover something bad from 10 years ago, but now they have employed the person for 5 years. They may still fire him because of the past—despite having more relevant, more recent evidence about his quality as an employee. I would be concerned about any language that assigns primacy or master status to having once been a criminal. Current work performance is far more relevant than past criminal history. Criminal history records are terrible, they are often sparse and hard to read. Yet we still use them despite the fact that we have much more proximate, high quality data of other types. Richer information should play a bigger role.

SB: It is just as relevant to know someone is a good employee. Recidivism rates are really low if you have a job after one year. We don't know if it's causal, but if you hold a job for one year, there's a pretty good chance that you're going to be a good employee.

FH: The real issue is not whether they've had criminal behavior in their background, but whether or not the employee had a chance to reveal the information and didn't. Concealment is the real issue.

AA: The guideline language is concerned with judgment, reliability and willingness to comply with regulations, as well as behavior in controlled environments. Section 31 under the conditions mentions "a single serious crime or multiple lesser offenses."

MR: What is a "serious" crime? It depends on state and federal courts, and then states themselves vary. There is very little agreement about what is a serious crime.

GH: There has been a reluctance to get too specific in the guidelines. There has been instead a general notion about the guidelines that less is more. But the problem then is that one person's serious crime is another's college prank. There is nothing in the guidelines that tells the adjudicator where the line is.

MR: The problem I see is that investigators ask about a "serious crime" without further specification and the respondents say "no" because they simply and honestly don't consider what they did "serious." Then you find out later that they were arrested, etc., and they are accused of lying. What's "serious" to one person may not be to another.

FH: Does anyone know the extent to which adjudicators agree on the same information?

GH: Inter-rater reliability across agencies is not a concept the government uses in the adjudicative process. Agency heads are given a great deal of authority to interpret the guidelines.

EW: Why is child/spousal abuse inserted into the alcohol guideline (31[g])? Does this mean an applicant cannot use alcohol as an excuse for the behavior or is alcohol abuse seen as particularly egregious?

PR-H: The language is pulled from other guidelines to bring incidents to light that are tied to a diagnosis of a problem with alcohol.

RB: Why does it say "away from work"?

PR-H: This is a modification that was made in response to people saying that their problems were not an issue because they did not occur at work.

FH: I'm assuming it's not just the act of doing these behaviors but the concealing of the behavior?

PR-H: Yes, typically covering up the crime is often greater than the crime itself. Lying on the SF86 is also a crime.

SB: Regarding 31(a): seriousness of the crime is irrelevant for recidivism; multiple events are more predictive than a single event. Regarding 31(c): arrest is a better predictor than conviction. There are more arrests than convictions and thus they make for a better predictor. Often arrests are not used because of legal issues associated with using arrest data.

AA: Do you think this means the language needs to be changed?

SB: Well, blacks are more likely to be arrested and not convicted than whites, so there would be some legal problems. I am not advocating the use of this language but want to consider the issue of the better predictive power of arrest data. As an empirical issue—apart from the legal problems—it would make sense.

PR-H: We do get at the variety of forms of contact with the criminal justice system with item 31(c).

ES: With regard to "allegation," how significant must the allegation be?

PR-H: Everyone is concerned with the term "allegation"— because it raises the very real question of what's real and what's not. But we have to start with the allegations the investigators discover. The nature of the allegation can be trivial or serious. This is why the due process part of the clearance procedure is so important. This allows for some sorting out of the true facts underlying an applicant's record. The investigators from OPM will not make a copy of a police or court record but rather the investigators will summarize the record. These are often very brief summaries leaving out very important information that was in the source document. This wastes a lot of adjudicative time in the clearance process. As a result, the obtaining of the actual police report or court record may not happen until very late in the process. Separately, the concept of "allegations" conjures up the allegations of a resentful co-worker or a bitter ex-spouse.

Sometimes these highly motivated individuals provide truthful disqualifying information. Other times they do not. We have to start with the allegations. Adjudication and due process have a goal of confirming whether an allegation from a spouse or co-worker is valid.

MR: Regarding 31(c): "admissions"—what if someone admits to a non-offense and the investigator runs with it and it takes time to resolve?

PR-H: It still has to be a crime.

MR: What if the individual thinks it was a crime but it wasn't?

PR-H: We have a guideline for poor judgment that it could fall into (Guideline E).

RW: Regarding 31(d): if you use parole or probation as a proxy, then you should include registered sex offenders.

EC: This would be a problem with teens. We have adolescents registered as sex offenders who aren't, such as an 18 year old who had sex with 16 year old and an 18 year old who mooned someone. There are certain types that warrant a restriction where others could just be risky. The criminal justice system has moved to a more punitive process. Will consideration vary with the offense?

PR-H: Yes, the crux here is the issue of whether or not the incident involved a violation of trust.

EW: It seems this could be covered by the mitigation language. Regarding 32(a): Should it say it was a juvenile offense?

EC: Excellent idea. Making a distinction between adolescent and adult would be helpful.

RF: If you only did something once, it could be an aberration of behavior. However, continuing criminal activity should be a red flag.

PR-H: At times we have used the phrase, "isolated offense," but has been problematic.

EC: It gets to frequency and duration, both of which matter.

AA: Should we then modify 32(a) to include reference to "juvenile"?

PR-H: I suggest adding a separate bullet rather than adding more language to 32(a) which is already pretty long.

SB: I would argue against that because it depends on the state you're in. Make the word "adolescent" instead of "juvenile."

EC: I would recommend using "developmental maturity," whether the offense was committed as an adolescent or not.

[All agree]

AA: Would this get at maturity?

EC: Unless you are willing to do a developmental assessment, you have to work with proxies like employment history.

AA: Should 32 look at duration?

EW: With regard to white collar crime, sentencing guidelines look at evidence of planning behind the crime, and finding it makes for a tougher sentence. Maybe some version of that could be added?

PR-H: It sounds like white-collar crime is an analog of espionage?

EW: Yes.

EC: I'm concerned with the language "so much time has elapsed." How much time and by whose judgment? In your approach the degree of consistency across government depends on agreement among the adjudicators regarding the meaning of "so much time." On the other hand, there are assessment tools that are quite consistent, and actuarial prediction seems to work much better than clinical assessments. If you really want to predict, then remove the person. This is what the statistical models behind the assessment do. There's a debate between clinical and actuarial assessments.

ST: We've talked quite a bit about inter-rater reliability. Many of these points also speak to recidivism. Unless you know if people are using the information consistently and without measurement error, then recidivism is not a helpful predictor. The guidelines need to answer for the adjudicator: What does it mean to be on parole or probation? What is a violation?

PR-H: In the guidelines the concept behind paying attention to people being on probation or parole is that it's evidence that the State does not trust them.

EW: Actually it's the opposite. They were judged to be a low enough risk to be let out.

RF: You also need to look at the degree and intensity of parole and probation supervision, especially with electronic monitoring. The type of supervision ties in with the issue of low or high risk.

SB: I disagree. If I have information about a crime, what does probation or parole matter? The only thing that may important is the violation of parole or probation. But with intense supervision you tend to get higher rates of probation or parole violation because compliance is so hard. I don't think these items belong here given what you have already included.

AA: You're saying 31(d)-(e) are unneeded?

SB: It's more significant that they didn't complete the rehabilitation program; that's related to 32(d).

EW: Instead of violation of probation or parole I would argue for paying attention to revocation, which might indicate something more serious. In New York City a larger proportion of people are under supervision, but does this mean they should not be janitors in national security spaces?

MR: Violation is important because of toleration by judges for a certain amount of it. A pattern of violation is important even without revocation because it shows an attitude of the person.

FH: Why not distinguish between a violation of parole (which is more serious) and a probation violation? They are different and not equivalent. There might be more mitigating circumstances with probation than parole.

ES: I can think of cases of an isolated act that led to intense supervision, which then led to other acts, as the supervision called forth an underlying psychological condition. Is there some way for adjudicators to take underlying conditions into account?

PR-H: Traditionally we have been loath to combine psychological conditions with other guidelines.

ES: You can be a good anti-social personality-disordered person and have low level policy violations. Perhaps offenses on their own don't rise to a level of interest but taken collectively they do.

PR-H: Guideline E does this. It would be a way for an adjudicator to address such conditions. Once we get a diagnosis then we go with this.

RF: If you get past 31(a), then 31(d)-(e) are mute.

PR-H: No, we would consider the facts; cumulative conditions are difficult to mitigate.

ST: Personality assessment might get at criminal behavior better than these proxies.

EC: Psychologists develop scales to make these predictions. I'm interested to see what evaluation you would use to check these boxes. What questions are you asking, how are they being asked, and how is everything being synthesized? Policy and practice may not match.

EC: You also need to know what you want to predict. Using the wrong tool because you don't know what you want to predict can lead to poor judgment.

SB: I don't think 31(d)-(e) need to be here; because of the mitigator, they're unnecessary. You already call out in 31(a) that the person did something. 31(d) is relevant from a mitigation standpoint, not from a disqualifying standpoint—responding to corrections, taking responsibility for actions. You can simply say is there evidence of crime and then what are the mitigating factors.

AA: We need to have the organizational perspective.

RB: Think of the notion that the person who poses an insider threat presents the same personality characteristics as the perfect geek. Many geeks may react to monitoring in a negative way so that monitoring produces deviance. In such cases injustice or perceived injustice may lead to deviant behavior. At this point this is an organizational issue. What organizational factors might cause someone, once they have a job, to engage in such behaviors?

AA: These are then organization features that are relevant to monitoring?

RB: There are also moderators—personality factors—which make people susceptible. For example a sensitive personality or extreme sensitivity to perceived injustice may lead some to react in a negative way.

AO: If you have someone who is clean at age 25 but then problems arise at age 42, you have an insider threat. The aim then is how to predict these mid-career risks.

ES: I'm not sure that if you looked back they would actually be pristine, but they were cleared because the guidelines weren't looking at the right places.

SB: Even if I can't predict risk at the time of clearance I could take a different management model where positions of increased importance and security are earned through behavior. You could then use the investigative resources to create a different system that depends on constant monitoring. Such a system would not put so much weight on predicting at the time of selection. Instead it would look for detection during the career and this may be a much more productive approach. You can't predict Hanssen.

AO: No, but you can detect Hanssen.

RF: There were lots of ones we detected—those who never took vacation or sick leave. They looked like the model employee. Everything on the surface looked great!

ES: When it comes to the insider threat issue there are many correlates: psychological disorders, personal and professional stress, chronological risk pattern. What to do? Wait until you see concerning behavior and then investigate. It is not easy to predict.

RB: Do all hackers go on to become insider risks?

ES: We don't know the answer to that.

RB: I wonder what is it about the environment that makes a hacker go bad? Is it a primarily a matter of personality traits or certain organizational features? Could it be the supervisor?

RB: I would say that you need security training of employees, to make them aware of protocols and consequences.

AA: How about the issue of 31(d)-(e)?

PR-H: Much of the investigative process is driven by the guidelines. If you take out 31(d) & (e), then the investigation becomes superficial.

SB: I'm not saying they should be taken out, just moved to mitigating conditions.

MR: These are not meant to be disqualifiers, just flags.

SB: You can look into probation and parole and rehabilitation if there's a hit on 31(a).

PR-H: There is a process value to having them there and there may be inconsistency in the process without them.

EW: 31(d) is redundant with 31(a), but 31(e) is important. Understanding success or failure in probation and parole is important. It's reasonable to find out if a person is having problems with supervision.

RF: I would not give a security clearance to anyone currently on probation or parole.

MR: First-time DUI often results in probation or parole. Should one night's bad judgment affect an entire career?

RF: When looking at an offense, how important is the potential for embarrassment to the agency?

PR-H: There was a recent newspaper article where this—individuals with a clearance getting in legal trouble—was the issue. The PR spin is not unimportant.

AA: Let's move on to the criminal activity the guidelines mention specificity—that is, 31(f)-(k).

RW: There is still some debate about whether sex offenders are criminal specialists. There is more and more evidence that they are, in fact, generalists. But the majority opinion, and this includes my view, think they are specialists. As for the discussion today I am particularly interested in looking at unprosecuted crime, particularly rape or child molestation. If a person admits to this type of crime, but has not been prosecuted, how are they treated? Are they denied a security clearance?

AA: Should they be?

RW: As usual, it depends.

AO: A record of this type may not be critical for security but may well call into question an applicant's suitability.

PR-H: In addition to everything else it may be, we consider sexual crime from the perspective of trust. If a sexual crime involved a violation of trust we have treated it more seriously.

GH: We have put crimes against the U.S., e.g., espionage and terrorism, into a separate guideline because they get at the heart of what is involved in making a national security decision. We want to make clear, through the structure of the guidelines, that they're not just another crime. So, are there things about sexual crime, computer crime, or alcohol-related crime that warrant separate treatment from a national security perspective?

RW: Sex crimes are unique in that they tend to be committed in private settings. Usually there are no witnesses so the crime is harder to verify. This may be a reason to treat sex crimes separately. I think you do need a policy around online sexual crime, partially due to the anonymity of the environment. Questionable online sexual behavior is varied: some of what goes on online may be criminal, borderline criminal or just bad judgment. In the last ten years there has been a big push to go after online sexual solicitation, where in the minds of many the victim is a child. On the other hand, some will say there is no victim; no one has been touched. Still others may say that it is better that these individuals are going online to fulfill sexual

fantasies. It would be worse if they sought to fulfill their fantasies offline. It's a new crime, a gray area.

AO: An alter ego online may still be vulnerability even without a victim, not just for police but for foreign intelligence, the secretiveness of the behavior may make the individual vulnerable to potential exploitation.

RW: This also brings up the question of pornography use, including online pornography use. It may be legal but could demonstrate poor judgment, particularly if it is excessive or if there are manifestations in life.

RF: Is there a danger to being distracted from work duties or to reducing the person's ability to safeguard information?

RW: Not necessarily.

RW: That seems reasonable to call out this topic separately, because of its private nature. It can be a potential problem if there's concern about an individual's sexual behavior because by nature it is private. There may be problems getting evidence, witnesses, verification of the crime.

PR-H: Is there a difference between someone being engaged in porn at work and at home?

RW: It's a judgment question. It could be bad judgment. I don't know of anything in particular that is different.

EW: It's not just judgment, it could be an indicator of love of risk or excitement.

RW: There is another issue. Because the Internet has opened up, sexual mores have opened up. There's been an explosion of amateur porn/self-produced porn. Digitally, it now exists in multiple places forever. Is this behavior a crime? Probably not. Is it evidence of bad judgment? Yes. Is it a source of vulnerability?

ES: I see two areas of interest here: 1) Computer crime is a pretty good analog for espionage. When we look at espionage acts they often have computer aspects. 2) There is also a sociodynamic perspective to consider. These areas that we have been looking at are related to an ability of the individual to compartmentalize, live separate lives. We see this in the case of long-term affairs, or long time addictions. This I would see as a risk factor for espionage.

ES: The line between white-collar and computer crime is blurry because hackers are self-educated and don't fit into the white-collar occupational group.

EW: But there's no agreed on definition of "white collar." Some define it by the characteristics of the offender (e.g., college degree), but others by the characteristics of the crime (e.g., embezzlement).

AO: Is it accurate to say that white-collar crimes are always committed by people in positions of trust?

EW: Again, this is hard to define. For example, bank tellers are not college-educated, but they do have positions of trust and may exploit those. Deception and cover-up are often part of the problem with white-collar crime.

ES: You can also attempt to narrow it down to certain computer crimes. There's a huge variation within computer crimes, for example in the number of people involved.

EW: Distinctions can be helpful. A common distinction is copying, downloading, taking material home and then there's the actual hacking, etc. Someone doesn't need to be inside to do the attacks. In your case, you care about people taking the information rather than denial of service.

ES: Even minor crimes can suggest bad judgment or failure to follow rules. In such cases you may also be likely to find insider and outsider collaboration with the outsider providing technical expertise.

AA: Is there value in calling out IT in a separate guideline?

ES: Yes, so many are not reported, prosecuted, or convicted. About 70 percent of computer crime is unreported by companies. This in part is because of the impact on stock prices, which looks bad on the company. And it's hard to get federal authorities involved, so there is little value in reporting.

EW: White-collar crime and computer crime are both under-reported because of a fear of adverse publicity.

AO: On the federal side with espionage, often there is a tendency not to report how successful people have been. Information technology represents a particular vulnerability for the government. Is it so significant that it's just like espionage?

ES: It's a developmental issue—kids get into it and then get out. You would need an adolescent mitigator.

EC: We should keep in mind that getting out is a mitigator.

AA: How about drugs and alcohol?

ST: There's a correlation with drugs/alcohol and other criminal behavior. It's not uncommon to see this with other crimes: a value-added dimension if you would.. You should keep them separate.

EC: Involvement with alcohol or drugs differentiates between high and low risk offenders.

SB: There is also the fact that failure of rehabilitation is quite common. You can also look at a monthly analysis of illegal earnings. Research shows that \$100 of legal earnings decreases illegal behavior by \$7. Drug use is a big signal, it's part of the causal structure for crime. It leads to and is a signal for crime.

EW: Sometimes people used drugs/alcohol for "liquid courage."

AA: Are there any other crimes that indicate increased risk and should be called out?

ES: I just need to feel certain that hacking is included among the computer crimes and should be kept separate.

EW: I would say a history of misappropriation of funds, misfiling, etc, may not be criminal but would still consider them to be risk factors. Other correlates would be cheating on exams, a history of pushing the line, being suspended by the SEC.

SB: What about people who are written up by employers or professional associations? Is that considered?

GH: Yes, if reported. It would be looked at as personal conduct.

PR-H: Parole and probation violations can be easily overlooked so they are called out as specific behaviors, but it is hard for us to anticipate all the types of professional sanctions. But these should get picked up through the national and local agency checks.

SB: Quasi-criminal behavior seems extremely relevant. You are not doing background checks on street criminals; you're looking at people with more education. So you have to look at places where people have problems: college disciplinary office or professional organizations. These areas would be more relevant. Lots of bad behavior happens on college campuses and if it's a private school, this often gets covered up.

EW: In white-collar crime studies a great deal of work has been and is being done to look at this type of behavior and it has been very insightful. This should be pursued.

RW: Look at research, in particular David Lisak's at the University of Massachusetts-Boston, concerning unreported sexual assault among college students

EW: Regarding 32(d): People often talk about remorse, and it's cited in 32(d), but I have a problem with it as a mitigator.

PR-H: The absence of remorse is significant even if its sincerity is hard to evaluate.

RF: I would say that taking responsibility may be even more appropriate to consider.

EC: There's a difference between predictive and retrospective. Early commission is common among repeat offenders. But, on the other hand, not all youth offenders go on to become adult offenders.

SB: If they started earlier, they are more likely to continue.

AA: What do we do with someone who has done something wrong at age 12 and then there is no further crime? Should we not hold that against them? If they have stopped is this is a significant mitigator?

EC: I would say that all of us if we were in the wrong place at the wrong time at some point and could all have been arrested. If offenses stop in adolescence, and there's been no further offending, you cannot hold that against them.

#### **CLUSTER IV: GUIDELINE F (KIM INTERVIEW)**

September 17, 2010 9:00 am—noon Liberty II, Fairfax Room

#### Participants:

(b)(6)

Family Resource Management, University of Maryland

Defense Office of Hearings and Appeals

ManTech International, recorder

SAIC

- Financial Difficulty (General Thoughts)
  - I disagree that financial difficulty means irresponsibility. Instead, financial stress will cause other issues.
  - Other factors can influence financial difficulty; patterns of financial stress have different results; there are many causes and mitigating factors.
    - o Financial strains may come from specific behavioral issues (e.g., drugs, gambling, shopping), but also come from other places/other reasons (e.g., unemployment, victim of a scam/fraud, illness).
    - Linking financial stress/strain to a specific behavior or blaming someone's judgment can be difficult.
    - o Some people are not financially savvy, they have low financial literacy, therefore they are likely to get into trouble and make bad decisions.
    - o Research with bankruptcy and credit counselors has shown that the two main reasons for bankruptcy are life issues being out of control and poor management. The majority are life issues (e.g., health or unemployment).
    - o In counseling, living beyond one's means was a main reason, but hard to tell that that means they're irresponsible
  - Financial affects work performance because people spend more time resolving financial issues at work; they may be at work physically but their mind is not there; there's also mental health concerns.
  - Most people who get into serious financial trouble do so because of circumstances beyond their control rather than any irresponsibility or lack of trustworthiness.
    - o However, getting into financial trouble itself could be a *flag* of other issues.

#### ♦ Financial Literacy

- The lack of financial literacy is a big problem throughout U.S.
  - High school seniors cannot pass financial literacy tests.
  - Some states are mandating personal finance courses be taught in school, but not all students are taking them.
- People don't talk about finances or seek help in time; they wait until it's bad and then too often the only option is bankruptcy.
  - A security clearance is linked to job security; therefore, cleared people may be less likely to seek help for fear they will lose jobs.
- There should be financial education/awareness programs to increase financial literacy in the workplace; EAPs are small and counselors are not necessarily financial experts.

#### ♦ Credit Scores

- I advise against using credit card scores at all.
  - The credit system discriminates against people with low scores (e.g., young people have less time to build up credit therefore have lower scores) for reasons of its own; a low score means high interest rates resulting in a higher chance of defaulting.
  - The credit score is low for someone who pays off debt in full each month, so you're penalized for living within your means.
    - That's one reason why the credit score is a poor thing to look at when determining if someone is responsible for a job with national security.
- The government is making a different kind of risk decision than is a bank.
  - o Banks use credit scores and payment history; paying off loans too fast is not in the best interest of the bank or lender. They want to maximize the amount of interest a person pays; they love it when people make only the minimum payment and keep high balances. It's only when people don't pay anything at all that they start to worry.

#### ♦ Credit Report

- Credit reports show debt, but not the full picture (no asset information is included).
- About half of people have some errors in the credit reports, although many are minor. The credit bureaus get their information from the creditors not the person.
- It is, however, a cost effective source to get information quickly so it's a good starting point.
  - o People need to understand the need to check their credit reports to correct errors.

#### ♦ Taxes

- Owing or not filing taxes is important. There is greater significance with this type of debt than with others because you cannot wipe it away and you have an obligation to file.
  - o It also leads to legal action with the IRS.

- The personnel security system should check tax reports as well as credit reports.
- Encourage someone to address federal/state tax debt first, it's different than owing money to private company.

#### ♦ Hierarchy of Debt

- Payment patterns are often irrational; people feel obligated to pay off some debts before others.
- Psychological factors are involved—some people cannot calculate consequences or impact, or they ignore them.

#### ♦ Credit Counseling

- Success of credit counseling is similar to filing Chapter 13 or 7 bankruptcy.
  - The counselor creates a management plan, distributes money to creditors (3-5 years); the success/completion rate after 5 yrs is low, usually a crisis emerges and people end up filing for bankruptcy or disappearing. There is a high drop-out rate.
- People don't necessarily follow budget counseling advice.
- Spotting scam counselors vs the legitimate ones
  - o FTC has guidelines about debt settlement issues.
  - o U.S. Trustees Office has a list of approved agencies.

#### ◆ Adjudicative Guideline – Disqualifiers/Mitigators

- The concept of unexplained affluence with the tie to illegal activity makes sense.
- "Frivolous and irresponsible" are too subjective.
- Add mitigating language to take into account predatory lending—solid middle class people are becoming victims of fraud more and more.

#### **CLUSTER IV: GUIDELINE F (PERRY INTERVIEW)**

September 17, 2010 noon—3:00 pm Liberty II, Fairfax Room

#### Participants:

(b)(6)

Marketing, George Washington University

Defense Office of Hearings and Appeals

ManTech International

ManTech International, recorder

Financial Difficulty (General Thoughts)

- It's not politically correct to call people irresponsible, although some people are ruthlessly irresponsible, but the behavior is of concern.
  - Use something like "disregard for consequences" (19[a]).
- People haven't been able to sustain their bad behavior, but it existed before the crisis.
- Individuals may use a credit card for certain expenses and at the same time have a
  savings goal (per check or per month); they should pay off the debt, but that's not
  cognitively appealing to them. They don't mind paying interest and they are paying so
  there is no reason to think they are less responsible than someone without credit card
  debt.
- A hot topic today is to walk away from your house; professionals are advising people to
  do it in some cases. The only thing keeping people tied to their debt in many cases is a
  possible later reputational effect. I'm not sure if you should be questioning those people's
  capability.
- There's a difference between those who are ruthless and those who are doing the rational thing under the circumstances.

#### ♦ Credit Scores

- Do not use! What happens when it's wrong, which number do you use?
- According to work done by the Federal Reserve, credit ratings showed differences between different minority groups (possible discrimination).
- ♦ Financial Education/Awareness
  - There's a lot of denial.
  - People with bad credit think their credit is better than it is and vice versa.

- Simply telling people to be aware of their credit score would alleviate some of the problem, but it's not enough; there's an incentive to managing your credit rating when you're trying to get a loan. Also we don't want people obsessing over the credit rating because the algorithm can change. It would be better to devote that time to becoming financially stable instead.
- Employee-sponsored programs work well, better than giving people pamphlets to take home; most are in denial and don't think they have a problem.
- There is controversy about financial literacy training programs and their effectiveness there's no evidence to support them currently.
- Credit counseling is reactive, occurs on the back-end, and is expensive.
  - Perhaps making a few hours of credit counseling available to folks when you see flags would be helpful.

#### ♦ Locus of Control

- Locus of Control is an individual difference variable, related to demographic characteristics, with some predictive power. In its simplest terms, a person's locus of control can be either internal or external.
- People with more financial resources and higher levels of education have internal loci of control; this is complicated because internals are more likely to seek more education, etc.
- Externals are more likely to have credit problems even when things like finances, education, and other circumstances are controlled for.
- It's an orientation, superficial, driven by personality and experiences

#### ♦ Adjudicative Guidelines: Disqualifiers/Mitigators

- Disqualifiers (19)
  - o 19(a): The problem is that large numbers of people will fall here. In 2007, a credit score of 620 meant that you have been 30 days late at least twice in the past 2 years; that means that 19(a) would cover a lot of people (high debt-to-income ratio) half the population; in 2010, it would be even more.
    - Maybe include something about "in a timely fashion."
    - Add "in absence of reasonable economic explanation"
  - o 19(b): They're not paying but neither is anyone else. What was irresponsible in 2006 may not be so in 2010.
  - o 19(c): This is very broad and could include things not on the credit report.
  - o 19(e): Remove language about "debt-to-income ratio." Lots of people have high debt-to-income ratios; if they can manage it, and many do, there is no reason to think that they will have problems later.
    - Debt-to-income ration is not predictive, but it is too specific for the kinds of decisions you have to make.

- Debt-to-income ratio is controversial because it is linked to cultural issues and may in fact be discriminatory: some groups carry high debt-to-income ratios over time. It is not related to financial performance.
- There is so much evidence against this concept that underwriters backed off of using this.
- What you really care about is repayment history.
- o 19(b) and (e): What about appearing to have control over one's finances, consistently meeting financial obligations although it might not be pretty?
  - Given the current environment and the way people manage obligations, some additional flexibility may be needed here.
- Key problems according to Fair Isaac (FICO)
  - Missing mortgage payment or loan
  - Being more than 180 days late
  - More than 30 days late twice in 2 years
- Mitigators (20)
  - 20(b): "Business downturn" this sounds like it's referring to an individual business or a layoff. Consider taking into account the current economic times and the overall economic downturn.
  - o 20(c): Add language "legitimate/credible sources."
    - Start with an agency affiliated with the National Foundation for Credit Counseling (NFCC) that is associated with the lender, "NFCC certified source."
    - "Accredited" leave the accredited body up to people's judgment.
  - o Add language, "demonstrated control over finances."

### APPENDIX GUIDELINE J

To facilitate discussion of all elements of the Guidelines dealing in one way or another, the focus group used the following text as reference. It consists of the whole of Guideline J with relevant portions of Guidelines D, G, H, and M, as well as references to the Bond Amendment, added (in blue italic) as appropriate.

- 30. *The Concern*. Criminal activity creates doubt about a person's judgment, reliability and trustworthiness. By its very nature, it calls into question a person's ability or willingness to comply with laws, rules and regulations.
- 31. Conditions that could raise a security concern and may be disqualifying include:
  - (a) a single serious crime or multiple lesser offenses;

Bond Amendment: having served a sentence of more than one year is a statutory disqualification absent a meritorious waiver

(b) discharge or dismissal from the Armed Forces under dishonorable conditions;

Bond Amendment: makes this a statutory disqualification absent a meritorious waiver

- (c) allegation or admission of criminal conduct, regardless of whether the person was formally charged, formally prosecuted or convicted;
- (d) individual is currently on parole or probation;
- (e) violation of parole or probation, or failure to complete a court-mandated rehabilitation program.
- (f) sexual behavior of a criminal nature, whether or not the individual has been prosecuted; (D)
- (g) alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, disturbing the peace, or other incidents of concern, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent; (G)

- (h) any drug abuse ("drug abuse is the illegal use of a drug or use of a legal drug in a manner that deviates from approved medical direction."); (H)
- (i) illegal drug possession, including cultivation, processing, manufacture, purchase, sale, or distribution; or possession of drug paraphernalia; (H)
- (j) illegal or unauthorized entry into any information technology system or component thereof; (M)
- (k) illegal or unauthorized modification, destruction, manipulation or denial of access to information, software, firmware, or hardware in an information technology system; (M)
- 32. Conditions that could mitigate security concerns include:
  - (a) so much time has elapsed since the criminal behavior happened, or it happened under such unusual circumstances that it is unlikely to recur or does not cast doubt on the individual's reliability, trustworthiness, or good judgment;
  - (b) the person was pressured or coerced into committing the act and those pressures are no longer present in the person's life;
  - (c) evidence that the person did not commit the offense;
  - (d) there is evidence of successful rehabilitation; including but not limited to the passage of time without recurrence of criminal activity, remorse or restitution, job training or higher education, good employment record, or constructive community involvement.

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## Examination of the Adjudicative Guidelines

Appendix C Part 2
External Subject Matter Experts: Biographical Sketches of Participants

LEADING INTELLIGENCE INTEGRATION

March 2011

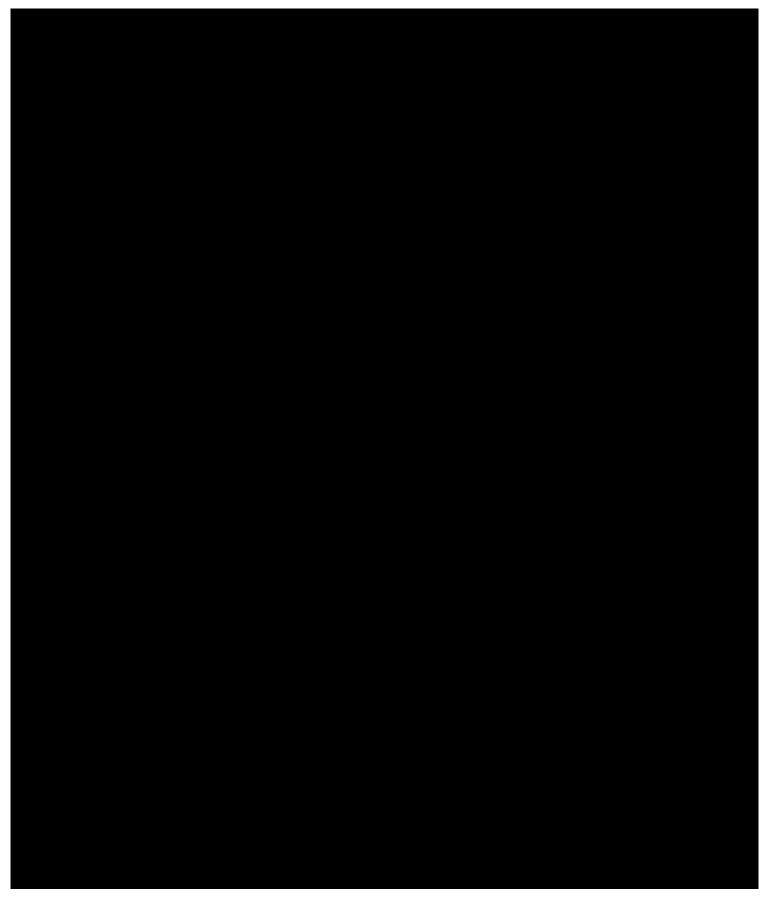
ONCIX Special Security Directorate Research Program

# CLUSTER I: GUIDELINES A, B, C, AND L

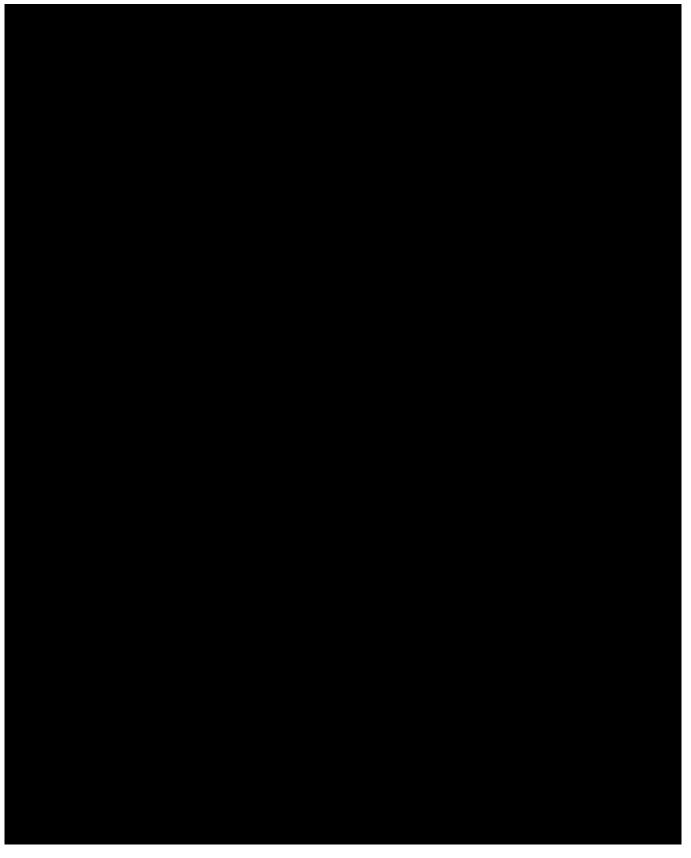


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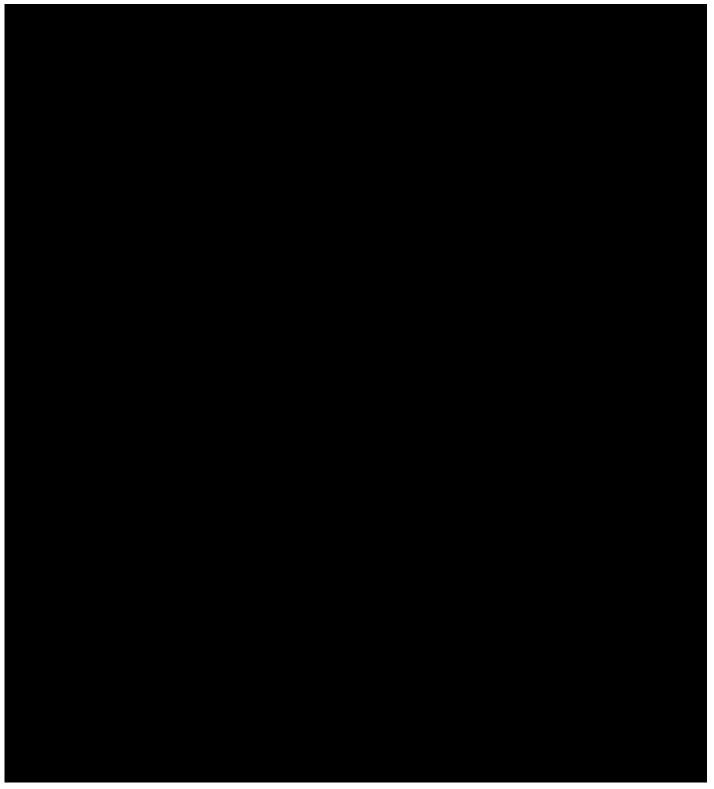


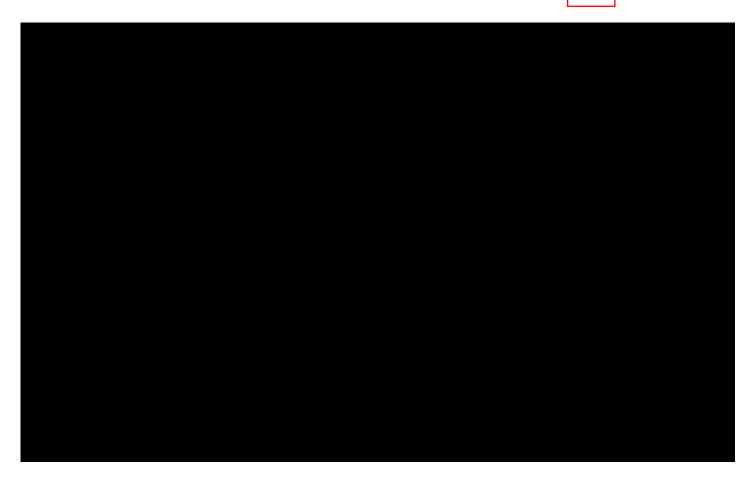




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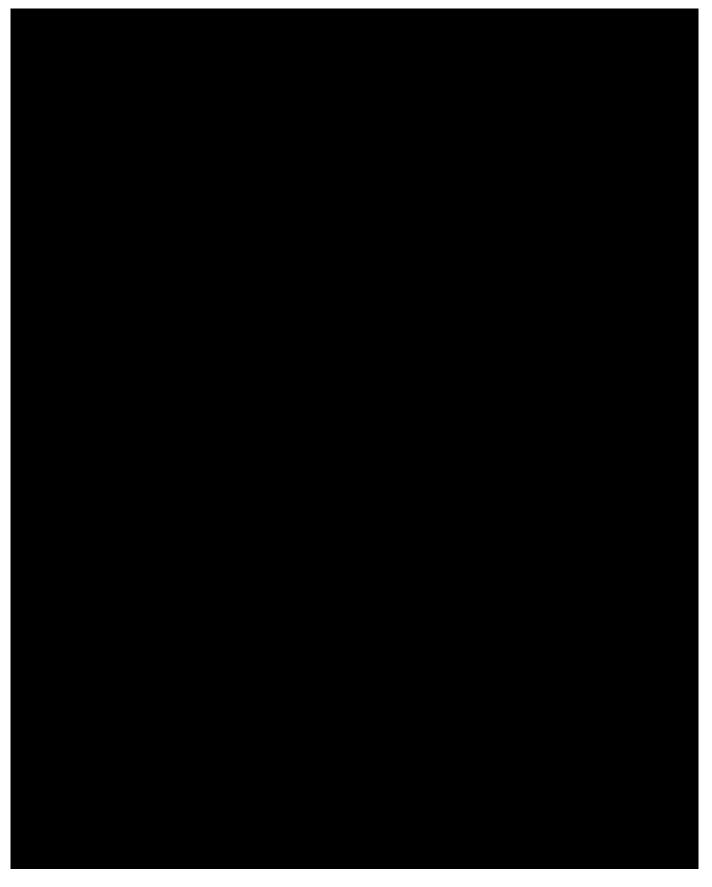
# CLUSTER II: GUIDELINES I, D (PSYCHOSEXUAL ASPECTS), G, AND H



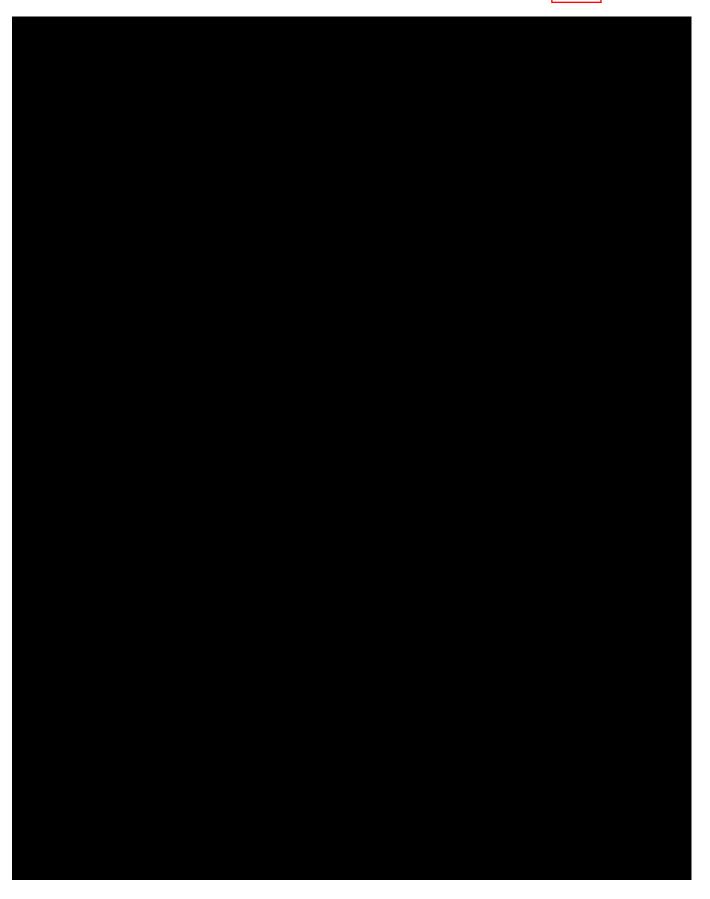
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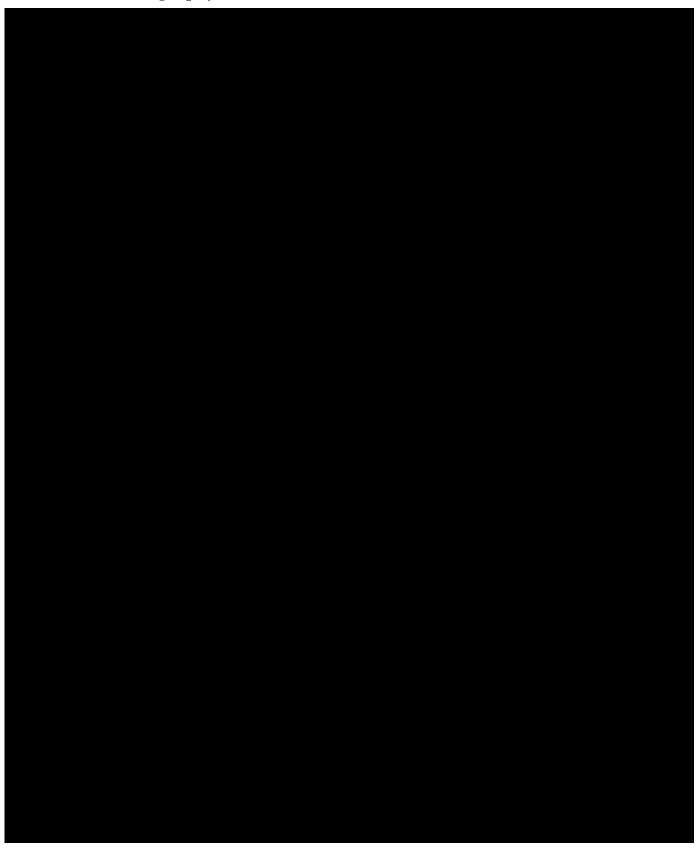


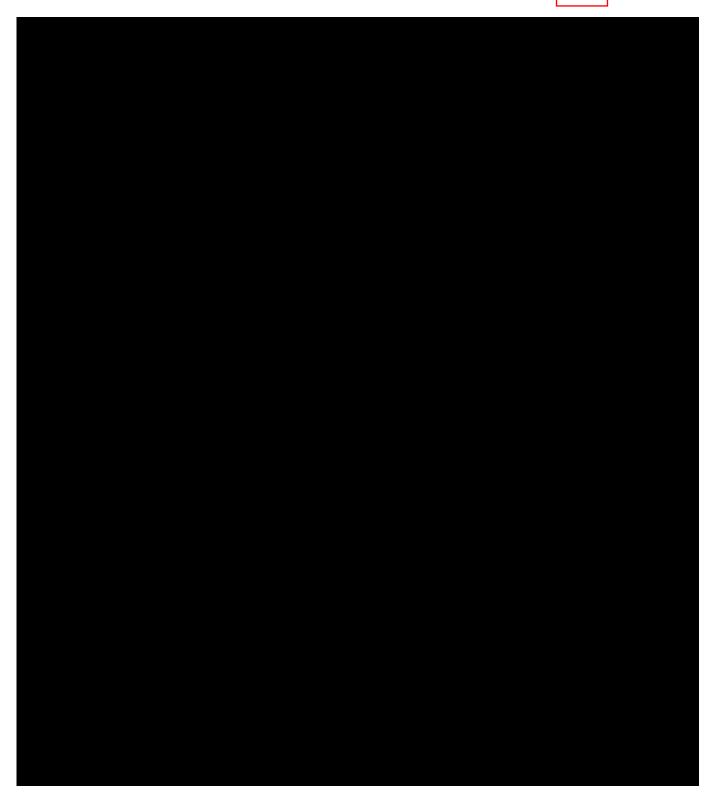


# CLUSTER III: GUIDELINES J, D (CRIMINAL ASPECTS), AND M

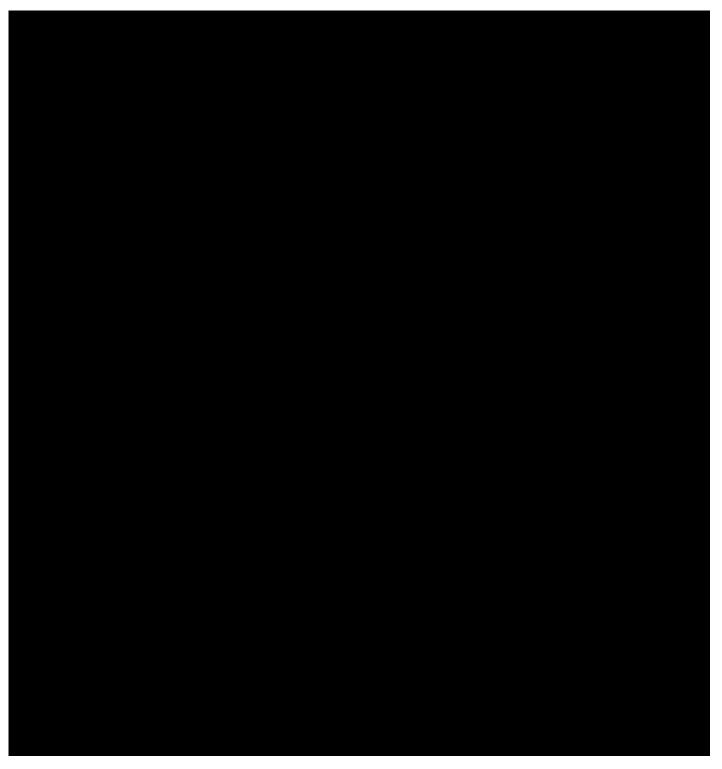


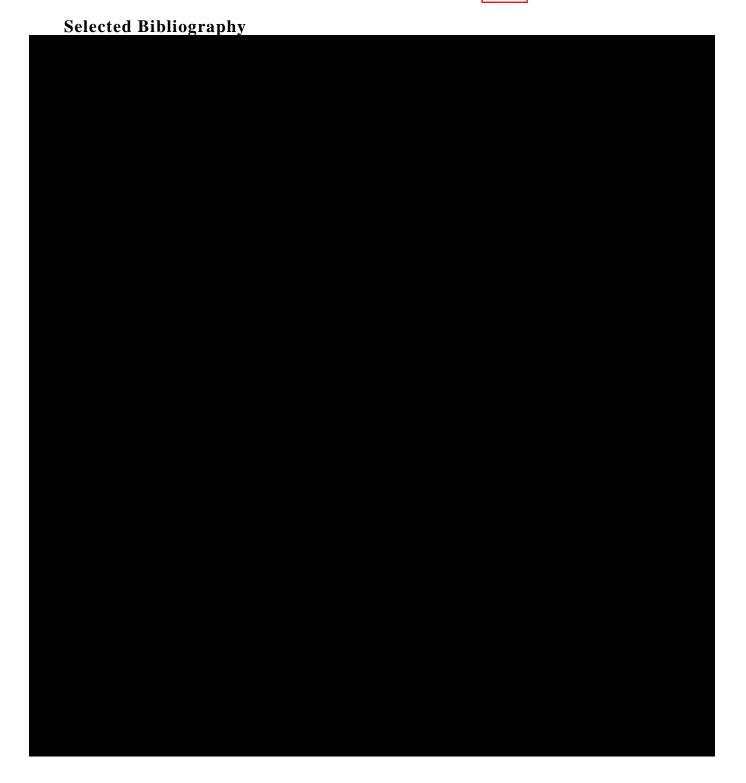
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### **Selected Bibliography**





### CLUSTER IV: GUIDELINE F



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# Examination of the Adjudicative Guidelines

Appendix D
Internal Subject Matter Experts: Focus Group Notes

LEADING INTELLIGENCE INTEGRATION

March 2011

ONCIX Special Security Directorate Research Program

These notes capture the discussion that took place among participants in a research context. They do not necessarily represent the positions of any agency or of the Security Executive Agent.

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### INTRODUCTION

The *Examination of the Adjudicative Guidelines* Project has three components: reviewing the relevant social science literature, gathering the views of subject matter experts from outside the security community, and soliciting in a formal setting the thoughts and opinions of a body of government personnel security professionals on the substance and structure of the Guidelines. The notes that follow record the results from the third of those components.

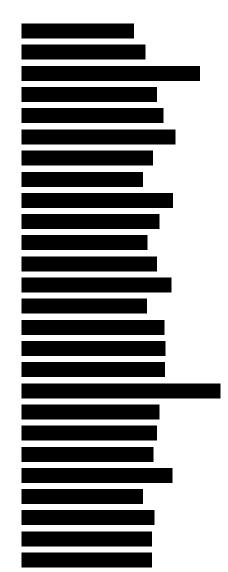
Following the clustering model developed for the project, we conducted seven sessions for government experts: two to discuss Cluster I, one each to address Clusters II-V, and a final session devoted to issues relating to the Guidelines as a whole. The sessions varied in detail, but all were meant to capture the views of people who could contribute the perspectives of those actually making access eligibility decisions today. The other components of the project could not provide the insights available only to security professionals active in the field. Hence these sessions were essential.

Participants were selected by their agencies but their charter was to speak as government security professionals, not as bearers of agency positions. Hence all sessions were conducted on the basis of non-attribution. There are no individual or agency attributions in anything that follows.

### **PARTICIPANTS**

, chair SAIC, facilitator ManTech International, recorder

(b)(3) (b)(6)



### CLUSTER I SESSION 1: GUIDELINES A, B, C, AND L

August 5, 2009 9:15 am—11:15 am Liberty II, Montgomery Room

- What are we *really* adjudicating when adjudicating foreign-association issues?
  - Foreign associations that can render a person vulnerable to security compromise.
  - Loyalty to the U.S.
  - Threats from abroad, as well as domestic threat risks (i.e., Oklahoma City).
  - Concerns regarding goals and values counter to those of the U.S.
  - In some cases there is a concern with the unknown: we do not inevitably know what kinds of threat, if any, a person with foreign associations represents.
  - Concerns with the potential efforts on the part of foreign nations to influence U.S. foreign policy through their contacts.
  - The penetration threat: attempts by foreign intelligence services to infiltrate U.S. controlled spaces.
  - Additional observations.
    - o Too much information about our personnel security procedures is too readily available over the internet to those who may wish to manipulate it to their advantage.
    - o The Guidelines are used for various related but ancillary purposes beyond clearance determinations.
- What concerns do foreign associations raise?
  - Will classified information be compromised?
  - Protection of citizens and of U.S. national interests.
  - Foreign attempts to gain access to advanced technologies and scientific knowledge (e.g., nuclear).
  - The traditional foreign counterintelligence threat and the emerging counterterrorism threat.
  - Manipulation of unwitting U.S. persons.
  - Security concerns related to acquisitions, specifically the role of foreign connections in the acquisition process. (There is a tie-in here with issues of foreign ownership of companies with whom the U.S.-cleared community deals.)
  - Uncertainty regarding the full scope of risk introduced by foreign associations. This uncertainty grows out of the fact that we cannot control the specific nature of peoples' relationships with their foreign associates, nor can we necessarily capture the level of

- sophistication that well intentioned people have regarding the vulnerabilities their foreign associates might pose.
- The changing sense of what it means to emigrate to the U.S. In the past, leaving one country for another meant making a clear break with the country of origin, for practical reasons as much as for any other. Because international communication and travel are now so much more readily available, this need no longer be the case.
- The increasing importance of diasporas as a characteristic of the U.S. immigrant population introduces a further complication.
- Additional observations:
  - Security clearance investigations are further complicated by the increased need for native linguists (by definition immigrants).
  - o Tribal and other similar sorts of cultural affiliations are also of potential interest.
- ♦ What's the difference between "allegiance," "foreign influence," and "foreign preference?"
  - "Allegiance" and "foreign preference."
    - There are similarities between the two: in both cases the claims of one country are accepted over those of any other.
    - O However, from another perspective, it may be possible to have *allegiance* to one country while still expressing a *preference* for at least certain elements of another, perhaps by such things as the use of that other country's passport, at least for some purposes.
    - o Consider *allegiance* as a core value, whereas *foreign preference* is one possible consequence of an interest in the world at large.
  - Allegiance becomes the core of what we are looking for when adjudicating.
  - "Foreign preference" and "foreign influence."
    - The external nature of foreign *influence*—it is a force acting on a person; the internal nature of foreign *preference*—it arises from a predisposition within a person.
  - "Allegiance" and "loyalty."
    - Allegiance can be temporary: its presence today does not mean that a person will have it tomorrow.
    - o Allegiance as a matter of the brain, while loyalty is a matter of the heart.
  - There is a difficulty with all these terms. Regardless of our own understanding of them, we need to be aware of how the people our investigators interview define them, as well as how our investigators themselves define them when conducting investigations.
  - Consider allegiance as a measure of how a person will react under stress. For example, would a person bear arms for the U.S.?
  - Additional observations.
    - o The need to recognize, acknowledge, and manage risk.

- o Should mission needs (e.g., for specialized skill sets such as language or knowledge of specific foreign technologies likely to be found in the U.S. only among immigrants) be addressed specifically in the Guidelines?
- While these terms are closely related, there are subtle, nuanced differences between them. They should continue to be treated as separate dimensions of an investigation.

### CLUSTER I SESSION 2: GUIDELINES A, B, C, AND L

August 27, 2009 9:30 am—3:30 pm Liberty II, Frederick Room

# PART 1: OVERVIEW BY DR. JERARD KEHOE, EASI CONSULT, OF THE LITERATURE REVIEW FINDINGS

- Questions and Answers
  - Q: Do findings relating to dual citizenship depend on the country of origin?
    - A: While no research directly examined the question, the country of origin likely had some bearing on findings, based on differences between groups in other similar research areas (e.g. ethnic identity).
  - Q: Do results incorporate 2<sup>nd</sup> and 3<sup>rd</sup> generation Americans?
    - A: Two studies in particular included them and showed the same patterns of results.
  - Q: How has the use of different strategies for individuals to manage multiple identities changed?
    - A: Individuals are increasingly less likely to identify with a nation and more likely to identify with cross-national principles. However, a traditionalist perspective best explains dual citizenship behavior in that most individuals favor citizenship to one country.
  - Q: The security process can be reactive; the granting of a clearance may, in fact, present a conflict. How do your results address this?
    - A: How an individual manages such a conflict depends on individual psychological factors including emotional stability, impulsivity, and conscientiousness.
  - Q: What social science research provides evidence that clearance determinations reduce negative security-relevant behaviors?
    - A: None. However, inferences can be made from research examining similar phenomena. The review of attachments, similar to what is done in the adjudication process, likely reduces espionage-like security violation behaviors.
  - Q: What research, if any, examines allegiance in individuals who were born in a criteria country and then subsequently moved to an allied country?
    - A: None. Research has, however, looked at ethnic identity in similar contexts. In these cases the more that individuals maintain their ethnic identity, the less likely they are to develop a strong U.S. national identity. This is especially true for individuals who were members of a disadvantaged group in their home country.

#### PART 2: CONTINUATION OF DISCUSSION FROM AUGUST 5, 2009

- ♦ Aligning "expressed concerns" of the Guidelines
  - Guideline A
    - o Several participants identified a need to better define "unquestioned allegiance."
    - O A member questioned whether the term could be better defined by a definition through law, as written elsewhere in other policies. A number of participants expressed that this would not be adequate for operational purposes and that IC/DoD has authority to use a differing definition or criteria.
    - O Guideline A was not intended as a foreign-oriented Guideline; it is often used in adjudicating both foreign and domestic issues.
    - o Guideline A can be used to adjudicate a sympathy, not necessarily behavior.

#### Guideline B

- o Several participants identified a need to better define "divided loyalties."
- o "Identity of the foreign country."
  - One participant pointed out that its present form allowed for denial, and was one of the only places within the guideline that *considers* country.
  - Another questioned whether country was relevant to current environment.
  - Participants suggested that as it is written, this may better be listed among mitigators or conditions. Participants responded noting that considering country will only result in greater scrutiny, not denial, and without this consideration it would be difficult to consider other foreign interests.
- o "Foreign financial interests" requires an updated and more detailed definition to address current practices (e.g. owning foreign stocks). Others disagreed pointing to other portions of the guideline (7[e]) that examine this in further detail.
- o "Foreign contacts and interests."
  - Suggestion to change to "foreign contacts and activities."
  - Suggestion to change to "foreign financial and political interests."

#### Guideline C

- Several participants voiced preference for the 2005 version of Guideline C (opposed to that of ICPG 704.2).
  - This preference stemmed from the perception that the 2005 version provides more latitude to err on the side of national security, whereas the ICPG 704.2 version puts the burden of proof on the adjudicator.
  - Specific concerns related to difficulty denying for dual citizenship and/or traveling on foreign passport.
- A participant suggested that the "Concerns" language of ICPG 704.2 from "Therefore, a finding that there is a preference" to "foreign citizenship by a U.S. citizen" be included in mitigation section.
- Guideline L

- o Several participants described this as a "catch-all" guideline that is not exclusive of foreign activities and that enables coverage of other potentially important activities.
- o Many described the flexibility of Guideline L as necessary.

### ♦ Aligning "issues" of the Guidelines

#### • Guideline A

• Clarification many be needed of language in 4(c)(3) to ensure that it is understood to address only illegal acts

#### • Guideline B

- There was concern that exclusive focus on *foreign* contacts/influence may not address contacts with other U.S. citizens where there may be reason for concern (e.g. U.S. citizens who work for Foreign Intelligence Services or are security risks).
- Some participants argued that the phrase "close and continuing contact" needs to be defined more clearly, especially in light of the growing popularity of social technologies (e.g. email, Social Networking Sites, Twitter, etc.). Others suggested that this was not necessarily the case and this phrase is defined elsewhere adequately.
- A question was raised as to why "regardless of citizenship status" was only used within one condition (7[d]).
- The phrase "sharing living quarters" (7[d]), because not defined, may suggest too narrow a focus on cohabitation and thus not adequately address variability of other arrangements (e.g. college roommates).

#### • Guideline C

- o Preference for the "issues" set out within the 2005 was reiterated.
  - Concern that C.2.B (ICPG 704.2 version) allowing for the possession of foreign passport is not stringent enough.
  - The same paragraph should contain more objective criteria relation to time period (e.g. "within \_\_\_\_ months/weeks/years).
  - C.2.C (ICPG 704.2 version) should be revised to include language that not only addresses possession but also *renewal* of a foreign passport.
  - The concern was raised that if the Guidelines do not include something about a foreign passport, will investigators then fail to get information about it?
- One participant suggested that the concerns portion of Guideline C seems to speak more to influence than preference. Another suggested that Guideline C speaks to allegiance—or that which one has an emotional attachment to.
  - The question was raised as to which was the primary target to be evaluated, dual citizenship or foreign preference? One participant suggested that both emerged simultaneously because dual citizenship was a relatively simple strategy used in attempt to assess foreign preference.
  - Guideline C must address the context of *why* one holds a foreign passport. Is there, for example, an instrumental attachment?

#### • Guideline L

o Should "failure to adhere to pre-publication review policies" be included? Several participants suggested that this was covered within Guideline K, "Handling Protected Information." However, others noted that it would be possible to publish material that, while not meeting any threshold for classification or other restriction on public release, still required pre-publication review. In such a case, no security violation would have occurred, but there still would have been a failure to comply with a requirement of a person's nondisclosure agreement.

#### ♦ Aligning "mitigators" of the Guidelines

#### • Guideline A

- o 5(b): Concern that guideline may not adequately address problematic behavior disguised as behavior potentially a security risk (e.g. truck driver engaging in humanitarian efforts in support of Hamas).
- o 5(d): The terms "recent," "unusual circumstances" and "unlikely to recur" need to be defined more clearly.

#### • Guideline B

- 8(a): Concern that "country" does not adequately cover other circumstances of security concern (e.g., an individual moves from Iran to Canada, gets Canadian citizenship, then applies for clearance). A participant noted that this should be addressed on the SF-86.
- o It was noted that mitigators are a way to demonstrate *allegiance*, not necessarily influence.

#### • Guideline C

- ICD 704 mitigators mitigate conditions that many participants perceived to be relatively unimportant.
- Several participants voiced concern that the mitigators in ICPG 704.2 are not sufficiently specific in that time periods are not provided. The phrase "before" does not distinguish between events occurring last week or decades ago.
- Para C.3.c (ICPG 704.2 version): It may be preferable to leave risk level descriptors "low" and "high" out of the language altogether.
- Para C.3.c (ICPG 704.2 version): May be unnecessary to include consideration of the country.
- Within National Guidelines, language should be incorporated to address the reissuing of passports.
- O A broader concern was expressed by many participants that the Guidelines (especially ICD 704), given that they are publicly available, enable individuals, and potentially those with nefarious motivations, to successfully navigate the system. Anecdotes were provided illustrating candidates use of "buzz" terms and language drawn directly from the guidelines.

- Guideline L
  - o (No Comments)

#### ♦ Closing Discussion

- Several participants noted that rarely does one adjudicate a case using solely Guideline A, B or C, suggesting that in a preponderance of cases one of these is accompanied by another.
- One participant suggested that there seems to be most overlap between Guidelines A and C. Others suggested that A, B, and C represent the consideration of separate domains and should be reflected as such in the Guidelines.
- Several participants reported openness to a consolidation of one or more of these guidelines as long as all concerns, issues and mitigations were adequately covered. They cited that such a consolidation may simplify adjudicative case work processes.

### CLUSTER II: GUIDELINES I, D (PSYCHOSEXUAL ASPECTS), G, AND H

April 6, 2010 9:30 am—3:30 am Liberty II, Montgomery Room

- ◆ Guideline I: Psychological Conditions
  - Investigative reports do not give enough information to make a decision, investigators do not know what to ask.
    - This places the burden on adjudicators to gather more information, which is timeconsuming.
    - o Limited information comes from the release form.
    - o There may be an investigator training issue, imbalance of resources.
  - Consider everything, including the currently exempt marital and family counseling, and find out what's behind a reported behavior; there could be serious issues reflecting on someone's judgment, reliability and trustworthiness.
    - The potential risk involved for not finding out information behind exempted types of counseling.
    - $\circ$  If there are major psychological issues, we will see fall-out in other areas.
    - o Understanding that the exemptions were a high-level political decision, it is nonetheless important to have the additional information.
  - Add "hospitalization" under Disqualifying Conditions to create a flag for gathering more information.
  - Frustrating to rely on opinion of treating professionals 1) in view of their relationship with the patient (as an advocate) and 2) because the mental health community does not know national security to be able to make the determination if someone is a threat or not.
    - In general need for greater communication between adjudicators and mental health professionals.
    - Perhaps there could be more substantive follow-up behavioral questions and *not* the current yes/no question (#3) on the release form.
  - It would be helpful to have the medical records before adjudicating the case to get the whole picture.
    - Desirability of more specificity/guidance/proactive language in the Guidelines giving adjudicators permission to get additional information.
  - It would be helpful if there were more sharing of ideas/exchange of practices across agencies; some agencies appear less comfortable asking for information.
    - o Reciprocity problems arise with adjudicating differently, yet resource issues drive differences in adjudication from agency to agency.

- Unlike other guidelines, there is a critical problem in getting valid, reliable information.
  - o More specificity may be in terms of 1) the type of information and 2) how to collect it. What information do we need? What questions should we be asking?
- There is a higher CI risk for Axis 2 behaviors than Axis 1; we need to look at interesting behaviors (sub-threshold behaviors) and not just at diagnoses.
  - There should be more language capturing behaviors representative of personality disorders.
- ♦ Guideline D: Sexual Behavior (psychological aspects)
  - There should be a clear definition of "high risk" sexual behavior and "compulsive."
  - Under Mitigators (14[d]), we should add the term "legal" (e.g., prostitution).
  - Sex addiction is a risk to national security, it may not be a formal diagnosis in DSM-IV, but it is a deterioration just like alcoholism.
  - Should Guideline D be absorbed into other guidelines (such as I and J) or continue to stand-alone?
    - o Points for absorbing into other guidelines
      - The vulnerability to coercion piece could fall under Foreign Influence, and the rest under Psychological Conditions, Criminal Conduct and Personal Conduct.
      - The material can still be covered, but the language would have to be kept.
    - o Points against
      - The coercion concern (13[c]) doesn't fall under the criminal conduct guideline.
      - We would risk deemphasizing or losing altogether the CI aspects of the issue.
      - The potential for exploitation is great enough to warrant special consideration.
      - Combined into other guidelines, it would get lost and might be missed; keep things simple and in one place instead of separating out into four areas.
      - The removal of Guideline D could lead the public to think we no longer care about those issues; be aware of the audience.
      - If does change, add the term "sexual issues" or "addiction" under Psychological Considerations.
    - o The majority of the focus group opposed absorbing the guideline into others.
  - There is a need to look into virtual worlds/social networks (sexual communities); people may be more likely to be free in what they say because of perceived anonymity.
- ♦ Guideline G: Alcohol Consumption
  - 22(g): add "treatment recommendations," or language mirroring 28(c) of Guideline I.
  - 22(e): remove "licensed clinical social worker" and replace with something like "licensed mental health professional"; it is no longer accurate to say that a social worker has the appropriate authority, and physicians are already included in 22(d).
    - There was uncertainty whether "mental health professional" is the appropriate term.

- o Consider providing examples in (e) as in (d); there is no need, though, to be all-inclusive.
- Given that 22(e) was intended to provide a minimum standard, should there be a distinction between 22(d) and 22(e)?
  - Yes, there is a difference between diagnosis by a medical professional and someone entering a recognized alcohol treatment program.
  - We could combine (d) and (e) followed by an enumeration of appropriate professions.
    - Preserve the distinction between (d) and (e) because there is a distinction between who can actually diagnose versus evaluate.
  - o If we eliminated both (d) and (e), would we miss anything?
    - Alcoholism is a deteriorating condition; because of progressive nature of disease,
       a person could have a problem and not recognize it.
    - Summary: Because of the unique problems of alcohol, keep (d) and (e).
  - o 22(e) doesn't have to be a "recognized alcohol treatment program."
  - There appears to be a separation between people (e.g., doctors) and entities (e.g., treatment programs). There should be nothing wrong with a letter from an entity; either is acceptable Alternatively, entry into a program could serve as a trigger to gather more information.
  - The guidance here is more specific than in other guidelines; we should consider weaving some of this same language into other guidelines that we feel are not specific enough.

#### ♦ Guideline H: Drug Involvement

- Concern (24)
  - 24(a) and (b) should state explicitly that if a drug is illegal in the U.S., any use of it by a cleared person/applicant for clearance is of concern even if it takes place in a country where it is legal.
  - o 24(b) should include specific reference to prescription medications.
- Disqualifying Conditions (25)
  - 25(d) and (e): make the same changes as were mentioned for alcohol under 22(d) and
     (e).
  - o Add "use of a drug regardless of location that is otherwise illegal in the U.S."
  - o Need clarification/more specificity on difference between "abuse" and "misuse" of prescription drugs; there's a difference between getting high and using in a manner that it was intended, just not your prescription.
- Mitigators (26)
  - o Carve out a niche for medical marijuana by adding "marijuana use done in clear and unambiguous compliance with state law."
  - o Remove 26(b)(4) since it short-circuits adjudication.
- Legality

- o The Guideline should be more specific about use outside the U.S.
- The guideline should mandate following laws consistent with the U.S. when you hold a security clearance.
- To what extent is the drug concern a medical/psychological one and to what extent a legal one? If a given drug (marijuana, but also, for example, heroin or cocaine) were legalized, would a security concern still exist?
  - o There is concern regarding use of drug, even if legal and approved.
  - o As with alcohol, the legal status of a drug is irrelevant if it impairs judgment.
    - Legality calls for more nuance; *illegal* drug use is unambiguously a judgment issue, same as any other crime.
    - The effects/side effects of a drug need to be evaluated with regards to protecting classified information.
- Connections between Guidelines / Parsing the Guidelines
  - Would it make sense to combine drugs and alcohol into a single Substance Abuse guideline?
    - o It could get cumbersome, it may be too general if we collapsed the two.
    - o Having separate guidelines works well with the Drug-Free Workplace.
    - The drug guideline is about "involvement," not just use or abuse, so it's much broader than alcohol.
    - o The majority of the focus group opposed combining the two guidelines.
  - Need to clarify "compulsive" when referring to addictions because *compulsive* and *addictive* are different.
  - We may want to add other addictive behaviors to the guidelines.
  - In all guidelines discussed today, it could be helpful to parse out attending to maladaptive behaviors over time (e.g., rule breaking, problems with interpersonal relationships), to focus on those elements/behaviors representative of personality disorders rather than just traditional diagnoses.

### CLUSTER III: GUIDELINES J, D (CRIMINAL ASPECTS), AND M

July 27, 2010 9:30 am—3:30 pm Liberty II, Montgomery Room

- ♦ Guideline J: Criminal Conduct
  - Disqualifying Conditions (31)
    - Suggestion that part of 31(c) ("regardless of whether...") should be a qualifier for 31(a).
      - People admit to lots of things that they weren't prosecuted for.
    - o Suggestion for more specificity in 31(a).
      - What is "serious"?
      - Consider defining using misdemeanor or felony.
        - There is a risk of being too specific, so chose to be more generic here; besides, what constitutes a felony can vary from jurisdiction to jurisdiction.
        - Adjudicators need more room to maneuver rather than be locked in by the specificity of the language.
    - There is a need to ensure that all adjudicators are interpreting properly and weighing all information; some concern was expressed that details are being missed.
    - O Minor traffic violations/tickets:
      - They are a waste of time.
      - They could be security concern because of disregard for the law.
      - The issue is less getting the tickets than what the person does with and because of them.
      - Don't go after everyone with moving violation, but excessive tickets can be tied to personal conduct.
      - We could add language regarding minor violations under guideline E, but they are still law violations.
      - There was consensus to make no modifications to J to include traffic violations.
    - O There was a suggestion to redefine "multiple lesser offenses" because the term includes more than just speeding/traffic offenses.
    - o "Allegation" (31[c]).
      - Some dislike this term because it entails no proof.
      - "Confirmed" or "admitted" could be added as modifiers.
      - Any one allegation could be of no interest but multiple ones could be problem.
      - Suggestion to change to "evidence of..." instead of allegation/admission.

- Using "allegation" may lead adjudicators to have to deal with frivolous hearsay allegations.
- "Evidence" is too concrete, there is a concern that individual interpretation would preclude valid information from being considered.
- Everyone agreed that need something more substantive there or a qualifier.
- Additional suggestions for 31(c):
  - "Confirmed..."
  - "Evidence of..."
  - "Non-frivolous allegations..."
  - "Evidence (including but not limited to allegations, admissions, or official record) of criminal conduct..."
- Mitigating Conditions (32)
  - We need some specificity for 32(a)—how much time is "so much time?"
    - The nature and serious of the crime in question make a difference.
    - We must avoid straightjacketing by specifying times, for drugs as well as crime.
    - Adjudicators bring in biases and personal prejudices that must be dealt with.
    - There are agency specific rules that yield different standards (gray area).
  - o The role of age in assessing the importance of a criminal act.
    - Age and maturity should be discussed in mitigators.
    - Age should be considered across all guidelines, even if not explicitly called out; it is an element of the whole person concept.
  - o Concern that there are no mitigators to address 31(b) and (d).
    - 31(b) is congressionally mandated, as reiterated in the Bond Amendment; 31(d) is not.
    - Concern that adjudicators look at the concern and, if they see no potential mitigators listed for the specific problem at hand, they may not adjudicate favorably even though a favorable adjudication is appropriate.
    - Suggestion to add language to reflect "compliance with terms of probation/parole."
  - O Question about location of crime making difference (e.g., medical marijuana).
    - Discussion about state legalization and "clear and unambiguous compliance."
      - The conduct can still be a concern.
      - The act is criminal if criminal in location that it took place, even if legal elsewhere.
  - Suggestion to change language in 32(c) to "no evidence to support."
    - We should err on side of national security, we shouldn't grant because there is "no evidence to support," but because the person didn't do it—keep the language the way it is.
      - The current language demands proving a negative.

- Guideline D: Sexual Behavior (criminal aspects)
  - Suggestion to remove 13(a).
    - o Consider a cross-reference to Guideline J under the Concern (12).
    - o If 13(a) applies, then you have to go to guideline J regardless.
  - Concern with moving sexual criminal activity into Guideline J because we do not always know from the start if the sexual behavior is going to be criminal or psychological.
    - What would happen with the "adolescent" mitigator if we move 13(a) under Guideline J?
    - O Concern that parsing out the guideline is a slippery slope—first move some issues to J, then the rest to I, which would eliminate Guideline D altogether.
      - There is utility to Guideline D in correctly categorizing issues involving sexual activity that rises to the level of a security concern.
    - We used to stay away from D if could use E or J instead, but now Guideline D used more.
- ◆ Guideline M: Misuse of IT Systems
  - Suggestion to remove "illegal or" under 40(a) and (b).
    - o If illegal, then unauthorized; if unauthorized, it may or may not be illegal but still bad judgment.
  - Agreement that there is value in having separate guideline M.
- Retaining Current Structure Despite Any Redundancy.
  - Advantages:
    - o Serves to convey importance of certain behaviors.
    - o There is no harm in some redundancy—2 or more security concerns versus one.
    - o Our reliance and vulnerability of IT systems warrant a separate Guideline M.
    - The current structure spells out areas of specific concern; combining may miss something or lose visibility.
    - o It informs applicants of what may raise problems in their security processing.
    - The whole person concept: the current structure ensures that adjudicators are reviewing all guidelines independently.
    - o It makes adjudicators job easier; convenient and explicit.
  - Disadvantages:
    - o It causes confusion through unnecessary complexity.
    - o There is too much redundancy of reporting; senior officials dislike "piling on."
- ◆ Stripping Out Criminal Language from Guidelines D & M
  - Guideline D looks backward (sexual orientation) while Guideline M looks forward (anticipates advances in IT); there may not be equal considerations—removing criminal language in D might kill it while strengthening M.

- In favor of keeping M vague because we don't know what technological developments will take place during the lifetime of the next version of the Guidelines.
- Advocate removing "illegal or" from M because doing so will strengthen it.
- There is too much emphasis on 13(a) which lends credence for removing it.
  - o 13(a) can cover whole person concept; use it to prove behavior is *not* illegal.

### **CLUSTER IV: GUIDELINE F**

September 16, 2010 9:00 am—noon Liberty II, Frederick Room

#### ♦ Guideline F: Financial Considerations

- General Thoughts
  - O The challenge: what is "financially over-extended" today? It is more common now than before, and debt has become the norm. We have to take financial situation into consideration and be flexible; otherwise, almost no one will qualify for a security clearance if we aren't careful. We can't ignore it, but need to consider the reasons for it. Before there may have been clear indicators but today people are losing jobs and there's more challenges to survive.
  - o We have to rely on outside experts, because we don't have expertise in-house.
  - We will rarely revoke a clearance based solely on being overextended, unless the individual is unwilling to abide by counseling, etc. The crux of the revocation is not indebtedness, but failure to comply with guidance we've provided.
  - o It's where the individual is and what he or she is doing about it; not doing anything to get out of the situation is a security concern.
  - There is a need to train investigators and adjudicators on financial issues better; financial issues are dynamic, fluid, changing.
  - We'll work with people to keep them cleared, and now we're following up to see what they're doing, holding them accountable.
  - We say it's not the amount of debt but how people resolve it, but financial counselors sometimes tell them not to pay and go to foreclosure.
  - o Banks can't handle it all, lenders tell people not to pay and modify later. This could be a mitigator.
- New Applicant vs On-board Employee
  - We do look at a new applicant differently than someone already cleared; this goes back to equity in the person as well as not wanting to create a CI risk. With someone already cleared, we have a history, know the person, and that person has already had access and so the risk of disgruntlement enters into the equation.
  - o EAP counselors don't know how to deal with financial issues; we can't expect adjudicators to be financial experts. Maybe each agency should have a financial expert or team.
  - o Sometimes adjudicators are making a greater effort to resolve the issue than the individual. Different agencies have different resources.

- o Different agencies also have different thresholds, it's all relative. Maybe evaluations should be based on a calculated percentage, not a fixed dollar amount.
- We've become more credit counselors and hand-holders, basically forcing people to prove good-faith efforts to get out of debt and maintain financial stability. At what point do we quit all the hand holding?
- We look at the pattern—spending or circumstance? It's not that we are necessarily seeing more, just different types.
- O Look at the reasons. Thresholds are just a number, meaningless in themselves. Does a short sale mean that someone is going to disclose classified information? Or is it just a responsible individual who is currently facing a hardship? Adjudicators need to analyze the data.
- o Most agree that they're seeing proportionately more financial cases.

### • Responsibility vs Risk Vulnerability

- o There is a CI utility to gleaning financial information.
- Using debt-to-income ratio and other such measures, we can put people into risk groups.
- o Put the burden on the employee—point out where to go and then follow up.
- With employees, there's an investment and an added trust factor, a history of dependability, etc.—a history of not being dependable. Either way you know more about them.
- Have applicants provide information/proof of what they're doing to resolve their financial issues. Give them a warning letter up front and then follow-up.
- Look further than payment plans because sometimes people just set them up to please you and not really to follow through.
- o Guidelines are about whether or not someone is trustworthy and reliable. Do people abide by the commitments that they make? Finances fall here and if they cannot handle those obligations, what do they do to fix their problem?
- Perhaps an element should be added under mitigating conditions about sticking to a payment plan.
- Some disqualifiers could be brought together with a separate guideline for affluence and gambling.

#### • The text of Guideline F

- o Concern (18)
  - "engage in illegal acts..."—Is there a better set of words to say this?
    - Suggest "improper acts" or "questionable acts."
    - Change to "...to engage in illegal or improper behavior to generate funds."
- Disqualifying Conditions (19)
  - 19(a): add "agree to financial commitment."
  - 19(a): "inability" and "unwillingness" are so different, they should be separated out.

- "Inability" is a security concern mitigated by circumstance, it's more of a risk for coercion or a vulnerability to do something to get out of debt.
- Inability and unwillingness are on different levels—inability is out of control, unwillingness carries more weight.
- 19(b): dislike "frivolous" because it's too subjective.
  - Could leave the term "frivolous"—not meeting daily necessities but spending money on other things.
  - Keep "irresponsible" and remove "frivolous."
  - Keep both because they give another layer, extra guidance.
- 19(b): "evidence of..." should fall under 20, this piece ending after "spending."
- 19(b) seems redundant with 19(e).
- 19(e) could still be spending on necessities whereas 19(b) is showing irresponsibility.
- 19(b): add "and adhere to a realistic plan"—which provides evidence of accountability.
- Consider 19(a) as being predictive, while 19(b) deals with things that have already happened.
- Debt-to-income ratio is not a security issue if you're paying the bills. How far down the road do you go?
- 19(c): add "recurring pattern of financial difficulties" or "pattern of recurring financial difficulties."
- There should be something about progressive discipline, failure to follow prescribed X by agency.
- 19(d) is a suitability issue.
  - But it provides overlap, rather have it.
  - There is no intent for guidelines to be mutually exclusive.
- 19(d): consider adding "mortgage fraud."
- 19(d): anything under 19(d) will go back to Criminal or Personal Conduct, so don't take it out, we don't need X number of examples.
- 19(d): perhaps we could include a prompt here to look at J or E.
  - Prompt would be better placed in the ADR.
- 19(f): one addiction closely related and not listed is shopping addiction, or "spending related to addictive behavior."
  - 19(f): Or "other forms of addictive behavior."
- 19(f): we can't capture everything, so keep the catch-all of "other issues of a security concern."
- 19(f): if we remove 19(f), we don't lose anything—if we discover the debt is because of drugs, it ceases being a financial issue and becomes drug issue.
  - Good to keep because it serves as a trigger for inexperienced adjudicators.

- 19(f): are we assuming drugs, alcohol, etc. problems are the Subject's and not a family member's?
- 19(g): a higher proportion of spies blew off taxes even when there was no indication that they couldn't pay. Perhaps they were afraid of reporting because of their unexplained money or because their lives were just so out of order; regardless, there was a relationship. Yet because of small number of espionage cases, it's not a predictor.
- 19(g) is important because it's a direct affront to the employer; we should include federally backed education loans.
- 19(g) could also include court-ordered child support payments.
- 19(h): we don't need "unexplained" at the beginning because it's redundant with the rest ("that cannot be explained.").
- 19(h): FINCEN does two types of checks, criminal and non-criminal inquiry; information found here is for lead purposes and cannot be used in appeals processing.
- 19(h): we will never use this for revocation, it's used for an investigative lead and the unexplainable will fall somewhere else—this piece can be wrapped up under the Concern (18).
- All agree that it is worth keeping unexplained affluence as a flag to search for the reasons for the unexplained affluence.
- 19(i): change to "compulsive or addictive behavior," gambling being an example.
- 19(i) should be kept in; it could stand alone, especially with internet gambling.
- o Mitigating Conditions (20)
  - 20(d): "initiated and adhering to..."
  - 20(d): Remove "overdue"—it is implied.

### **CLUSTER V: GUIDELINES K AND E**

September 30, 2010 9:00 am—3:00 pm Liberty II, Annapolis Room

- ♦ Guideline K: Handling Protected Information
  - Concern (33)
    - The concern is not only government but corporate secrets as well; anyone lax in the private sector will probably be lax elsewhere.
    - o Consider including *proprietary*.
    - o *Protected* is the broadest term; *classified*, *sensitive*, and *proprietary* are descriptions of what is protected; include all these under the Concern (33). If clearly defined under the Concern, it won't be necessary to repeat them throughout the guideline.
    - We should include *PII* too, people only think of this as dealing with classified information.
      - *PII* is too specific, where do you stop?
      - *Classified* and *sensitive* are good generic terms.
  - Disqualifying and Mitigating Conditions (34 and 35)
    - There are problems with photos and other images from combat zones; these need not be classified but can nonetheless cause risk or bring harm by including some sensitive site in the background.
      - 34(c): add "images" after "reports, data..." and "sensitive" after "or otherwise handling..."
        - Remove "palm" (outdated).
        - Remove all examples after "unapproved equipment" and replace with "or other unauthorized media device."
        - Could also include "manual."
        - "Information" should be modified by "protected.".
        - We may want to include something about "of a public nature."
    - o May want to include examples on each under 34 so know what is meant
    - The ADR and other reference materials exist for further explanation; the Guidelines should not try to be so very specific.
  - Other observations.
    - o 34(a) is too long; it should end after "unauthorized persons"—it covers everything.
      - Put additional clarification in ADR specifically for new adjudicator who may not know who falls into this category.

- Too much specificity can make it difficult to use, but this goes back to foreign threat briefings and is useful.
- o 34(e): replace "copying" with "modifying."
- There is a need to keep the evolution of technology in mind; the guideline needs to be broad and flexible to be usable next month and next year.
- o 34(g) and (i): both address a failure to follow rules and regulations; why are they separate?
  - 34(g) relates to security violation, while in 34(i) there was a compromise/loss and so it is harder to mitigate.
  - It is important whether or not someone reported the problem; the behavior is same but the intention is not.
- Would reporting be a mitigator?
  - o Yes, people need to report even when not in their best interest.
    - New adjudicators may not realize the significance self-reporting plays in an incident, especially if it's the first one.
  - o There is a need to take into account the number of instances; a fifth incident of the same behavior may have been reported but by then it would no longer be a mitigator.
  - o Pattern is important; 34(h) could be reworded to include pattern since it already mentions habits.
- Is language in 35(a) sufficient to reflect pattern and prompt reporting?
  - If a mitigator is added, it should include four elements: the violation was inadvertent, it was promptly reported, there is no evidence of compromise, and it does not suggest a pattern.
  - Suggestion to go back and look at the front-end language (adjudicative process language).

#### ♦ Guideline E: Personal Conduct

- Concern (15)
  - We talk about personnel security in multiple ways, maybe instead of "security clearance process," the guideline should use "security clearance-related processes."
  - o 15(a) and (b) are separate because they don't allow the investigative phase to be completed and therefore preclude gathering enough information to make a valid determination.
  - We can't let individual attitudes about security to become the main focus in investigation when other substantive issues are putting the clearance at risk.
    - It may be acceptable if a mitigator speaks to it, but sometimes adjudicators are doing more work to help people applying for the clearance than they are themselves.
    - We need to decide if someone should hold a clearance by looking at whole person; we may need to take attitude into account that sometimes an individual is

not fully informed—but if there is still a failure to cooperate after an opportunity to clarify, than the clearance is denied—it is stonealling the process.

- There are often problem getting documentation.
- There is a need to differentiate between refusal and just slow.
- o Consider including "sensitive": "to protect classified and sensitive information."
  - The Guidelines' express purpose is to support determinations of eligibility for access to classified information; consistency dictates use of "classified" only here.
- 15(a) might include engaging in countermeasures during the polygraph—it already includes medical and psychological evaluation and not every agency does those, either.
  - If the polygraph is necessary condition for employment, it should be called out.
  - We may need to say "an authorized polygraph"—we have to be careful because a person may be allowed to refuse a polygraph in some instances.
- o 15(a): suggest "security processing" should become "personnel security processing."
  - Disagree: what about failure to complete FDF? That could be CI, not personnel security.
  - Don't include "personnel" so as to keep it more broad.
- o Regarding "full, frank, and truthful" in 15(b): there are always complaints about piece-mealing and having to go back multiple times—the "and" should stay; there needs to be all three. (All agree.)
- Disqualifying/Mitigating Conditions (16 and 17).
  - The "full, frank, and truthful" of 15 are not covered.
    - Merging the language puts things out of context—15(a) and (b) are separated out because they stop the process.
  - o 16(a) relates to completing forms, 16(b) to interviews.
  - o 16(d)(1): remove "other" in front of "government protected information."
  - o 16(c) and (d): remove "other" before "single guideline" and "guideline."
  - o Combine 16(c) and (d).
    - Disagree: 1-4 following 16(d) is not applicable to 16(c).
  - $\circ$  What is the need of 16(d)?
    - One of the things caught here is sexual fetishes/deviations.
      - Then it should be called out in guideline D.
      - Guideline D focuses on more criminal and psychological aspects.
      - Some CAFs will apply Guidelines D and E—there's a disconnect
      - If it's not illegal and not a psychological problem, then it isn't disqualifying.
  - o 16(e) covers prostitution and affairs as well.
    - Prostitution is legal in some places in the U.S.
    - Even if it isn't illegal, someone still may be vulnerable because of it.
  - Vagueness of 16(e).
    - Yes, it's vague, but the appeals process should be the checks and balances.

- It also gives examples, which limits first half.
- 16(e)(2): why is there the part about "...and may serve as a basis..."?
- By inverting legal and illegal, it captures concept of judgment.
- This is invoked only in overseas environment.
- The limiter is on (2) not on (1) because we care about (1) everywhere but about (2) only in another country.
- Suggest that the end of (2) should cover both (1) and (2)—the FBI spends lots of time chasing spies here in the U.S.
- Suggest stopping after "...in the United States": strike out the rest.
- Suggest breaking (1) and (2) out for readability.
- o 16(g): do we need to expand beyond criminal? Maybe the activity was not illegal.
  - If broadened, where do you stop?
  - "Known" associations could be a mitigator—17(g): "association with persons involved in criminal activities was unknown, has ceased..."
- Consider 17(a) and (b).
  - If adding something about the polygraph under 15(a), do we need something here under the mitigators regarding polygraph? A person may have medical documentation to support not being able to undergo a polygraph.
  - 17(b) reads oddly, it needs "the" before omission and concealment.
  - 17(c): if you accept time as a mitigator, then you're left with it being intrinsically vague.
  - 17(d): how much counseling is required?
    - The point here is the intention is to change behavior, not actually having done it.
    - Don't forget the caveat "unlikely to recur."
- Does it make sense to keep Guideline E as is or separate the two parts out?
  - There are advantages to having a separate guideline for failure to cooperate and material falsification: applicants and employees are not providing what adjudicators need.
    - People look at E as suitability; it would be more enlightening if broken out.
    - Security cooperation is important enough to call out as a separate guideline.
    - It is significant enough to call out on its own and doing so would benefit the adjudicative process.
    - It already is basically separated out, and so it wouldn't be a substantive change, just in presentation.
    - That's why you break out alcohol and drugs, otherwise everything falls under E.
    - Break it out, especially with the expanded SF86, cooperation part is important.
  - o It helps adjudicators to have consistency and continuity; if there's no compelling reason to change it, then keep as is
    - Keep as is; otherwise, we'll have many short, independent guidelines.

- Titles are less important than the disqualifiers and mitigators within them.
- Breaking it out makes it look like we are punishing people versus showing the nexus between that and the ability to hold national security position.
- We shouldn't lose track of the whole person concept—we're supposed to be looking at cases holistically.

#### ♦ Miscellaneous

- Suitability and security guidelines don't match up—is there a reason why?
  - The investigative model is aligning the two, why not the adjudicative model?
- There is a disconnect between suitability and security with regards to 17(a)—this may be a mitigator for security but it is *not* for suitability.

### **OVERARCHING ISSUES**

November 11, 2010 9:00 am—3:00 pm Liberty II, Montgomery Room

• Consider rearranging the Guidelines into a more functional order.

<u>Pros</u>	<u>Cons</u>
Grouping may make sense	There aren't that many guidelines for it to
Logical to group K-L-M after A-B-C	make a difference
	Order isn't important in any event

- All guidelines are important, and order does not imply priority; changing the order calls for a good reason to do so; it is not necessary to weight the guidelines.
- Moving K-L-M up after A-B-C creates a more logical flow by having, separating CI/security concerns from other factors.
- Moving and relabeling guidelines could result in more confusion (what is guideline D today becomes guideline G tomorrow—or guideline 7 or some other, new designator) than benefit of moving; there appears to be no compelling need to change the order; keeping consistency has value for adjudicators.
- One change is going to change all the letters anyway—adding a new guideline, for example; may need to change from letters to numbers
- The resulting structure would be good instead of a hodge-podge we do it in the SF86, why is this different?
- Strawman alternative order: 1-A, B, C, K, L; 2-M; 3-J; 4-I, D, G, H; 5-F; 6-E
  - o Too subjective, depends on agency's mission as to what's important
  - o Concern E is not seen as important, put that at the bottom and it makes it worse
  - o Guideline I should be at the bottom because it requires an outside expert
  - o Add a caveat that the guidelines are in no particular order
- The group did not come to a consensus.
- Rename Guideline D to "Compulsive Behaviors" and add gambling OR create a separate guideline for gambling.

<u>Pros</u>	Cons	
Outside experts' observations regarding	Why call out gambling and not other	
risks of gambling	compulsive behaviors?	

- Concerns about creating a separate "compulsive behavior" guideline, since gambling only comes into play when its related to a financial issue.
- But: gambling that reaches the level of a diagnosable mental health disorder is an issue even if the person should win, break even, or be able to absorb the losses incurred.
- Gambling is a subset of mental health, so adding a new guideline seems arbitrary; should we change "sexual behavior" to something else such as "Compulsive Behaviors"?
- Arguments could be made for other areas of concern, such as white-collar crime with its analogues to espionage; the danger is expanding the guidelines into unwieldiness.
- Move gambling under guideline I or keep in guideline F and add a cross-reference in guideline I
- "Sexual behavior" is a misnomer and has a negative connotation; keeping in mind the audience, should it be renamed to "high risk behavior?" Then it becomes the new catchall for drugs, crime, etc.
- Gambling is difficult to define since its cultural—it would have to be diagnosed
- The group did not come to a consensus.
- Consider the Concerns-Conditions-Mitigators structure currently used in each guideline. Is there a better way?
  - This structure is clear and helps adjudicators organize their thought.
  - Group consensus: The current concerns-conditions-mitigators structure works well and should be retained.
- Consider including a system of cross-referencing.
  - Alternative: add another guideline to address multiple issues.
    - o But this is one function of guideline E.
  - Maintain separation between implementation and substance.
  - Guidelines should identify the concern, relevant conditions, and possible mitigators, they
    should not address how to interpret specifics; nothing is an absolute, these guidelines are
    not standards.
  - It might be better in training or the ADR.
  - Group consensus: Add language to the preamble encouraging consideration of the relationships between the guidelines.
- ♦ Move "falsification" and "failure to cooperate" from guideline E to K *or* create a separate guideline.
  - The Guidelines should be about clearing people and not the ins and outs of security investigation; just leave it as is.

- Beefing up the language could show the seriousness of falsification and failure to cooperate as unnecessary impediments to informed judgments.
- Combining falsification and failure to cooperate with anything lessens their importance.
- Guideline E is seen as a miscellaneous category; K is about more than protection of *classified* information (e.g., handing protected information in prior non-government non-national-security employments), so adding cooperation with security processing to it would be incorrect.
- It's already highlighted as a showstopper at the tope of guideline E.
- If an applicant sees it out there, it may generate some self-selecting out of people predisposed not to cooperate.
- It would take away from the strength of K if it was moved there, doesn't fit there, but does as a separate guideline.
- Group consensus: Separate out as own guideline (N) titled "Falsification and Failure to Cooperate with Security Processing."
- ♦ Resolve how to treat foreign passports in guideline C (disconnect between 2005 guidelines and ICPG 704.2).
  - ICPG 704.2 version is more in keeping with current needs and concerns.
  - Group consensus: Adopt ICPG 704.2 approach government-wide.
- ◆ Rename Guideline C "Foreign Activity."
  - If the name is changed, elements of guideline L could move under here
  - What about the person who acknowledges foreign preference? Could be an allegiance or attachment issue
  - The conflict of interest issue could move to K (from L), but there's still the domestic component
  - Group consensus: Add "and/or activity" so guideline would read: "Foreign Preference and/or Activity"
- ◆ Consider combining guideline B & C.
  - The distinction is useful to maintain.
  - Group consensus: No, should remain separate as they are different enough.
- Emphasize behavior over sentencing in guideline J.
  - Behavior is of greater interest and concern than the fact of conviction or even arrest.
  - That said, there is value in capturing judicial outcomes.
  - Group consensus: Add language emphasizing behavior to the "concern" language of the guideline.

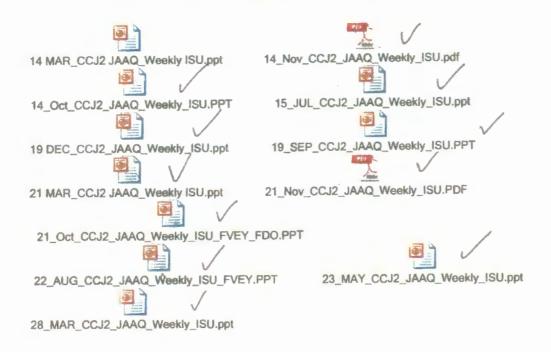
- Consider eliminating guideline M.
  - The guideline was added when computers were being integrated into the workplace; there was a need to ensure that adjudicators understood computer-related behavior needed to be considered apart from crime and security violations and other guidelines.
  - Computers are now so thoroughly integrated into the workplace that continuing to call special attention to their use is no longer necessary.
  - Yet computers continue to represent extraordinary potential security vulnerabilities, particularly regarding computer-specific behaviors (e.g., uploading malicious code, security violations that lead to system contamination).
  - While conceptually most if not all of what is at issue in M could be seen as already present in J, it's useful to flag IT use as a separate issue because the speed at which the IT landscape changes makes it difficult for the legal system to keep up.
    - o Jurisdictional problems.
    - o Problems of applicability of existing law to problems created by technical innovation.
  - Group consensus: Retain a separate guideline dealing with computer-specific issues.

Approved for release by ODNI on 29 Jan 2016, FOIA case DF-2014-00281/23 - SECRET//NOFORN Scanned 27 doc. to Sprive Classified By: Derived From: Multiple Sources (b)(3)Declassify On: 20381231 Subject NCTC Response (1 of 3): DF-2014-00040 (Akers-Healy) From: Date: 12/20/2013 05:51 PM Τo Regina F. Carey-DNI-, Cc This message is digitally signed. Classification: SECRET//NOFORN (b)(3)Classified By: Derived From: Multiple Sources Declassify On: 20381231 Good Afternoon, Please find NCTC's search results below for DF-2014-00040 (Akers-Healy). This is email 1 of 3 due to the number of attachments. (C//NF) (b)(1),(b)(3)Task 2013-1705 DSOP Input.doc 1\_AUG\_CCJ2\_JAAQ\_Weekly\_ISU.ppt 13\_JUN\_CCJ2\_JAAQ\_Weekly\_ISU.ppt 1\_JUL\_CCJ2\_JAAQ\_Weekly\_ISU.ppt 3\_Oct\_CCJ2\_JAAQ\_Weekly\_ISU.PPT 4\_APR\_CCJ2\_JAAQ\_Weekly\_ISU.PPT 5 DEC\_CCJ2\_JAAQ\_Weekly\_ISU.pdf 5\_SEP\_CCJ2\_JAAQ\_Weekly\_ISU\_REL FVEY.PPT 7\_Nov\_CCJ2\_JAAQ\_Weekiy\_ISU.pdf 7\_Oct\_CCJ2\_JAAQ\_Weekly\_ISU.PPT 8 JUL\_CCJ2\_JAAQ\_Weekly\_ISU.ppt 11\_APR\_CCJ2\_JAAQ\_Weekly\_ISU.ppt 12\_AUG\_CCJ2\_JAAQ\_Weekly\_ISU.PPT

28\_Nov\_CCJ2\_JAAQ\_Weekly\_ISU.pdf

12\_SEP\_CCJ2\_JAAQ\_Weekly\_ISUfD.PPT

### Approved for release by ODNI on 29 Jan 2016, FOIA case DF-2014-00231 SECRET//NOFORN



Respectfully,

(b)(3)

Executive Secretariat
National Counterterrorism Center

(b)(3)

Classification: UNCLASSIFIED#FOUO...

-12/06/2013 11:10:08 AM

From:

Cc:

Regina F. Carey-DNI-/STF/AGENCY@WMA,

Date: Subject: 12/06/2013 11:10 AM

DF-2014-00040 (Akers-Healy)

Classification: UNCLASSIFIED//FOUO

Good Day,

The IMD/Information Review and Release Branch has received a FOIA request (DF-2014-00040) from Ms. Heather Akers-Healy for "Documents tracking the number and/or severity of incidents attributed to Al-Qaeda in Iraq since 2004. The existence of such documentation was implied in Matt Olsen's recent

#### Approved for release by ODNI on 29 Jan 2016, FOIA case DF-2014-00231 SECRET//NOFORN

testimony to a Senate committee regarding Al-Qaeda activities in Iraq." (http://www.usatoday.com/story/news/world/2013/11/14/shiites-iraq-bombs-ashoura/3524941/) - see attached.

Please search your record holdings, which should include draft materials and electronic records on both the high and low sides (including emails). You may determine on your own the proper search parameters, but suggested terms are ""al-Qaeda, al-Qaeda in Iraq, al-Qaeda activities in Iraq, incidence in al-Qaeda, and severity of incidents in Iraq. Should you locate responsive records, please send electronically to by 20 December 2013. See below attachment of original FOIA request. If you have any questions, need any additional information, or believe another office may have responsive records, please advise.

[attachment "DF-2014-00040 (Akers-Healey).pdf" deleted by [attachment "USA TODAY ARTICLE.pdf" deleted by

Thank you

CIO/ Information Management W:
S:

Classification: UNCLASSIFIED//FOUO

Classification: SECRET//NOFORN

### Approved for release by ODNI on 29 Jan 2016, FOIA case DF-2014-00231 SECRET / NOFORN

(b)(3)

b)(3)

Classified By: Derived From: Multiple Sources Declassify On: 20381231 (b)(3)Subject NCTC Response (2 of 3): DF-2014-00040 (Akers-Healy) From: Date: 12/20/2013 05:54 PM To Regina F. Carey-DNI-, Cc This message is digitally signed. 9 Classification: SECRET//NOFORN Classified By: Derived From: Multiple Sources Declassify On: 20381231 Good Afternoon, Please find NCTC's search results below for DF-2014-00040 (Akers-Healy). This is email 2 of 3 due to the number of attachments. DRAFT Iraq Monthly Security Incidents, May 2013.pdf 28 Oct CCJ2 JAAQ Weekly ISU.pdf 29\_AUG\_CCJ2\_JAAQ\_Weekly\_ISU.PPT 30\_MAY\_CCJ2\_JAAQ\_Weekly\_ISU.ppt 20120426 Weekly ISU.ppt 20130117 Weekly ISU (DIA-14-1301-320).ppt CIA DATABASE as of 6.2019 AQLAMack numbers 2006-2013.xls CIA DATABASE as of 6.2013 Major Attacks 2013.xls DIA-09-1202-748.pdf Thanks, **Executive Secretariat** National Counterterrorism Center Classification. SECRET//NOFORM Classif. -12/20/2013 05:50:56 PM

(b)(3)Regina F. Carey-DNI-/STF/AGENCY@WMA, 12/20/2013 05:50 PM NCTC Response (1 of 3): DF-2014-00040 (Akers-Healy) Classification: SECRET//NOFORN Classified By: (b)(3)Derived From: Multiple Sources Declassify On: 20381231 Good Afternoon, Please find NCTC's search results below for DF-2014-00040 (Akers-Healy). This is email 1 of 3 due to the number of attachments. (b)(1),(C//NF) (b)(3)[attachment "Task 2013-1705 DSOP Input.doc" deleted by (b)(3)[attachment "13\_JUN\_CCJ2\_JAAQ\_Weekly\_ISU.ppt" deleted by [attachment "1\_AUG\_CCJ2\_JAAQ\_Weekly\_ISU.ppt" deleted by [attachment "1 JUL CCJ2 JAAQ Weekly ISU.ppt" deleted by ] [attachment "3\_Oct\_CCJ2\_JAAQ\_Weekly\_ISU.PPT" deleted by [attachment "4\_APR\_CCJ2\_JAAQ\_Weekly\_ISU,PPT" deleted by [attachment "5 DEC\_CCJ2\_JAAQ\_Weekly\_ISU.pdf" deleted by [attachment "5\_SEP\_CCJ2\_JAAQ\_Weekly\_ISU\_REL FVEY.PPT" deleted by ] [attachment "7\_Nov\_CCJ2\_JAAQ\_Weekly\_ISU.pdf" deleted by [attachment "7\_Oct\_CCJ2\_JAAQ\_Weekly\_ISU.PPT" deleted by [attachment "8 JUL CCJ2 JAAQ Weekly ISU.ppt" deleted by [attachment "11\_APR\_CCJ2\_JAAQ\_Weekly\_ISU.ppt" deleted by [] [attachment "12 AUG CCJ2 JAAQ Weekly ISU.PPT" deleted by [attachment "12\_SEP\_CCJ2\_JAAQ\_Weekly\_ISUfD.PPT" deleted by [attachment "28\_Nov\_CCJ2\_JAAQ\_Weekly\_ISU.pdf" deleted by [attachment "14 MAR CCJ2 JAAQ Weekly ISU.ppt"

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"14\_Nov\_CCJ2\_JAAQ\_Weekly\_ISU.pdf" deleted by

"19\_SEP\_CCJ2\_JAAQ\_Weekly\_ISU.PPT" deleted by

[attachment "14\_Oct\_CCJ2\_JAAQ\_Weekly\_ISU.PPT" deleted by

[attachment "21 MAR\_CCJ2 JAAQ\_Weekly ISU.ppt" deleted by

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[attachment "15\_JUL\_CCJ2\_JAAQ\_Weekly\_ISU.ppt" deleted by

[attachment "21\_Nov\_CCJ2\_JAAQ\_Weekly\_ISU.PDF" deleted by

[attachment "19 DEC\_CCJ2\_JAAQ\_Weekly\_ISU.ppt"

### Approved for release by ODNI on 29 Jan 2016, FOIA case DF-2014-00231 \*\*SECRET//NOFORN\*\*

(b)(3)

Classification: SECRET//NOFORN

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Respectfully,  Executive Secretariat National Counterterrorism Center		
	Classification UNCLASSIFIED//FOUO	12/06/2013 11·10.08 AM
Classification: SECRET//NOFOR	<del>N</del>	

### Approved for release by ODNI on 29 Jan 2016, FOIA case DF-2014-00231 SECRET//NOFORN



Classified By: Derived From: Multiple Sources

Declassify On: 20381231



From: Date: 12/20/2013 05:56 PM

Subject: NCTC Response (3 of 3): DF-2014-00040 (Akers-Healy)

To: Cc:

Regina F. Carey-DNI-,

This message is digitally signed.

Classification: SECRET//NOFORN

Classified By:

Derived From: Multiple Sources Declassify On: 20381231

Good Afternoon,

Please find NCTC's search results below for DF-2014-00040 (Akers-Healy). This is email 3 of 3 due to

the number of attachments.



Updated Graphics for PDS.xls



Iraq Trends\_DIA\_CENTQOM\_5month averages.xls



Iraq violence Sept 2012 DID.pdf

Mosque\_Attacks\_2013.xls



NEW 27 JUN CCJ2 JAAQ Weekly ISU,ppb:



Suicide Attacks in Iraq since Jan 2012\_CIA and DIA data.xls

Thanks.

**Executive Secretariat** 

National Counterterrorism Center

b)(3)

Classification: SECRET//NOFORN Classif...

12/20/2013 05:54:28 PM

From: To: Cc:

Regina F. Carey-DNI-/STF/AGENCY@WMA

12/20/2013 05:54 PM NCTC Response (2 of 3): DF-2014-00040 (Akers-Healy) 61 : 1 (b)(3)Classification: SECRET//NOFORN Classified By: Derived From: Multiple Sources Declassify On: 20381231 Good Afternoon, Please find NCTC's search results below for DF-2014-00040 (Akers-Healy). This is email 2 of 3 due to the number of attachments. [attachment "DRAFT Iraq Monthly Security Incidents, May 2013.pdf" deleted by [attachment "28\_Oct\_CCJ2\_JAAQ\_Weekly\_ISU.pdf" deleted by [attachment "29\_AUG\_CCJ2\_JAAQ\_Weekly\_ISU.PPT" deleted by [attachment "30 MAY\_CCJ2\_JAAQ\_Weekly\_ISU.ppt" deleted by [] [attachment "20120426 Weekly ISU.ppt" deleted by [attachment "20130117 Weekly ISU (DIA-14-1301-320) ppt" deleted by [attachment "CIA DATABASE as of 6.2013\_AQI Attack numbers [attachment "CIA DATABASE as of 2006-2013.xls" deleted by 1 fattachment 6.2013 Major Attacks 2013.xls" deleted by "DIA-09-1202-748.pdf" deleted by Thanks, b)(3)**Executive Secretariat** National Counterterrorism Center -12/20/2013 05:50:56 PM Classification: SECRET//NOFORN Classif... -12/06/2013 11 10:08 AM Classification: UNCLASSIFIED#FOUO... Classification: SECRET//NOFORN \_\_\_\_\_\_\_\_\_ Classification: SECRET//NOFORN

Classification: SECRET//NOFORN

#### SECRET//ORCON/NOFORN

#### Approved for release by ODNI on 29 Jan 2016, FOIA case DF-2014-00231

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE WASHINGTON, DC 20511

DEC 22 2015

Alesia Williams
Defense Intelligence Agency
ATTN: DLOC FAC2A1 (FOIA)
7400 Pentagon
Washington, DC 20301-7400

SUBJECT: FOIA Request of Heather Akers-Healy, ODNI Case DF-2014-00040

Dear Ms. Williams:

ODNI received a Freedom of Information Act (FOIA) request (Enclosure 1), in which we consulted with you on 5 documents (your case number CONF-0035-2014), and referred 3 documents for review and response to the requester. In the course of reviewing responsive documents, we have identified two <u>additional</u> documents which originated with your agency (Enclosure 2).

We are referring the two documents (total of 5 pages) to your agency for a direct response to the requester. We have reviewed the documents and found no ODNI equities.

(b)(3)

Direct any questions regarding this case to

Sincerely,

Jennifer Hudson

Director, Information Management Division

Enclosures

(b)(3) Classified By:

Derived From: Multiple Sources

Declassify On: 50X1-HUM

Upon removal of attachment(s), this document is UNCLASSIFIED

SECRET//ORCON/NOFORN

(b)(3)

Case Comment created by on 11-18-2013 09:55

(b)(3)

Case Comment created by on 12-13-2013 02:41

12/12 - NCTC Responded asking for us to provide clarification.

Case Comment created by on 12-13-2013 02:44

12/12 - NCTC sent email note about NCTC tracking.

(b)(3)

Case Comment created by

on 12-13-2013 02:45

12/12 - Reggie advised that we will coordinate with other equitities.

(b)(3)

Case Comment created by

on 02-03-2014 09:48

29 Consult Documents sent to Centcom - These documents are located on the S

Drive.

### Case Comment created by on 03-12-2015 10:27

Received response from the DIA. Received response from the CIA on 3/27/14.

Just waiting on CENTCOM to respond.

Case Comment created by on 07-08-2015 07:09

7/2/15: Received 'cc of CENTCOM's direct response to the requester.

(b)(3)

Case Comment created by on 12-14-2015 10:58

Picked up case today.

Case Comment created by on 12-16-2015 09:40

Sent recommended way forward to for senior review.

Case Comment created by on 12-17-2015 10:23

Sent final response package to for senior review.

(b)(3)

Case Comment created by on 12-21-2015 09:53

cleared and sent to SN for signature on 12/17/15.

(b)(3)

Case Comment created by

on 12-22-2015 08:21

SN approved and signed the final response package and additional referral to

DIA. Case closed today, DIF b1b3.

## Final Response to Requester and Additional Referral to DIA

Expedited: N/A	
Urgent: N/A	
Case Number: DF-2014	1-00040
Requester: Heather Ak	ers-Healy (Muckrock)
Routing: (b)(3)	
	, 12/17/15
2. Senior Review	12/18/15 Ready for Sally
3. Signature	signed, SAN, 12/22/15
Case Details:	
Grant Code	DIF b1b3
Sub Grant Code	
Reason for No Records/ Withdrawal/etc.	
• This is one of	ases.

- It appears that we did not refer two documents to the DIA...see the doc inventory for details.
- 5 documents were sent to the CIA and DIA for consults. Both agencies recommend DIF: CIA b1b3, DIA b1.
- Recommend referring the two docs to the DIA and submitting a DIF response to the requester for the 5 docs; letter indicates that documents were sent to other agencies for response to the requester.

Central Intelligence Agency



MAR 27 2014

25 March 2014

Ms. Jennifer Hudson Director, Information Management Office Office of the Director of National Intelligence Washington, DC 20511

Reference: F-2014-00768 // ODNI #DF-2014-00040 (Akers-Healy, Heather)

Dear Ms. Hudson:

This is in response to your undated memorandum (enclosed at Tab A) in which you referred six documents for our review and response to you. Specifically, we refer to the 14 November 2013 Freedom of Information Act (FOIA) request of Heather Akers-Healy, submitted on behalf of MuckRock News, for documents tracking the number and/or severity of incidents attributed to Al-Qaeda in Iraq since 2004. Upon review, we determined that we received only five documents.

We determined that the CIA information in four documents must be denied in its entirety on the basis of FOIA exemptions (b)(1) and (b)(3). Exemption (b)(3) pertains to information exempt from disclosure by statute. The relevant statute is the Central Intelligence Agency Act of 1949, 50 U.S.C. § 403g, as amended, e.g., Section 6, which exempts from the disclosure requirement information pertaining to the organization, functions, including those related to the protection of intelligence sources and methods. Marked copies of the documents are enclosed at Tab B.

We responded directly to the requester on the remaining document. If you have questions, please call

(b)(3)

Sincerely.

Michele Meeks Information and Privacy Coordinator

**Enclosures** 

(b)(3)

Classified By:

Derived From: CIA NSCG MET S-06

Declassify On: 25X1, 20640225

# Office of the Director of National Intelligence Washington, DC 20511

TO:	Michele L. Meeks
	Information and Privacy Coordinator
	Central Intelligence Agency

Washington, DC 20505

FROM: Jennifer Hudson

Director, Information Management Division

SUBJECT: FOIA Request of Heather Akers-Healy, ODNI Case No. DF-2014-00040

#### A. YOUR DOCUMENTS, FOR YOUR DIRECT RESPONSE TO THE REQUESTER:

- 1.\_\_1\_ document(s), at Tab B. We have reviewed these documents and find no ODNI equities.
- 2. \_\_\_\_ document(s), at Tab B. We have reviewed these documents and find that all ODNI information is releasable.
- 3.\_\_\_\_document(s), at Tab B. We have reviewed these documents and determined that ODNI information can be released as sanitized with exemptions as noted. Exemptions applied include:

Γ	None	[ ] FOIA (b)(1) (b)(3)	[ ] $PA(j)(1)(k)(1)$

# B. ODNI DOCUMENTS, FOR YOUR REVIEW AND RESPONSE BACK TO THIS AGENCY:

5 ODNI documents containing your agency's information, at Tab B. Please review the full text material within the documents for your agency's equities and return the documents to us, marking any deletions you deem appropriate, citing FOIA exemption(s) claimed, and indicating the current and proper level of any classified information. If you find no equities belonging to your agency, please so note in your response back to us. As part of your response, please include the date of this memo, the name of the requester, and the ODNI case number(s) listed above. A copy of the requester's FOIA request letter is enclosed for your records at Tab A.

(b)(3)

**IMPORTANT INFORMATION**: If you have any questions, please contact

UNCLASSIFIED WHEN REMOVED FROM ENCLOSURES

SECRET//NOFORN

### Office of the Director of National Intelligence Washington, DC 20511

TO: Freedom of In	formation Act	Staff, DAN-1A
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Defense Intelligence Agency Washington, D.C. 20340-5100

FROM: Jennifer Hudson

Director, Information Management Division

SUBJECT: FOIA Request of Heather Akers-Healy, ODNI Case No. DF-2014-00040

#### A. YOUR DOCUMENTS, FOR YOUR DIRECT RESPONSE TO THE REQUESTER:

- 1. \_3\_ document(s), at Tab B. We have reviewed these documents and find no ODNI equities.
- 2.\_\_ document(s), at Tab B. We have reviewed these documents and find that all ODNI information is releasable.
- 3. \_\_\_document(s), at Tab B. We have reviewed these documents and determined that ODNI information can be released as sanitized with exemptions as noted. Exemptions applied include:

[ ] None [ ] FOIA (b)(1) (b)(3)		] P	Α	(j)	(1	)(	k)	(1	I)
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# B. ODNI DOCUMENTS, FOR YOUR REVIEW AND RESPONSE BACK TO THIS AGENCY:

**IMPORTANT INFORMATION**: If you have any questions, please contact

UNCLASSIFIED WHEN REMOVED FROM ENCLOSURES

(b)(3)

SECRET//NOFORN



#### DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20340-5100



MA ( " ")

MAR 1 2 2015

S-15-7516/FAC2A1 (FOIA)

To:

FOIA/PA Office

Office of the Director of National Intelligence (ODNI)

Washington, D.C. 20511

Subject:

Freedom of Information Act Request Consultation - Heather Akers-Healy

References:

Your Case #DF-2014-00040/DIA Case #CONF-0035-2014

- 1. (U) DIA has reviewed the enclosed five documents (10 pages) and determined that the information can be declassified and released to the requester with the exception of the highlighted material. The portions withheld are exempt from release pursuant to 5 U.S.C. § 552(b)(1) of the Freedom of Information Act and Executive Order 13,526 §§ 1.4(c).
- 2. (U) Please refer to the attached document inventory sheet. DIA defer to ODNI for final release.
- 3. (U) If you have any questions, please contact the DIA FOIA Requester Service Center at (301) 394-5587.

3 Enclosures

1. Referral Memo w/a (U)

2. ODNI Document Inventory (U)

3. Documents 1-5 (S//NF)

Alesia Y. Williams

Chief, Freedom of Information Act Staff

WHEN SEPARATED FROM ENCLOSURES THIS DOCUMENT BECOMES UNCLASSIFIED

### Case # CONF-0035-2014

ODNI Cocument inventory

Requester: Heather Akers-Healy

	the second of th	Security		# of pgs
Originator DNI o <sup>2</sup> ODNI	Document Title or IIR# ODN: UNTITLED SPREDSHEET 1 DIA CONF-0035-2014	Class	Comments/Notes All substantive portions withheld citing (b)(1)1.4c. The removal of the Derived from block falls under ODNI purview, DIA defer to ODNI for final	rev'd
DNI or ODNI	ODNI UNTITLED SPREDSHEET 2 DIA CONF-0035-2014	S//NF	release All substantive portions withheld citing (b)(1)1.4c. The removal of the Derived from block falls under ODNI purview, DIA defer to ODNI for final release	3
DNI or ODNI	SUICIDE ATTACKS IN IRAQ SINCE JANUARY 2012	S//NF	Denied in full citing (b)(1)1,4c.	
DNI or ODNI	ODNI UNTITLED SPREDSHEET 3 DIA CONF-0035-2014		All substantive portions withheld citing (b)(1)1.4c. The removal of the Derived from block falls under ODNI purview. DIA defer to ODNI for final	
DNI of ODNI	AQT VEHICLE BOMB AND SUICIDE ATTACK TARGET, JUL 2011 TO JUN 2012 & JUL 2012 TO J	S//NF	release All substantive portions withheld citing (b)(1)1.4c. The removal of the Derived from block falls under ODNI perview. DIA defer to ODNI for final release	1
Marine Ma	in the control of the	Committee and the second secon	TOTAL	10

From:

Sent: Tuesday, December 22, 2015 9:00 AM

To:

Cc: (b)(3)

Subject: Attachments: Sally A. Nicholson-DNI-;

FOIA Referral for ODNI Case DF-2014-00040

DF-2014-00040 Additional Referral to DIA.pdf; Enclosure 1\_Initial Request.pdf;

Enclosure 2\_Iraq Trends\_DIA\_CENTCOM\_5 Month Averages.pdf; Enclosure 2\_Iraq

Violence Sept 2012 DID DIA.pdf

Signed By:

Classification: SECRET//ORCON/NOFORN

Upon removal of attachment(s), this document is UNCLASSIFIED

Classified By:

Derived From: Multiple Sources

Declassify On: 50X1-HUM

Hi ,

Attached is a FOIA referral package. Please contact me if there are any questions.

(b)(3)

Happy holidays!

FOIA Branch ODNI/P&S/IMD

Classification: SECRET//ORCON/NOFORN

Classified By:

Derived From: ODNI MET S-12 Declassify On: 25X1, 20641231



From: NCTC/ExecSec Date: 01/13/2014 05:52 PM Subject: NCTC Response: DF-2014-00040 ((Akers-Healy) To: Cc:

(b)(3)

Classification: SECRET//NOFORN

Classified By:

Derived From: ODNI MET S-12 Declassify On: 25X1, 20641231

Good Afternoon,

In response to DF-2014-00040 (Akers-Healy), NCTC defers to CIA and DIA on this request as they are the "owners" of most of the analysis attached. We further defer to CIA/DIA on releasing any data/products that -may provide insight into their analytic methods. Additionally, much of the underlying information is based on unclassified and/or press reporting which is almost certainly already available to the requestor . Thank

Respectfully,

(b)(3)

b)(3)

**Executive Secretariat** National Counterterrorism Center

-01/09/2014 08:12:40 AM

From: To:

Cc:

01/09/2014 08:12 AM Date:

Subject: DF-2014-00040 ( (Akers-Healy)

Classification: SECRET//NOFORN

Classified By:

Derived From: ODNI MET S-12 Declassify On: 25X1, 20641231

Good Morning,

- 1) The IMD/Information Review and Release Branch has received a FOIA request (DF-2014-00040) from Ms. Heather Akers-Healy for asking for "Documents tracking the number and/or severity of incidents attributed to Al-Qaeda in Iraq since 2004. The existence of such documentation was implied in Matt Olsen's recent testimony to a Senate committee regarding Al-Qaeda activities in Iraq."
- 2) Please review the attached five documents for DNI equities by January 24, 2014. If you shall find information that should be withheld, please advise and I will apply the appropriate FOIA exemption(s).
- 3) For your convenience, I have also provided the initial FOIA request from Heather Akers-Healy (DF-2014-00040). If you have any questions, feel free to contact me via phone, Sametime, or email. Thank you in advance.

(b)(3)

#### Documents for Review

[attachment "CIA DATABASE as of 6.2013_AQI Attack numbers 2006-2013.pdf" deleted by
[attachment "CIA DATABASE as of 6.2013_Major_Attacks_2013 ODNI.pdf" deleted by
[attachment "Suicide Attacks in Iraq since Jan 2012_CIA and DIA data.pdf" deleted by
[attachment "Mosque_Attacks_2013 ODNI.pdf" deleted by
[attachment "Updated Graphics for PDS ODNI.pdf" deleted by
Original Request
[attachment "DF-2014-00040 (Akers-Healey).pdf" deleted by



CIO/ Information Management W: S:
Classification: SECRETI/NOFORN
Classification: SECRET//NOFORN

Doc Title Doc Title	Class Level	Pgs	CENTCOM	NCTC	CIA	DIA
1 Aug CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
11 Apr CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
11 Jul CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
12 Sep CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
13 Jun CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
14 Mar CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
14 Nov CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
14 Oct CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
15 Aug CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
18 Jul CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
19 Dec CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
19 Sep CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
21 Mar CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
21 Nov CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
21 Oct CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
22 Aug CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
23 May CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
26 Sep CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
27 Jun CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
28 Mar CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
28 Nov CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
28 Oct CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
29 Aug CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
30 May CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
4 Apr CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
4 Jul CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
5 Dec CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
5 Sep CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
7 Nov CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
7 Oct CCJ2 JAAQ Weekly ISU	S//REL to USA, FVEY	8	Referred to CENTCOM	Defers to CIA, DIA, CENTCOM.	N/A	N/A
CIA Database as of 6.2013_AQI Attack Numbers 2006-2013	S//NF	3	N/A	Defers to CIA, DIA, CENTCOM.	DIF (b)(1), (b)(3)	DIF (b)(1)
CIA Database as of 6.2013_Major_Attacks_2013	S//NF	4	N/A	Defers to CIA, DIA, CENTCOM.	DIF (b)(1), (b)(3)	DIF (b)(1)
CIA Draft Iraq Monthly Security Incidents, May 2013	S//NF	4	N/A	Defers to CIA, DIA, CENTCOM.	Referred to CIA	N/A
DIA-09-1202-748	TS//SI//OC/NF	2	N/A	Defers to CIA, DIA, CENTCOM.	N/A	Referred to DIA.
Iraq Trends DIA CENTCOM 5 Month Averages	S//OC//NF	2	N/A	Defers to CIA, DIA, CENTCOM.	N/A	Referred to DIA.
Iraq Violence Sept 2012 DID DIA	S//OC//NF	3	N/A	Defers to CIA, DIA, CENTCOM.	N/A	Referred to DIA.
Iraq: Weekly Security Update, 17 January 2013	S//REL to USA, FVEY	11	N/A	Defers to CIA, DIA, CENTCOM.	N/A	Referred to DIA.
Iraq: Weekly Security Update, 26 April 2012	S//REL to USA, FVEY	9	N/A	Defers to CIA, DIA, CENTCOM.	N/A	Referred to DIA
Mosque Attacks 2013	S//NF	1	N/A	Defers to CIA, DIA, CENTCOM.	DIF (b)(1), (b)(3)	DIF (b)(1)
Suicide Attacks in Iraq Since January 2012	S//NF	1	N/A	Defers to CIA, DIA, CENTCOM.	DIF (b)(1), (b)(3)	DIF (b)(1)
Updated Graphics for PDS	S//NF	1	N/A	Defers to CIA, DIA, CENTCOM.	DIF (b)(1), (b)(3)	DIF (b)(1)

Sally A. Nicholson-DNI-From: Tuesday, December 22, 2015 8:01 AM Sent: To: Cc: Subject: RE: Senior Review of DF-2014-00040 - Way Forward Signed By: Classification: UNCLASSIFIED \_\_\_\_\_\_ Senior review completed. Routing sheet and letters signed. Nice job pulling it together and handling those missed documents. I made very minor edits to the verbiage and left in the appeal pitch.....even though we are not withholding anything of our own, the requester will need to write us to appeal since the docs are actually ours. Sally Sally A. Nicholson Chief, FOIA Branch ODNI/P&S/IMD/FOIA Managing, protecting, and releasing information – it's what we do! From: Sent: Tuesday, December 22, 2015 7:01 AM To: Sally A. Nicholson-DNI-Cc: Subject: RE: Senior Review of DF-2014-00040 - Way Forward Classification: UNCLASSIFIED Sally - When you have a moment...here is a relatively easy/quick case that's ready to close once you approve and sign. From: (b)(3)Sent: Thursday, December 17, 2015 10:37 AM To: Sally A. Nicholson-DNI-Subject: Senior Review of DF-2014-00040 - Way Forward Classification: UNCLASSIFIED 

(b)(3)

Sally—this is a 2-parter for your review: S:\DNI\DIS\DMS\IMO\ZZ - Possible New Structure\MI-FOIA Branch\FOIA\FOIA Cases\2014\DF-2014-00040 (Akers-Healy)\Senior Review Package

Approved for release by ODNI on 29 Jan 2016, FOIA case DF-2014-00231

The case routing covers both parts (below)

Part 1—response to the requester (of 41 docs, 36 were referred to other agencies; remaining 5 are being DIF'd upon application of redactions)

Part 2 – referral of 2 docs that somehow missed getting sent to DIA when sent the others to them.

did a stellar job sleuthing through all this material and figuring out the status, and it is ready to stick a fork in it <a href="#">Thanks</a>

(b)(3)

From:

Sent: Thursday, December 17, 2015 10:22 AM

To:

Subject: RE: Senior Review of DF-2014-00040 - Way Forward

Classification: UNCLASSIFIED

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The final response letter to the requester and the referral letter to DIA are ready for your review. Thanks for the help. <u>S:\DNI\DIS\DMS\IMO\ZZ - Possible New Structure\MI-FOIA Branch\FOIA\FOIA Cases\2014\DF-2014-00040 (Akers-Healy)\Senior Review Package</u>

(b)(3)



From:

Sent: Wednesday, December 16, 2015 9:41 AM

То:

Subject: Senior Review of DF-2014-00040 - Way Forward

Classification: UNCLASSIFIED

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(b)(3)

This is one of cases (sigh), it took me awhile to sort through, organize, decifer... There are a total of 41 docs: 30 were referred to CENTCOM, 1 referred to CIA, 3 referred to DIA, 5 consulted with CIA and DIA, and 2 were not processed. It appears that we need to DIF the 5 docs that were consulted. The 2 docs that were not processed should've been referred to the DIA, but appears that they were not.

Recommend DIFing the 5 docs that were consulted with the CIA and DIA, and referring the 2 docs to the DIA. Please see the doc inventory for details. Give me a shout if you have any questions. Thanks for the help.

S:\DNI\DIS\DMS\IMO\ZZ - Possible New Structure\MI-FOIA Branch\FOIA\FOIA Cases\2014\DF-2014-00040 (Heather Akers-Healy)



Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

## INTELLIGENCE COMMUNITY DIRECTIVE

#### **NUMBER 701**



## SECURITY POLICY DIRECTIVE FOR UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION

(EFFECTIVE: 14 MARCH 2007)

- A. (U) AUTHORITY: The National Security Act of 1947, as amended; the Intelligence Reform and Terrorism Prevention Act of 2004; Executive Order (EO) 12958, as amended, Classified National Security Information; EO 12333, as amended, United States Intelligence Activities; EO 13355, Strengthened Management of the Intelligence Community (IC); and other applicable provisions of law.
- B. (U) APPLICABILITY: This directive applies to the IC, as defined by the National Security Act of 1947, as amended, and other departments or agencies that may be designated by the President, or designated jointly by the Director of National Intelligence (DNI) and the head of the department or agency concerned, as an element of the IC.
- C. (U) PURPOSE: Unauthorized disclosures of classified information, including media leaks, may compromise sources and methods and pose a threat to national security. This directive establishes the DNI's policy to deter, report, and investigate unauthorized disclosures and to take appropriate protective and corrective action. This IC directive (ICD) rescinds Director of Central Intelligence Directive 6/8, dated 9 December 2002. Notification to the DNI does not affect the authorities and responsibilities of Senior Officials of the Intelligence Community (SOIC) to report to the Attorney General possible violations of federal criminal laws under EO 12333, as amended.
- D. (LU/FOUO) POLICY: SOICs shall promptly report to the DNI, via the Special Security Center (SSC), actual or suspected unauthorized disclosures including media leaks of classified

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information that meet the reporting criteria in paragraph E, except for disclosures that are the subject of counterespionage or counterintelligence investigations.

- E. (LU/FOUO) REPORTING CRITERIA: The DNI directs SOICs to promptly report each actual or suspected unauthorized disclosure of classified information that is likely to cause damage to national security interests. Such disclosures may include, but are not limited to:
- 1. (UIIFOUG) Unauthorized disclosure to an international organization, foreign power, agent of a foreign power, or terrorist organization.
- 2. (LU/FOUO) National intelligence activities or information that may be at risk of appearing in the public media, either foreign or domestic, without official authorization.
  - 3. (III/FOLIO) Loss or compromise of classified information that poses a risk to human life.
  - 4. (LI//EOLIO) Loss or compromise of classified information that is indicative of systemic compromise.
  - 5. (UI/FOUO) Loss or compromise of classified information storage media or equipment.
  - 6. (U//FOUO) Discovery of clandestine surveillance and listening devices.
- 7. (LIV/FOLIO) Loss or compromise of classified information revealing US or a foreign intelligence partner's intelligence operations or locations, or impairing foreign relations.
- 8. (IU/FOUO) Such other disclosures of classified information that could adversely affect activities related to US national security.
- 9. (U//FOUO) Loss or compromise of classified information revealing intelligence sources or methods, US intelligence requirements, capabilities and relationships with the US Government.

#### F. (LWFOUO) REPORTING GUIDELINES: SOICs shall report via the SSC:

- 1. (U//FOUO) Actual or suspected unauthorized disclosures including media leaks of classified information.
- 2. (LU/FOLIO) Copies of all crime reports submitted to the Department of Justice (DoJ), concurrently with such submission to DoJ, on any actual or suspected instances of unauthorized disclosures of classified information.
- 3. (UI/FOLIO) Updated reports as appropriate, or as directed by the DNL of the status of any given incident. These reports shall include:

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- a. (III/FOUO) A complete statement of the facts.
- b. (III/FOLIO) The scope of the disclosure.
- c. (LI/FOLIO) Sources and methods that may be at risk.
- d. (II//FOLIO) The potential effect of the unauthorized disclosure on national security.
- e. (UIFOUO) Corrective or mitigating actions taken by the SOICs involved.
- 4. (UV/FOLIO) Final disposition of all reported cases, including sanctions administered; e.g., written or verbal reprimands, suspension without pay, revocation of clearances or special access approvals, and termination of employment.

### G. (U//FOUO) OTHER SOIC RESPONSIBILITIES:

- 1. (LWFOUC) Administer to all individuals approved for access to classified information and materials appropriate non-disclosure agreements that address and reinforce the requirement for the continuing protection of all categories and levels of classified information including third party information.
- 2. (UMFOUR) Formally debrief all individuals no longer requiring access to national intelligence information. Debriefing procedures shall stress the continuing obligation to protect such information; the return of all classified information the individuals may have in their possession; and sanctions and penalties that may be imposed should the individuals fail to comply.
- 3. (LV/FOLIO) Identify all factors determined to have contributed directly or indirectly to the compromise of classified information and ensure they are corrected. If corrective action falls outside the available resources or authorities of the responsible SOIC, that SOIC shall provide full details and recommendations to the DNI for consideration.
- 4. (U/FOLIO) Ensure the workforce understands the policies and procedures embodied in this ICD to include the impact that unauthorized disclosures have on organizations' missions and national security as well as the administrative and criminal sanctions that may be imposed on those individuals found to be in violation of applicable laws or regulations.
- 5. (UWFOUC) Oversee the hiring and retention of a trustworthy workforce that is properly instructed in the appropriate classification and handling of sensitive materials and the prohibition against unauthorized release or disclosure as it applies to individuals with former as well as current access.
- 6. (U//FOUO) Educate the workforce regarding processes and procedures for promptly reporting unauthorized disclosures including media leaks.

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- 7. (III/FOLIO) Develop, implement, and update continuing security, counterintelligence, and security awareness programs for the protection of classified information and ensure all associated practices and procedures remain current.
- 8. (III/FOLIO) If determined that an actual or suspected incident involves classified information originated by or otherwise within the responsibility of another IC element, the SOIC of the affected organization shall advise the SOIC having originator authority over the information concurrently with notification to the DNI. If such an incident involves a foreign intelligence partner, only the SOIC who manages the relationship with that specific foreign partner is authorized to report the incident to that foreign partner.

#### H. (U//FOUO) SSC RESPONSIBILITIES: The SSC shall:

- 1. (III/FOLIO) Maintain the repository for all unauthorized disclosure reports.
- 2. (U//FOLIO) Coordinate with affected elements, including the Office of the DNI /Office of the General Counsel, DoJ, and appropriate law enforcement organizations to track all incidents, compile statistics, and perform relevant data analysis.
- 3. (LIV/FOUO) Recommend to the DNI policies, programs, and processes to strengthen IC safeguards against unauthorized disclosures.
  - 4. (U//FOUO) Provide compliance oversight.
- I. (U) EFFECTIVE DATE: This ICD becomes effective on the date of signature.

C)MMc Connell	14	MAR	07	
Director of National Intelligence	Date			