DIVERSITY IN LAW ENFORCEMENT

The Board is undertaking a review of literature about the impact that diversity in law enforcement has for the communities served. This review is intended to inform the Board's work to address best practices in law enforcement recruitment, hiring, and promotions.

Staff have begun to review the following articles to prepare an analysis for the Board and welcome subcommittee recommendations to enrich this literature review.

Antonovics, K., & Knight, B. G. (2009). A New Look at Racial Profiling: Evidence from the Boston Police Department. *The Review of Economics and Statistics, 91*(1), 163-177.

Analyzing the race of officers and motorists, the study found that officers are more likely to conduct a search when the officer's race and the driver's race differ. Searches were rare in the Boston Police Department dataset-under 1,000 searches between April 1, 2001-January 31, 2003- and search rates varied significantly across officers. (167) Apart from a two-month period during which stops that resulted in a warning were also reported, this data set only includes stops that resulted in a citation or arrest. (169)

Capers, K. J. The effect of the external environment on bureaucratic representation: Assessing the passive to active representation link. The American Review of Public Administration. (2018)

Engle, Robin S., Calnon, Jennifer M. and Bernard, Thomas J. *Theory and Racial Profiling: Shortcomings and Future Directions in Research*. Justice Quarterly, 2004

German, M. (2020). *Hidden in Plain Sight: Racism, White Supremacy, and Far-Right Militancy in Law Enforcement*. Brennan Center for Justice. Available at: https://www.brennancenter.org/our-work/research-reports/hidden-plain-sight-racism-white-supremacy-and-far-right-militancy-law.

While implicit bias training, aimed at teaching officers to recognize unconscious biases and reducing their influence in police work, is often included in police reform efforts, the need to address explicit racism in law enforcement persists. Explicit racism in law enforcement includes membership or affiliation with white supremacist or far-right militant groups, engaging in racially discriminatory behavior toward the public or colleagues, and making racist remarks. (pp. 1-2) The FBI's *Counterterrorism Policy Directive and Policy Guide* states that investigations focused on white supremacist extremists "often have identified active links to law enforcement

officers."[1] However, there is not a national strategy to identify white supremacist police officers or to protect the safety and civil rights of the communities they patrol. (2)

A very low percentage of law enforcement officials are likely to be active members of white supremacist groups, nonetheless research organization have uncovered expressions of overt bias in the social media activity of hundreds of law enforcement officials. (2)

Holmes, M.D. *Minority threat and police brutality: Determinant of civil rights criminal complaints in U.S. municipalities*. **Criminology (2000)**

Hunt, J. Police accounts of normal force. Urban Life. (1985)

Jacobs, J.B., & Cohen, J. *The impact of racial integration on the police*. **Journal of Police Science and Administration, (1978)**

Jassal, N. (2020). Gender, Law Enforcement, and Access to Justice: Evidence from all-women police stations in India. *American Political Science Review.*

Survey evidence suggests that all-women stations might not be associated with positive perceptions of policewomen. India has the largest number of all-women police stations in the world. India is a country in which civilians, especially women, are reluctant to approach law enforcement. (2)

Liska, A. E., & Yu, J. *Specifying and testing the threat hypothesis: Police use of deadly force*. **In A. E. Liska (Ed.),** *Social threat and social control* **pp. 53-68. Albany: State University of New York, (1992)**

Massey, D. S., & Denton, N.A. *American apartheid*: **Segregation and the making of the underclass. Cambridge, MA: Harvard University Press. (1993)**

Maynard-Moody, S & Musheno, M. Cops, teachers, counselors: Stories from the front lines of public service. University of Michigan Press (2003)

National Institute of Justice. (2019). *Women in Policing: Breaking barriers and blazing a path*. **U.S. Department of Justice, Office of Justice Programs.**

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[1] Federal Bureau of Investigation, Counterterrorism Division. (2015). *Counterterrorism Policy Directive and Policy Guide*. p. 89. Available at: https://assets.documentcloud.org/documents/3423189/CT-Excerpt.pdf.

Women officers are less likely than men officers to use force.[2]

The NIJ Report captured the discussion at the Research Summit on Women in Policing about improving women's representation and experiences in law enforcement. Summit participants defined parity in policing as: "When fair and equal access is equivalent to women's propensity." (iii)

2013 Law Enforcement Management and Administrative Statistics data indicated that less than 13% of all officers were women, 9.5% of first-line supervisors, and 2.7% of chiefs or executives were women.[3]

Attendees perceived a lack of incentives for department leadership and other personnel to commit to increasing parity and improving the experiences of women. A Summit participant recommended that the job descriptions of department leaders include responsibility for these improvements and that this area should be considered in performance reviews (10).

Attendees discussed the disproportionate number of women who work as civilians in law enforcement and the need to understand why these women do not pursue a career as an officer (10).

Nicholson-Crotty, S, Nicholson-Crotty, J, Fernandez, S "Will More Black Cops Matter? Officer Race and Police-Involved Homicides of Black Citizens", *Public Administration Review***, Vol. 77, Issue 2, 2017, pp. 206-216, doi: 10.11111/puar.12734**

Following the shooting of Michael Brown in Ferguson, Missouri, a frequent proposed remedy to police-involved homicides of Black citizens was the creation of more diverse police forces, more representative of communities they serve. (p. 206) The literature on police force demographics offers conflicting expectations, with some suggesting increased representation reduces discrimination, while others suggest an increase in discrimination. Wilkins and Williams (2008) show that an increase in the percentage of police officers who are black leads to an increase in racial profiling. They explain this as a product of organizational socialization .... that discourages minority police officers from advocating for the interests of minorities.[4,5] In the case

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[2] Colin Bolger, P. (2014). Just Following Orders: A meta-analysis of the correlates of American police officer use of force decisions. *American Journal of Criminal Justice, 40*(3); and Todak, N. (2017). The Decision to Become a Police Officer in a Legitimacy Crisis. *Women & Criminal Justice, 27*(4). 250-270.

[3] The NIJ Report did not address differences that may exist in the experiences of cisgender and transgender women in law enforcement.

[4] Wilkins, Vicky M. and Williams, Brian N. *Black or Blue: Racial Profiling & Representative Bureaucracy*. Public Administration Review, 2008

[5] Within context of the article, use of the term "Black" is a reasonable substitute for the use of "minority" because it lends greater specificity of racial congruence between police officer and citizen.

of racial profiling, some work finds white officers are more likely to stop and search black motorists.[6]   Gilliard-Matthews, Kowalski, and Lundman (2008) who find that minority officers treated minority drivers more favorably compared with white officers.[7]   The authors empirically test the notion of representative bureaucracy hypothesizing greater representation will result in reduction of police-involved homicides, but only when a **critical mass** of black officers is achieved makes it possible for them to actively represent or advocate for black citizens. (p. 207) The concept of critical mass suggests individuals may only begin to help other minorities when empowered by a large enough number of individuals from similar backgrounds within their own organization. (p. 209) Data collected by the Washington Post on (on-duty) police-involved homicides in 2015 shows the inflection point of 35 percent, at which point black officers begin to decrease the number of black citizens killed by police, though conclusions cannot be drawn at wide confidence intervals. (p. 211)

Ouazad, A. Assessed by a teacher like me: Race and teacher assessments. Education Finance and Policy (2014)

Reaves, B.A. (2015). *Local Police Departments, 2013: Personnel, policies, and practices.* **U.S. Department of Justice, Office of Justice Programs.**

Romzek, Barbara S. Employee Investment and Commitment: *The Ties That Bind.* **Public Administration Review, 1990**

Russell-Brown, Katheryn. *The Color of Crime: Racial Hoaxes, White Fear, Black Protectionism, Police Harassment , and other Macroaggressions***: New York University Press, 1998**

San Francisco Department on the Status of Women. (2019). *Pathways to Promotion: A gender analysis of the San Francisco Police Department.* **San Francisco Department on the Status of Women.**

Women officers are better able to neutralize escalating situations and less likely to use excessive force than men officers.[8] However, a greater proportion of women than men are working in administrative units and very few women serve in specialized units. The Department on the Status of Women found that women have been advancing through the ranks of SFPD; however, there were fewer women of color in the higher ranks. (2)

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[6] Antonovics, Kate and Knight, Brian G. *A New Look at Racial Profiling: Evidence from the Boston Police Department.* Review of Economics and Statistics, 2009

[7] Gilliard-Matthews, Stacia, Kowalski, Brian R, Lundman, Richard J. *Office Race and Citizen-Reported Traffic Ticket Decisions by Police in 1999 and 2002.* Police Quarterly, 2008

[8] Lonsway, K., Harrington, P., Smeal, E. & Spiller, K. (2002). *Men, Women, and Police Excessive Force: A tale of two genders.* National Center for Women & Policing.

Smith, Brad W. "The Impact of Police Officer Diversity on Police-Caused Homicides", The Policy Studies Journal, Vol. 31, Issue 2, 2003, pp. 147-159

This research generally supports the conflict proposition that minority threat is related to police violence and the community violence proposition that locations with higher levels of violence have a greater number of police-caused homicides. The article analyzes police-caused homicides by including measures of personnel composition of police agencies as predictors of police-caused homicides. (p. 147) Some of the most common proposals to reduce police-citizen violence, namely changing police personnel, are largely overlooked by this research. It is possible studies examining police homicides do not acknowledge personnel composition as a factor because conflict theorists maintain that structural divisions within society produce differential levels of violence (Holmes, 2000; Jacobs & O'Brien, 1998). Liska and Yu (1992) found a percent of non-White racial segregation and police agency size positively related to police killings, concluding police killings were a reaction to perceptions of threat from the presence of non-Whites and violence in the community. The analysis within the article reveals measures of racial threat and community violence are important predictors of police caused homicides in cities with 100,000 or more residents, whereas measures of racial threat are important predictors in cities with 250,000 or more residents. The findings suggest Black residential proportionality takes on greater importance as racial threat. Further (Massey & Denton, 1993) stated that these large, "threatening" populations concentrated in the nation's largest cities may produce much higher levels of antagonism between disadvantaged groups and the police. Lastly, in cities over 100,000 residents, a higher proportion of female officers was related to greater numbers of police-caused homicides. A possible explanation may lie in the socialization process of new officers and in difficulties new female officers have in becoming accepted into policing. (Hunt, 1985)

Wang, X., Ready, J., & Davies, G. (2019). Race, Ethnicity, and Perceived Minority Police Presence: Examining perceptions of criminal injustice among Los Angeles residents. *Law & Society Review, 53*, 706-738.

Analyses of data from Los Angeles show that residents perceive a lower level of criminal injustice when they report that officers in their neighborhoods are not predominately white, and this finding is not dependent on the respondent's race/ethnicity or the racial/ethnic composition of the neighborhood. Additionally, in Hispanic communities, perceived minority police presence seems to have a weak to no effect on residents' perceptions of criminal injustice.

While conventional wisdom and a small number of studies hold that increasing the number of minority officers will enhance residents' perception of police, more recent studies examining the effect of minority police presence on civilian complaints have produced mixed findings.[9] "Although Hickman and Piquero (2009) found that minority representation of police officers did not significantly affect the rate of residents' complaints about police use of force and the

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[9] Within context of the article, use of the term "Black" is a reasonable substitute for the use of "minority" because it lends greater specificity of racial congruence between police officer and citizen.

DRAFT REPORT – PENDING EDITING AND REVIEW
This draft is a product of various subcommittees of the Racial and Identity Profiling Advisory Board. It has been provided merely for the Racial and Identity Profiling Advisory Board's consideration and its content does not necessarily reflect the views of any individual RIPA Board member, the full RIPA Board or the California Department of Justice.

percentage of force complaints that are sustained (see also Cao and Huang 2000), Cao et al. (2000) found that percentage of [B]lack officers increased the rate of residents' complaints and Hong (2017a) reported that increasing the representation of ethnic minorities in police departments in England and Wales reduced the number of residents' complaints against police misconduct." (706). In contrast to the earlier studies, WRD…

Wilkins, Vicky M & Williams, Brian N. "Black or Blue: Racial Profiling and Representative Bureaucracy" Public Administration Review, 2008, pp. 654-664, DOI:198.137.20.62

The authors examine conditions under which minority public servants are less likely to provide active representation by testing the link between passive and active representation for race and racial profiling in a police department. Wilkins and Williams contend that organizational socialization may hinder the link between passive and active representation and question whether organizational socialization strips racial identity, somehow changing them from "black to blue" and limiting their provision of active representation. (p. 654) Historically, American policing has a heritage of legally sanctioned, disparate service delivery and the enforcement of racially motivated laws and statutes, inclusive of slave codes, black codes and other oppressive policies and practices directed toward Africans, African Americans, and other marginalized populations. (Russell-Brown 1998) As a result, relationships between minorities and the police in America is one that has been influenced by the historical legacies of slavery, segregation, and discrimination. (Russell-Brown) Accuracy and reliability of data make it difficult to state conclusively that departments are engaged in discriminatory practices (Engle and Calnon 2004). But, the allegation of racial profiling, and the perception of the police that it creates among minorities, lessens the likelihood of meaningful collaboration with minority citizens and communities in the coproduction of public safety and order. (p. 655) Added, the research of organizational socialization as a link between passive and active representation shows that employees may be willing to adopt the organization's values to increase the chance of promotion and career success, either because they feel peer pressure to do so or simply because they come to agree with and internalize the dominant organizational view. (Romzek, 1990) This process may transform officers who are "black in blue" to simply blue. Added, there are conditions under which minority public servants do not provide active representation.[10] The structure and processes of an organization can affect the representation provided by the public servants working there. (p. 660) The results of this analysis suggest that the pressure to conform to the organization or to achieve the goals of the organization weighs heavily on black officers affecting their attitudes and behavior. (p. 661)

Wright, James E., Headley, Andrea M. "Police Use of Force Interactions: Is Race Relevant or Gender Germane?", American Review of Public Administration, 2020, pp. 1-14 DOI: 10.1177/0275074020919908   journals.sagepub.com/home/arp

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[10] Within context of the article, use of the term "Black" is a reasonable substitute for the use of "minority" because it lends greater specificity of racial congruence between police officer and citizen.

This article seeks to explore differences in the amount of force used by officers in ethnic, racial, and gender matches in police-civilian dyads. (p. 1) Police officers have an enormous amount of discretion (Maynard-Moody & Musheno, 2003) to enforce the law and their authority to promote public safety. The author uses this article to examine factors that influence officer discretion and decision-making in the context of police use of force through application of representative bureaucracy theory. Regarding ethnicity and race, numerus studies conclude that public servants of color use their discretion to implement policies that reduces disparate treatment toward people of color, particularly in light of historical inequities in public bureaucracies (Capers, 2018). Added, research has shown that Black teachers more positively assess and/or behave toward Black students (Ouazad, 2014). The study combines data from the Dallas Police Department (DPD) and Indianapolis Metropolitan Police Department (IMPD) and measures use of force on a continuum of soft hands, hard hands and chemical sprays, or impact weapons. The results of this analysis indicate that White officers are more likely to use increased levels of force on Black civilians resulting in more negative impacts/higher levels of force for Black civilians. In comparison use of force encounters with White civilians there are lower levels of force. (p. 7) Furthermore, Latino male officers use higher level of force on Latino female civilians compared with White male officers. (p. 8) Additionally, the findings show gender impacts severity of force and that there may be bias in the way officers apply force leading to higher severity of force used against male civilians, as officers may view males as more aggressive and more likely to escalate a situation. Overall, there is a need for more robust research to identify the true causalities between race/ethnicity, gender and the severity of force. (p. 10).

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