

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA

Plaintiff,

vs.

CITY OF SEATTLE

Defendant.

CASE No. C12-1282JLR

**MEMORANDUM REGARDING
INSTRUCTIONAL SYSTEM
DESIGN MODEL FOR SEARCH
AND SEIZURE AND BIAS-FREE
POLICING TRAINING**

In compliance with the Second-Year Monitoring Plan, the Seattle Police Department (“SPD”) prepared and submitted its Search and Seizure & Bias-Free Policing Instructional System Design Model (the “ISDM”) to the Monitor and the Parties, attached hereto as Exhibit A. The training plan outlines an eight-hour training program for officers, supervisors, and command staff, consisting of four hours of interactive in-class instruction on stops and detentions and another four hours of instruction on bias-free policing. The training plan results from substantial work by SPD’s Education and Training Section; substantial research on training approaches used by other law enforcement agencies and among other professions with respect to issues of bias

1 and procedural justice; and sustained collaboration among the Department, Parties, Monitoring
 2 Team, Community Police Commission (“CPC”), and other community stakeholders.

3 After carefully evaluating the proposed training, the Monitor has concluded that it
 4 constitutes a critical step in providing officers with ongoing, in-depth training on central areas of
 5 the Consent Decree. *See* Dkt. 3-1 at 43–48. The Monitor recommends approval of the proposed
 6 training on the basis of the Parties’ understanding that in 2015 the Department will (a) provide
 7 separate, additional in-service training on stop and detention issues to satisfy its annual
 8 requirements under paragraph 142 of the Consent Decree, and (b) provide separate, additional,
 9 and in-depth classroom training on bias-free policing, including those topics introduced in
 10 2014’s four-hour training.
 11

12 I. MEMORANDUM

13 A. The Nature and Form of the 2014 Voluntary Contacts and *Terry* Stops and 14 Bias-Free Policing Training

15 As it did for use of force, the Second-Year Monitoring Plan called for two “phases” of
 16 training on stops and detentions and bias-free policing in 2014. The first phase, which served as
 17 “interim” training, consisted of an introductory video message from SPD Chief Kathleen
 18 O’Toole, relevant Reader Board content, multiple e-learning modules training officers on the
 19 most critical areas of the new policies, and the preparation of a comprehensive roll call training
 20 initiative by which officers will receive ongoing trainings during pre-shift roll calls at precincts.
 21 *See id.* at 9; *see generally* Ex. A at 2–14. As of August 1, all patrol officers, supervisors, and
 22 command staff completed the Phase I “interim” training.
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Ex. A constitutes the training plan for Phase II, or “comprehensive” training, on stops and detentions and bias-free policing. The training plan conforms to the ISDM approach that the Department used to construct its comprehensive use of force training initiative currently underway. See Dkt. 144-1; Dkt 154 at 24–26 (discussing the origins and advantages of the ISDM approach). The 2014 Voluntary Contacts and *Terry* Stops and Bias-Free Policing Training ISDM calls for all patrol officers, supervisors, and command staff to complete, by December 31, 2014, one day of in-class, interactive, classroom instruction consisting of a four-hour instructional block devoted to stops and detentions and another four-hour block devoted to bias-free policing. Ex. A at 27–28, 74–75.

B. Voluntary Contacts and *Terry* Stops Training

The four hours of Voluntary Contacts and *Terry* Stops training “is designed to implement or operationalize the concepts established in the Voluntary Contacts and *Terry* Stops policy issued in early 2014 for all officers. Ex. A at 3. The Court approved those consensus policies on Voluntary Contacts & *Terry* Stops, Seattle Police Manual 6.220, on January 17, 2014, and the new policy went into effect on January 30, 2014. See Dkt. No. 118. As noted above, all officers have already completed a Phase I, “interim” training on the new policies. In addition to providing instruction on the new policies, the ISDM also addresses lessons learned and critical operational insights derived from the Education and Training Section’s ongoing participation on the Force Review Board. See Ex. A at 3 (“The involvement of personnel from the Education and Training Section in the Use of Force Review Board has highlighted the need for a more complete and robust training program in the area of Search and Seizure.”). Ongoing training, including e-learning modules and roll call trainings, will supplement the in-class training. See *id.* at 10.

1 The first section of the training addresses voluntary contacts. A voluntary contact is a
2 “consensual” contact in which “a reasonable person would feel free to leave” or “to refuse to
3 answer the officer’s questions . . . or respond to his/her requests.” Ex. A at 36. The training
4 exercises emphasize that an officer’s conduct, communications, and even non-verbal
5 communication can transform a voluntary contact to a seizure. *Id.* at 37. Importantly, it also
6 advises officers that they “should not avoid contacts just because there is no reasonable suspicion
7 to support a *Terry* stop.” *Id.* at 42. Officers must remain mindful of how a consensual
8 interaction can be transformed, for any of a number of reasons, into a *Terry* stop for which
9 officers would require “reasonable suspicion that a crime has occurred, is occurring or is about to
10 occur.” *Id.* at 45. The training emphasizes that *Terry* stops are seizures that are “[b]rief and
11 minimally intrusive.” *Id.*

13 The training also provides instruction on “frisks” and consent searches. *Id.* at 54–57.
14 Officers will be reminded that the law permits an officer who has made a *Terry* stop to frisk the
15 subject only if the officer “reasonably suspect[s] the subject is armed and presently
16 dangerous”—and limits the scope of the frisk to weapons and the subject’s outer clothing. *Id.* at
17 55. Another exercise reviews concepts related to the *Miranda* warnings that must be “delivered
18 prior to a custodial interview.” *Id.* at 58.

20 Officers will then review the key concepts of “reasonable suspicion” and “probable
21 cause.” This final section focuses on important issues relating to the “level of seizure” that
22 officers can justify under various factual circumstances. *Id.* at 63.

24 The Monitor and Department of Justice carefully reviewed several iterations of the
25 Voluntary Contacts and *Terry* Stop training. SPD’s Education and Training Section ably

1 addressed the comments and suggestions of the Parties and Monitoring Team. Important input
 2 from the CPC was also incorporated. Overall, the proposed training satisfies, for 2014, the
 3 Consent Decree's requirement that SPD "provide all SPD patrol officers with an in-service
 4 training on an annual basis" addressing issues related to contacts, non-custodial interviews, and
 5 *Terry* stops. Dkt. 3-1 ¶ 142; *see id.* ¶ 143. The Monitor looks forward to continuing
 6 conversations with SPD about providing training on stops and detentions in 2015 that provides
 7 continued guidance on the nuanced considerations relating to "the legal distinction between"
 8 types of stops, the "distinction between various police contacts according to the scope and level
 9 of police intrusion," and the "facts, circumstances and best practices that should be considered in
 10 initiating, conducting, terminating, and expanding an investigatory stop or detention." *Id.* ¶ 142;
 11 *see, e.g.,* Katherine M. Swift, "Drawing a Line between *Terry* and *Miranda*: The Degree and
 12 Duration of Restraint," 73 U. Chi. L. Rev. 1075, 1075 (2006) ("Courts have not settled on a
 13 workable rule for determining custody in *Terry* stop cases.").

14 C. Bias-Free Policing Training

15 The Court also approved SPD's new policy on Bias-Free Policing on January 17, 2014.
 16 See Dkt. 118. The purpose of the policy is to ensure that the Department "provide[s] equitable
 17 police services," "build[]s mutual trust and respect with Seattle's diverse groups and
 18 communities," and, in so doing, "increase[s] the Department's effectiveness as a law
 19 enforcement agency." *Id.* at 21. It prohibits officers from "mak[ing] decisions or tak[ing]
 20 actions that are influenced by bias, prejudice, . . . discriminatory intent," or "discernible personal
 21 characteristics" that are not "part of a specific suspect description based on trustworthy and
 22 relevant information" *Id.* at 22, 23. It calls for documentation of, and supervisory response
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1 to the scene of, complaints of bias. *Id.* at 24–25. It also “requires periodic analysis of data
2 which will assist in identification of SPD practices . . . that may have a disparate impact on
3 particular protected classes relative to the general population.” *Id.* at 27.

4 The Bias-Free Policing portion of the ISDM incorporates material and approaches from
5 numerous sources, including but not limited to:

- 6 • “Fair & Impartial Policing,” a training program developed by law enforcement
7 leaders, criminologists, social scientists, and community representatives in
8 partnership with the Department of Justice’s Community Oriented Policing Services
9 (“COPS”) Office;
- 10 • Training materials by the Implicit Bias Task Force of the American Bar Association’s
11 Section of Litigation;
- 12 • The National Center for State Courts’ (“NCSC”) “Helping Courts Address Implicit
13 Bias” training materials for state-court judges and personnel;
- 14 • E-learning training materials on unconscious bias by the Association of American
15 Medical Colleges;
- 16 • Washington State Criminal Justice Training Commission’s L.E.E.D. Justice Based
17 Policing Essentials training initiative;
- 18 • Training materials from the Seattle Office for Civil Rights (“SOCR”); and
- 19 • Applied social science and legal research.

20 The four-hour training course accordingly incorporates critical features and key insights from
21 numerous fields, well-established academic research, and existing law enforcement and
22 professional training programs. The ISDM’s Appendix provides some, but not all, of the sources
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1 that the Education and Training Section consulted and from which it derived course material.
2 See Ex. A at 173–406.

3 The training also incorporates important advice, input, and specific comments from the
4 Community Police Commission (“CPC”) and its Training Workgroup. The dynamic
5 collaboration between the Training Section and CPC across multiple iterations of the ISDM has
6 helped to ensure that the training addresses some of the central concerns of Seattle’s diverse
7 communities with respect to differential treatment and issues relating to procedural justice.

8 The Bias-Free Policing training assumes that officers are expressly committed to treating
9 all individuals equally and with respect regardless of race, ethnicity, gender, age, sexual
10 orientation, membership in other protected classes, or possession of other discernible
11 characteristics. See Dkt. 116 at 21–22. That is, it presumes that officers maintain an express
12 commitment against discrimination and differential treatment. Accordingly, the Department’s
13 2014 Bias-Free Policing training focuses on how innate mental processes may subconsciously
14 influence decision-making and behavior in a manner that may at times prove less consistent with
15 such an express commitment to equality and fairness than officers, the Department, and the
16 community may desire. It likewise emphasizes skills and strategies that officers can deploy to
17 minimize the effects of undesirable, subconscious mental processes.

18 The first section of the Bias-Free Policing training focuses on issues related to
19 community perception of law enforcement, procedural justice, and police legitimacy. See Ex. A
20 at 83–100. It provides the opportunity for officers to relate their specific encounters with each
21 subjects’ sense of fairness and equity—and to relate subjects’ views of procedural justice to the
22 community’s larger view of SPD. It emphasizes that an individual’s assessment of how she was
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1 treated during an interaction with police is substantially more important to her voluntary
2 acceptance of police decisions than the outcome of the interaction (e.g., whether she was cited,
3 received a warning, was arrested, or the like). Ex. A at 95–96.

4 During the training, attendees will hear directly from community members about their
5 views of, and relationships with, SPD. First, “[t]he class will be shown a video prepared by the
6 Seattle Police Department . . . asking both community members and police officers the question
7 ‘How would you like to be treated when contacted by the police?’” *Id.* at 99. Second, during
8 each training session, “[a] member of the Community Police Commission will make a short
9 presentation” that will “present a vision of what Bias-Free policing looks like to the community.”
10 *Id.* at 100. Although the Education and Training Section and CPC will be continuing to work on
11 a structure for this presentation, the Monitoring Team and Parties are enthusiastic about the value
12 of a live, in-class presentation by a CPC member about the opportunities that the Department has
13 to partner with Seattle’s diverse communities and to reaffirm its commitment to fair and
14 impartial policing..
15

16
17 In the second section, officers will learn about the concept of bias, mental schemas, and
18 stereotypes. Ex. A at 101–09. They will learn that all human beings “[o]rganize and categorize
19 objects, places, events, activities, and people” and do so “innately to understand, predict, and
20 make sense of the world.” Ex. A at 104. Relatedly, they will discuss that “when we expect or
21 assume—often without thinking—that, because a person belongs to a particular group, they must
22 possess the characteristics that we have come to associate with the group,” we are applying
23 stereotypes. Ex. A at 106.
24
25

1 In the third section, officers will learn about implicit bias, which “refers to the attitudes or
 2 stereotypes that affect our understanding, actions, and decisions . . . involuntarily and without an
 3 individual’s awareness or intentional control.” Kirwan Institute for the Study of Race and
 4 Ethnicity, “State of the Science: Implicit Bias Review 2014,” *available at*
 5 <http://kirwaninstitute.osu.edu/wp-content/uploads/2014/03/2014-implicit-bias.pdf> [hereinafter
 6 “Kirwan Institute”], at 16. Everyone possesses implicit biases because:

7 [The human] brain . . . learns over time how to distinguish different objects
 8 (e.g., an apple and an orange) based on features of the objects that coalesce
 9 into patterns. These patterns or schemas help the brain process information
 10 efficiently—rather than figuring out what an apple is every time it encounters
 11 one, the brain automatically recognizes it and understands that it is red,
 12 edible, sweet, and juicy These patterns also operate at the social level.
 13 Over time, the brain learns to sort people into certain groups (e.g., male or
 14 female, young or old) based on combinations of characteristics as well. The
 15 problem is when the brain automatically associates certain characteristics
 16 with specific groups that are not accurate for all individuals in the group

17 National Center for State Courts, “Helping Courts Address Implicit Bias: Resources for
 18 Education” (2012), *available at*
 19 http://www.ncsc.org/~media/Files/PDF/Topics/Gender%20and%20Racial%20Fairness/IB_report_033012.ashx, at 3 (outlining approaches of implicit bias training programs for state court
 20 systems in California, Minnesota, and North Dakota); *accord* Implicit Bias Task Force, ABA
 21 Section of Litigation, “Toolbox PowerPoint Instruction Manual,” *available at*
 22
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1 [http://www.americanbar.org/content/dam/aba/administrative/litigation/implicit-bias/Facilitator-](http://www.americanbar.org/content/dam/aba/administrative/litigation/implicit-bias/Facilitator-Instruction-Manual.authcheckdam.pdf)
 2 [Instruction-Manual.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/litigation/implicit-bias/Facilitator-Instruction-Manual.authcheckdam.pdf), at 30 (noting that “[r]esearch shows we tend to implicitly
 3 and immediately classify people” according to external characteristics). Thus, even “individuals
 4 who, at the conscious level, reject prejudices and stereotyping” and who ‘express beliefs in
 5 equality” often hold implicit biases. Ex. A at 112; see Justin D. Levinson, Forgotten Racial
 6 Equality: Implicit Bias, Decisionmaking, and Misremembering 57 Duke L.J. 345, 360 (2007)
 7 (“[I]mplicit racial attitudes . . . frequently diverge from explicit racial attitudes”); Kirwan
 8 Institute at 17 (observing that “[i]mplicit and explicit biases are generally regarded as related but
 9 distinct mental constructs” (emphasis omitted)).
 10

11 Implicit biases have been noted across numerous professions—including lawyers, judges,
 12 physicians, teachers, and social service providers. See, e.g., “Christine Jolls and Cass R.
 13 Sunstein, “The Law of Implicit Bias,” 94 Cal. L. Rev. 969, 975 n.31 (2006) (“The legal literature
 14 on implicit bias is by now enormous.”); Theodore Eisenberg and Sheri Lynn Johnson, Implicit
 15 Racial Attitudes of Death Penalty Lawyers, 53 DePaul L. Rev. 1539, 1553 (2004) (finding
 16 implicit bias among defense attorneys); Alexander R. Green, et al, “Implicit Bias among
 17 Physicians and its Prediction of Thrombolysis Decisions for Black and White Patients,” 22 J. of
 18 Gen. Internal Med. 1231, 1237 (2007) (“physicians, like others, may harbor unconscious
 19 preferences and stereotypes that influence clinical decisions”).
 20

21 After officers are introduced to the basic concept of implicit bias, the training will focus
 22 on a well-established implicit bias, the “race/crime association”—or the “cognitive association
 23 between the social category ‘Black,’” as well as other racial or ethnic groups, “and criminality”
 24 that has been well established within literature in social psychology. Anneta Rattan, et al, “Race
 25

1 and the fragility of the Legal Distinction between Juveniles and Adults,” 7 PloS ONE 1, 4
2 (2012); *see* Ex. A at 114–29.

3 Officers will learn about, and discuss, several research studies that address how the “race-
4 crime” implicit bias is relevant to law enforcement. The purpose is to initiate a thoughtful, fact-
5 based discussion on how implicit biases might directly affect officers. One line of studies
6 addresses the potential impact of the race-crime implicit bias on officers in “shoot/don’t shoot”
7 scenarios. *See* Melody Sadler, et al, “The World is Not Black and White: Racial Bias in the
8 Decision to Shoot in a Multi-Ethnic Context,” 68 J. Soc. Issues 286 (2012); Joshua Correll,
9 “Across the Thin Blue Line: Officers and Racial Bias in the Decision to Shoot,” 92 J. Personality
10 & Soc. Psychol. 1006 (2007). Those studies found that the officers in the study exhibited a small
11 but statistically significant delay in reaction time when confronted with subjects inconsistent
12 with stereotypes—an unarmed black subject or an armed white subject. That is, officers were
13 quicker to react to an armed black subject than an armed white subject. Similarly, officers were
14 quicker to react to Latinos suspects. This delayed reaction time precisely mirrored findings
15 among the general, non-officer population. Although, likely because of the extensive tactical
16 training that officers receive, for subjects of most races, delay in reaction times tended not to
17 affect the “accuracy” of officer decision-making, or ultimately shooting armed subjects and
18 refraining from shooting unarmed subjects. Notably, delayed responses to white subjects were
19 related to decreased decision-making accuracy. The studies illustrate both that law enforcement
20 officers, like members of numerous other professions, may exhibit the effects of implicit bias in
21 real-world settings and that the effects of unrecognized bias may impact officer safety. The
22 ISDM highlights another, similar study that found that “[e]xposure to Black male faces
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1 facilitated the identification of crime-related objects” while “[e]xposure to White male faces
2 slowed the identification” of such objects—suggesting that unrecognized implicit biases could,
3 in some instances, impede the recognition of situational factors that could compromise officer
4 safety. Ex. A at 118 (summarizing Jennifer Eberhardt, et al, “Seeing Black: Race, Crime, and
5 Visual Processing,” 87 J. Personality & Soc. Psychol. 876 (2004)).

6 After being introduced to the concept of implicit bias and to academic studies surveying
7 such potential bias in the law enforcement context, officers will consider the possible effects of
8 such bias on *Terry* stops, the biases that the community may bring to their interaction with law
9 enforcement, and the existence of many additional potential biases associated with various
10 discernible characteristics. Ex. A at 126-38.

11 Officers subsequently will explore “tactics, strategies, and procedures” for minimizing
12 the effects of implicit bias. *Id.* at 139. These include:

- 14 • Ensuring, “where feasible, more time and space to identify facts and reduce errors”
15 because “more time permits ‘controlled responses’ and ‘reduce[s the] ambiguity’ of
16 situations,” *id.* at 141;
- 17 • “Think[ing] about being able to articulate your reasoning process,” *id.* at 144;
- 18 • Being mindful that “[e]ducation and training builds awareness” of implicit bias so
19 that officers can more consciously “‘override’ or minimize implicit bias,” *id.* at 144;
20 and
21 • “When interacting with the community, us[ing] ‘LEED,’” or the “Listen and Explain,
22 with Equity and Dignity” interaction and communication framework formulated by
23 the Washington State Criminal Justice Training Commission, *id.* at 146–51.

1 Thus, the training emphasizes how officers can use clear tactics, skills, and strategies to prevent,
2 mitigate, or reduce the potential effects of implicit bias in decision-making and in interactions
3 with subjects—all while ensuring officer safety, community well-being, and the achievement of
4 fundamental law enforcement objectives.

5 Overall, this four-hour Bias-Free Policing training represents an important introduction to
6 the “complicated and critical” “issues of bias present in our society.” Dkt. 3-1 at . ¶ 147. A four-
7 hour block cannot fully address the “legal requirements related to equal protection and unlawful
8 discrimination,” provide officers with detailed, real-world “strategies . . . to avoid conduct that
9 may lead to biased policing or the perception of biased policing,” and provide “precinct-level
10 cultural competency training.” *Id.* at ¶ 148. SPD, the Parties, and the Monitor have discussed
11 additional in-depth training in strategic and cross-cultural communication skills, implicit bias,
12 and procedural justice in 2015. Likewise, because patrol officers, supervisors, and command
13 staff will be receiving the same introductory training in 2014, supervisors and command staff
14 have not yet received all of the tailored training required under the Consent Decree. *Id.* at ¶ 149.
15 SPD, the Parties, and the Monitor have commenced discussions about how to structure such
16 training in 2015. The Monitor’s approval is contingent on the provision of additional training on
17 bias-free policing, and topics encompassed by paragraphs 145-49 of the Consent Decree to all
18 patrol officers, supervisors, and command staff in 2015.

21 **D. Conclusion**

22 The task of the Monitor was to duly consider if the proposed Search and Seizure & Bias-
23 Free Policing ISDM embodies the requirements of the Consent Decree and provides officers
24 with appropriate instruction on the Department’s policies addressing stops, detentions, and bias-
25

1 free policing. The Monitor and the Monitoring Team have determined that the ISDM does so
2 and recommends that the Court approve the ISDM. This recommendation is premised on the
3 Monitor Team's understanding that in 2015 SPD will both (a) provide separate, additional in-
4 service training on stop and detention issues to satisfy its annual requirements under paragraph
5 142 of the Consent Decree, and (b) provide separate, additional, and in-depth classroom training
6 on bias-free policing, including those topics introduced in 2014's four-hour training.
7
8
9

10 DATED this 2nd day of September, 2014.

11 
12

13 _____
14 Merrick J. Bobb, Monitor
15

16 The Court hereby approves the Search and Seizure & Bias-Free Policing Instructional
17 System Design Model (the "ISDM") filed herewith as Exhibit A.
18

19 DONE IN OPEN COURT this _____ day of September, 2014.
20

21 _____
22 THE HONORABLE JAMES L. ROBERT
23 UNITED STATES DISTRICT JUDGE
24
25

CERTIFICATE OF SERVICE

I certify that on the 2nd day of September, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

J. Michael Diaz	michael.diaz@usdoj.gov
Jenny A. Durkan	jenny.a.durkan@usdoj.gov
Jonathan Smith	jonathan.smith2@usdoj.gov
Kerry Jane Keefe	kerry.keefe@usdoj.gov
Michael Johnson Songer	michael.songer@usdoj.gov
Rebecca Shapiro Cohen	rebecca.cohen@usdoj.gov
Emily A. Gunston	emily.gunston@usdoj.gov
Christina Fogg	christina.fogg@usdoj.gov
Timothy D. Mygatt	timothy.mygatt@usdoj.gov
Jean M. Boler	jean.boler@seattle.gov
Peter Samuel Holmes	peter.holmes@seattle.gov
Brian G. Maxey	brian.maxey@seattle.gov
Sarah K. Morehead	sarah.morehead@seattle.gov
Gregory C. Narver	gregory.narver@seattle.gov
John B. Schochet	john.schochet@seattle.gov

DATED this 2nd day of September, 2014.

/s/ Carole Corona
Carole Corona

EXHIBIT A

(part 1 of 3)



Search & Seizure

and

Bias Free Policing



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Executive Summary

Search & Seizure training in 2014 is designed to implement or operationalize the concepts established in the Voluntary Contacts and Terry Stops policy issued in early 2014 for all officers.

The planned training consists of four (4) hours of in-person Voluntary Contacts and Terry Stops training, covering the concepts established by policy. The purpose of these courses is to both meet the requirement to provide on-going annual training and to facilitate the integration of recently issued policies into the daily operations of the Seattle Police Department. Specifically, the training will focus on addressing the requirements of the Settlement Agreement relating to Voluntary Contacts and Terry Stops and the reporting of these contacts.

This Instructional Systems Design Model (ISDM) has been prepared based on the knowledge and experience gained from the development and implementation of Sergeant's Investigation of Force training, Use of Force Interim training, and the Phase I and Phase II Use of Force training. The involvement of personnel from the Education and Training Section in the Use of Force Review Board has highlighted the need for a more complete and robust training program in the area of Search and Seizure.

The Education and Training Section will develop and deliver the following training in order to implement the new Voluntary Contacts and Terry Stop policy, pursuant to the guidelines established in the Settlement Agreement.

Search and Seizure Training

Phase 1-Interim Training:

1. Chief's introduction of Voluntary Contacts and Terry Stops policy message
2. Reader Board Messaging
3. E-Learning Modules for all sworn personnel
4. E-learning Modules for all Supervisors



Phase 2-Approved Training:

1. In-person training in conjunction with Bias-Free Policing training
2. Roll Call training
3. Reader Board content addressing lessons learned from the Use of Force Review Board (UOFRB)

Phase 3-Ongoing Training:

1. E-learning modules, Training Tips, and roll call training delivered on an ongoing basis drawn from the following topics:
 - Legal updates on current case law and recent court decisions
 - Social Contact vs. Terry Stop vs. Custodial Arrest
 - Reasonable Suspicion vs. Probable Cause
 - Frisks vs. Searches
 - Interviews and Interrogations
 - First Amendment issues
 - Probable cause arrests vs. warrant arrests, and where they can be made
 - Order enforcement
 - Domestic violence arrests
 - Civil Infractions
 - Search Warrant procedures
2. In-person supervisor training addressing emerging issues and new concepts
3. Reader Board content addressing lessons learned from the Use of Force Review Board
4. Reality-Based Scenario training requiring officers to demonstrate their understanding and ability to implement key legal concepts

The Bias-Free Policing training in 2014 is designed to implement or operationalize the concepts established in the Bias-Free Policing Policy issued in early 2014 for all officers.

The planned training consists of 4 hours of in-person training covering the concepts established by policy, e-learning and reader board content for all officers. The purpose of this course is to both meet the requirement to provide on-going annual training and to facilitate the integration of recently issued policies into daily operations of the Seattle Police Department. Specifically, the training will focus on addressing the requirements of the Settlement Agreement relating to Bias- Free Policing and the reporting of complaints of biased policing.



Bias-Free Policing

Phase 1-Interim Training:

1. Chief's Video
2. Reader Board Messaging
3. E-Learning Modules for all sworn personnel
4. E-learning Modules for all Supervisors

Phase 2-Approved Training:

1. In-person training pairing the topics of Voluntary Contacts and Terry Stops
2. Reader Board Content for Officers and Sergeants

Phase3-Training (2015):

1. Bias-Free policing concepts will be integrated into scenario training along with other key concepts including de-escalation, LEED, and Crisis Intervention skills.



Training Needs Assessment

The need to stay current on case law in the area of search and seizure is of critical importance to all officers on the Department. However, for a variety of reasons, it can at times be challenging for officers, sergeants or commanders to update themselves on case law. First, the law is dynamic and frequently changes. Such changes in the law often create ambiguity as to how to practically apply or operationalize new legal concepts. Additionally, due to the dynamic nature of case law, department policy and procedure may be in conflict with changes in case law, creating additional confusion as to the correct procedures for officers to follow. Lastly, requiring officers to update themselves on criminal procedure invites the possibility of officers operating under a myriad of individualized legal interpretations. Violations of established case law erode public confidence in the police, result in declines of criminal cases, and expose officers and the Department to the risk of civil litigation.

The Seattle Police Department, like most police agencies in Washington, has relied upon the industry standard of the Law Enforcement Digest (LED), published by the Washington State Criminal Justice Training Commission, and yearly legal updates as part of training to impart the key concepts and procedural changes in case law to students. Previously, Search & Seizure training was generally linked to Use of Force training and both were presented in the classroom in a lecture format. The combined course was two to four hours long and was generally conducted on an annual basis from 2000 to 2009. In 2010, the “best practices” day was replaced with the day-long “Perspectives on Profiling” course. In 2011, the “best practices” day was held in abeyance by the Chain of Command for further evaluation of training needs. Unfortunately, no training was given before the 2011 training year ended.

Past practices throughout the State of Washington have been either to utilize prosecutors to provide the legal update training or to use a police instructor to provide the training. Often, the police instructor had to form their own opinions about emerging case law, based upon reviews of existing publications and guidebooks. In 2012, the Seattle City Attorney’s Office and the King County Prosecutor’s office were utilized to review the sufficiency of the curriculum prior to implementation. One of the identified needs not addressed by training currently available in Washington State is supervisor-specific training in the area of Search and Seizure.

Prior to 2012, we determined from our review of use of force cases that the past approach of lecture-based training had not achieved the desired results in the application of new case law to operations. We knew from past training that the legal updates had been delivered, but based on our review of cases, it was apparent that consistent and accurate implementation was not consistent at the operational level.

In 2012 a multi-pronged approach to implementing legal updates into Operations was developed. First, key concepts in Use of Force and Search and Seizure training would be delivered via e-learning or during interactive classroom training. The interactive nature of the training would require officers to apply the concepts presented in classroom table-top



exercises. Additionally, key concepts in both Use of Force and Search & Seizure would be integrated into the practical training. Therefore, in 2012, we delivered four hours of training on Use of Force Decision Making in conjunction with Firearms training, including the use of the simulator. Search & Seizure training was delivered through several e-learning modules. Key concepts from recent case law were integrated into Emergency Vehicle Operators Course, (EVOC) training, using our standard protocol of concepts, skills/drills and scenario training.

During 2013, training on Search & Seizure was delivered via e-learning modules, as well as integrated into scenario and skill training.

Completed E-learning Search & Seizure training to date includes:

- Social Contacts
- Civil Infractions
- Terry Stops, General-Module 1
- Terry Stops, Persons-Module 2
- Terry Stops, Vehicle-Module 3

These e-learning modules have been successful in changing operations in certain areas, as evidenced by lessons learned from the Use of Force Review Board or from in class discussions during Sergeants Investigation of Force or Incident Screening and Use of Force Reporting training. For example, prior to the civil infractions module, the Use of Force Review Board was periodically reviewing cases resulting from suspects resisting frisks during a civil infraction stop or from obstructing arrests stemming out of a subject wanting to leave a civil infraction stop before the Washington Crime Information Center (WACIC) check returned. The issuance of the module and the subsequent conversations it created were successful in reducing use of force from this type of incident to nearly zero, as evidenced by the reduction in the number of cases of this type coming before the UFRB. Despite the success of these modules, they have not completely operationalized key legal concepts stemming from new case law into operations.

The Department is obligated to provide training that addresses the following issues under the Settlement Agreement in relation to *Terry* stops:

Report writing, so that officers are able to specifically and clearly articulate reasonable suspicion when they conduct investigatory stops or detentions, or conduct field interviews for *Terry* stops;

In-service training on an annual basis, based on developments in applicable law and SPD policy, sufficient to address the following topics:

- a) the importance of police/community contacts for effective policing and community relations and trust;



- b) Fourth Amendment and related law; SPD policies, and requirements in the Settlement Agreement regarding investigatory stops and detentions;
- c) First Amendment and related law in the context of the rights of individuals to verbally dispute officer conduct;
- d) legal distinctions between social contacts, non-custodial interviews, and investigatory *Terry* stops;
- e) distinctions between various police contacts according to the scope and level of police intrusion; and
- f) facts, circumstances, and best practices that should be considered in initiating, conducting, terminating, or expanding an investigatory stop or detention, including when an individual is free to leave, and when an officer should identify himself or herself during a contact.

Additionally, SPD will provide officers with regular roll call training regarding social contacts, non-custodial interviews, and investigatory stops and detentions.

Many of the report writing issues were addressed by the training done in the Incident Screening and Use of Force Reporting course. That course also reinforced the importance clear articulation of the legal basis for detentions and seizures. Additional training will cover documentation of stops and detentions; including utilization of the appropriate form to collect necessary information. Further training will also be offered in regards to the “completed misdemeanors” section of the policy.

The training program outlined in this ISDM is designed to ensure that officers, sergeants, and commanders have a clear understanding of concepts related to Search & Seizure case law. The training program will emphasize an understanding of case law regarding social contacts, *Terry* stops and custodial arrests. One of the keys to the success of this program will be the integration of search and seizure training into reality-based scenario training.

As discussed above, the department has spent considerable resources in the area of Bias Free policing over the last several years, including the delivery of the following:

1. Perspectives on Profiling
2. Race: The Power of an Illusion
3. Racial Equity Tool Kit training for supervisors
4. EEOC training for Supervisors.

With the changes in policy, training in 2014 will focus on operationalizing the concepts presented in these courses.



Priorities

One of the responsibilities of the Education and Training Section is to train officers in the specific changes to policy mandated by the Settlement Agreement. Additionally, the Education and Training section is responsible for training officers on changes in criminal procedure based on evolving case law. These roles alone do not sufficiently describe the responsibility of the Section in providing in-service officer training. The true task is to operationalize the underlying philosophy of the Settlement Agreement and the policies resulting from the agreement in support of the cultural transformation of the Department. To meet these roles of training, the Education and Training Section will be creating a multi-phased approach to the Search & Seizure training in 2014 and moving forward.

Search & Seizure

Phase 1-Interim Training:

1. Chief's introduction of Voluntary Contacts and Terry Stops policy message
2. Reader Board Messaging
3. E-Learning Modules for all sworn personnel
4. E-Learning Modules for all supervisors

The first phase, Interim Training, is aimed primarily at ensuring that all sworn personnel are knowledgeable about the new Voluntary Contacts and Terry Stop policy; primarily through the use of e-learning, and Reader Board content. Within the Interim tier we will begin to transform to job level specific training. Specifically, officers and sergeants have similar knowledge level requirements, but with different goals of application. Typically, an officer needs to know how to perform the new criminal procedures resulting from new case law or policy. Sergeants need to know how to recognize issues, address them, and report them. To a lesser extent than officers, Supervisors must also perform the new criminal procedures. Commander level training needs to focus on issue identification or on do-identify performance levels in regards to search and seizure issues stemming from case law. All sworn personnel need to understand new policies as they are issued and their ramifications on existing practices.

Phase 2-Approved Training:

1. In person training paired with Bias-Free Policing
2. In person supervisor training addressing emerging issues and new concepts
3. E-learning on relevant First Amendment Case Law
4. Roll Call training
5. Reader Board content addressing lessons learned from the Use of Force Review Board

In the second phase, we will provide all sworn personnel with a comprehensive training course on Voluntary Contacts and Terry Stops. This course will be trained as part of a day of training including Bias Free Policing in an A/B format. The second phase will also include a series of two



hour in-person supervisors' training course. Also during phase 2, we will issue roll call training periodically through-out 2014 and beyond to address emerging issues and new concepts.

Phase 3-Ongoing Training

1. E-learning modules, Training Tips, and roll call training delivered on an ongoing basis drawn from the following topics:
 - Legal updates on current case law and recent court decisions
 - Social Contact vs. Terry Stop vs. Custodial Arrest
 - Reasonable Suspicion vs. Probable Cause
 - Frisks vs. Searches
 - Interviews and Interrogations
 - First Amendment issues
 - Probable cause arrests vs. warrant arrests, and where they can be made
 - Order enforcement
 - Domestic violence arrests
 - Civil Infractions
 - Search Warrant procedures
2. In-person supervisor training addressing emerging issues and new concepts
3. Reader Board content addressing lessons learned from the UFRB
4. Reality-Based Scenario training requiring officers to demonstrate their understanding of key legal concepts

In the third phase of the ongoing training, all sworn personnel will be provided with sustainment training on previously covered material, as well as training on new concepts established by evolving case law. In order to create the ongoing training, the Education and Training Section will re-institute the working group that worked together to devise the e-learning projects completed in 2012 and 2013. This work group was comprised of ETS personnel, members of the City Attorneys Office and the King County Prosecutors Office. Members of the Community Policing Committee (CPC) may also be included in the training development process.

Bias-Free Policing

Phase 1-Interim Training:

1. Chief's Video
2. Reader Board Content
3. E-Learning Module for all sworn personnel
4. E-learning Module for all Supervisors



Phase 2-Approved Training:

1. In person training paired with Voluntary Contacts and Terry Stops
2. Reader Board Content for Officers and Sergeants

Phase 3-Training (2015):

1. Bias-Free policing concepts will be integrated into scenario training along with other key concepts including de-escalation, LEED and Crisis Intervention skills.



Constraints

The training plan for 2014 is intended to provide training to all sworn personnel of the Seattle Police Department, regardless of rank. Training across all ranks ensures that all personnel understand the vision for the future of the Seattle Police Department. Uniformity of messaging speeds the buy-in of all personnel to department changes. The tenets of Procedural Justice are commonly presented as a relationship between law enforcers and the communities they serve, but the theories and relationships are every bit as relevant when applied inwardly toward the police organization and its members. The methods and teaching models utilized by the Education and Training Section are intentionally designed to encourage discussion and create understanding of policies, with the express intent of enhancing an understanding not only of the changes in policy, but also to create acceptance, adherence, and support. While exercising this paradigm, ETS personnel will also be modeling it. Since people with different positions or different organizational perspectives will participate, the Education and Training Section will adapt training; tailoring it to the responsibilities of various ranks and positions within the department.

The Education and Training Section is seeking uniform buy-in for organizational change within the department. Reinforcement of organizational change through training presents a significant impact to the operational needs of the Seattle Police Department. As discussed in the Use of Force ISDM, there are significant direct and indirect costs to providing training to every officer on the department. Use of instructors and role players from outside the Education and Training Section creates a significant cost in overtime. Budget concerns must be proactively addressed before training is commenced. In order to control costs, the proposed training is designed to be conducted with minimal use of adjunct instructors, while still allowing for the delivery of meaningful training.

Traditional training related to Search & Seizure has failed to adequately address the complicated issues involved. Specifically, class room training delivered in a traditional lecture format has failed to provide officers with adequate opportunity to apply concepts in a reality-based training environment, making it difficult to assess officers' understanding of the material or ensure proper application of the concepts.

The direct impact of training on Operations is significant. Each hour of training that a patrol officer spends in training is another hour away from regular duties. Removing a substantial number of officers from normal duty assignments to attend training has a potential impact on public safety operations. In past years, the Seattle Police Department has regularly removed up to 40-50 officers per day to attend training. This attendance represents removing approximately 5% of sworn officers per day over a given training cycle. As a raw number, removing 5% of officers to attend training is possible; however, unless carefully managed, this can have a disproportionate impact on Operations. Removing 50 officers exclusively from Patrol would have a significant effect on patrol officer staffing levels. With an average of 60% of officers working on a particular day, removal of 50 officers from Operations would represent a



reduction of between 17-20% of officers available to respond to emergency 911 calls. Seattle Police Department relief-staffing accounts for common rates of absenteeism as a consequence of illness, discretionary time-off, and a typical training demand of 32 hours of “out-of-service” training per officer per year. Traditionally, the Seattle Police Department avoids training Operations personnel during the summer months, as these months are heavily-laden with special community events and officer vacations. At present, the active and proposed training schedule combined anticipate that each officer and supervisor will be required to attend a total of 48 and 64 hours of training, respectively. This is in addition to any E-learning or other in-service training, such as BlueTeam or ICV, that personnel will be required to complete in 2014. These impacts are manageable, but only through careful management of course scheduling, attendance rates, curriculum implementation, and Operations-managed back-fill of Patrol resources. Whether this approach is advisable from the greater public-safety or financial perspectives is beyond the purview of the Education and Training Section, but it must be considered.

In order to manage these potential indirect impacts, the Education and Training Section will implement several strategies to mitigate impacts. ETS will take steps to ensure classes are scheduled in a manner to cover a wide range of days of week and times of day, while still avoiding offering training on Friday and Saturday. This will provide maximum opportunity for officers to attend training, while minimizing the impact on Operations on days with traditionally high demands for police services.

Facilities and other logistical issues are manageable, though the availability of classroom space and training areas becomes increasingly restricted as the training year progresses and additional training is added. Parking in and around Park 90-5 remains very difficult and does have an impact on the efficiency of training. To address the parking concerns, classes will be scheduled with start times that will provide more opportunity for students to find parking. Additionally, the in-person training will not begin until after the completion of Use of Force Phase 2B is completed.



Program Goals

The Education and Training Section's overall goal is to provide the officers of the Seattle Police Department with the concepts, skills, and decision-making capabilities required to operate effectively, legally, and ethically when serving their community. An essential part of attaining this goal is assisting officers with understanding how changes to policy and procedure and evolving case law impact their daily operations within the Seattle Police Department.

The Education and Training Sections specific goals for Search & Seizure are as follows:

- I. All sworn officers will be able to demonstrate an understanding of key legal concepts and apply them to scenarios relevant to their assignment and rank.
- II. All sworn officers will be able to demonstrate an understanding of the Voluntary Contacts and Terry Stop policy and apply it to scenarios relevant to their rank and assignment.
- III. All sworn personnel will be able to demonstrate they understand and can apply the new policies, including necessary reporting of an incident.
- IV. All sworn personnel will complete training on stops and detentions and Bias-free policing in the 2014-2015 time-frame

All training will be completed to the satisfaction of an Education and Training Section subject matter expert.

Officers must meet the performance criteria defined by the Seattle Police Department and implemented by the Education and Training Section. Officers attending training will be evaluated for acceptable performance. Failure to meet the training standard will result in remediation. Officers will receive immediate additional instruction and opportunity to successfully complete the training. Failure to meet the required level of performance, after remediation, will result in an officer's referral to the Education and Training Section for additional training. Continued failure to meet the minimum standard will result in referral of the officer to the chain of command for review.



Learner Characteristics

The students participating in training in 2014 are required by policy to attend. It is intended that the Education and Training Section will train all of the approximately 1,300 sworn officers on the department, including all service ranks and classifications. The learner characteristics of the students in this course are based upon their individual background, education, training, and experience. All of these variables result in a diverse student population.

Most of the officers attending will have participated in prior versions of Street Skills to some degree, are familiar with the training process and have a basic understanding of tactics, policy, and procedures. The students are adult learners and will seek training that relates to their perceived needs, that is timely and appropriate, and that is beneficial to them.

The 2014 training plan represents a strong affirmative step toward the cultural transformation of the entire organization. Training materials and topics are designed to encourage buy-in by all officers to new procedures and create acceptance of new transformative policies. The Seattle Police Department is an agency with a long history. As a consequence, like many large organizations it is not always readily adaptable to sudden changes in operational direction. In order to overcome this inertia, it is important that the messaging of change to the department impacts everyone equally, regardless of rank. Training is one of the very few means of impacting all personnel in a short period of time and doing so with a consistent message.

Concepts, skills/drills and practical application of training will be adjusted by rank as follows:

Student Officer	Training will focus on concepts, skills/drills and scenario training with an eye toward functional application of tactics, policies and procedures necessary to become a functional Seattle Patrol Officer. These students are typically highly motivated and easier to teach from the standpoint of achieving buy-in from why we are doing something.

The motivation level for in-service students represents a broad spectrum. Considerable effort will be spent during the design phase of training building relevant, realistic and functional training in order to increase acceptance for the need to change from past practices. Additionally each course will spend considerable time during the introduction phase to develop trust and acceptance of the need for the training. The consistent message to all learners regardless of rank or job classification will be that they are respected as professionals. Training will be presented as an opportunity to develop and improve in all facets, while also learning and adapting to cultural changes occurring within the organization. While all students participating in training will be absorbing the lessons of the published curriculum, they will just as certainly be observing and practicing the integrated application of the LEED model and good police officer and leadership practices.



Officer/Detective	Training will focus on concepts, skills/drills and scenario training with an eye toward functional application of tactics, policies and procedures. Experiential training, dialogues, and de-briefs will be emphasized to build understanding, trust, and commitment.
Sergeant	Supervisors must understand the concepts, skills and tactics used by their officers in the field. It is also essential that they recognize conduct that is consistent with best practices. If performance is not consistent with training then a sergeant must understand how and what must be remediated. Sergeants will receive functional training in skills related to their duties and responsibilities, including the crucial aspect of recognizing and correcting problems.
Lieutenant	It is essential that command officers understand officer and sergeant skills and tactics. They must also be able to recognize their role and operate as an incident commander. Lieutenants will receive both functional training in skills related to their specific duties and responsibilities, including that related to oversight and the identification and correction of problems that were not, or could not , be handled by the sergeant.
Captains/Chief	It is essential that command officers understand officer, sergeant and lieutenants skills and tactics. They must also be able to recognize their role and operate as an incident commander or event commander. They will receive functional training in skills related to their duties and responsibilities and have the opportunity to apply the trained skills as appropriate for their level of command. Additionally, Chiefs and Captains will receive training on how to identify and correct problems that were not, or could not, be addressed by their subordinates.

Task Lists

Task lists were prepared separately for each of the training blocks. These are incorporated within the included lesson plans. Each program's training block is unique and requires separate task lists.

The Program's Training Method

Historical Perspective:

The format, content and priorities of officer training within the Seattle Police Department have evolved significantly over the last twenty-five years. In the late 1980's and early 1990's, officer



training was intermittent, inconsistent and often reactive. With rare exception, there was no ongoing or refresher training. Most instruction was specifically skill-oriented, such as state-required Blood Alcohol Content (B.A.C.) refresher training or O.C. certification training. During this time, very few resources were dedicated to training and most of the training staff was assigned to operate the Seattle Police Department range.

In 1999, the Columbine High School mass shooting event identified a need for advanced tactical training for officers. As a result, the Seattle Police Department dedicated significant resources to provide active shooter training for all officers. Active shooter training was the first time the department provided uniform tactical training across the entire organization. The complexity of the training and the need for ongoing refresher training called into question the prior approach used to develop officer skills. Lack of consistent training resulted in a request by the Seattle Police Department Guild to provide ongoing annual officer training. The Guild and City contractually agreed to provide 32 hours of annual training. This contractual agreement transformed the department's approach to maintaining and developing officer skills. The Advanced Training Unit (Education and Training Section) was formed, and officers were assigned to it on a permanent basis. Consistent with the Seattle Police Officers Guild Contract, the State of Washington also requires a minimum number of hours be dedicated for officer in service training as stated in the Washington Administrative Code, 139-05-300. (24 hours per year)

Core Training:

The 32 hours of annual officer training was broken into four eight-hour sessions. During the early years, officers would attend four consecutive days of instruction. Later, officers had an opportunity to schedule training sessions throughout the year, provided they completed the required courses.

Working from the contractual agreement, the Advanced Training Unit (Education and Training Section) identified the following primary blocks of instruction:

- Best Practices, including legal update training
- Emergency Vehicle Operation
- Defensive Tactics
- Tactics
- Firearms
- High Risk Vehicle Stops/Vehicle Tactics
- First Aid
- Less-Lethal Devices



The primary areas of instruction have been adjusted over the years, with certain areas receiving additional emphasis during a particular training cycle. Although emphasis on particular categories has changed, the above areas remain identified as our core training concepts.

Identification of Training Priorities

Selection and identification of training topics within our core concepts is guided by the prioritization of required skills to operate effectively as a police officer. With limited training time and finite resources, the Seattle Police Department must critically evaluate training to ensure it provides the greatest impact across the broadest spectrum of situations. Department priorities are life-safety for citizens and officers, stabilization of incidents, and ensuring public trust in the police. The implementation of these priorities by the Education and Training Section has been heavily impacted by the risk analysis prioritization of training put forward by Gordon Graham, of Graham Research Consultants, as detailed in the following breakdown of job tasks:

High Risk Low Frequency	High Risk High Frequency
Low Risk Low Frequency	Low Risk High Frequency

High-risk, high-frequency events require priority training attention, are a core training mission of law enforcement and should be simulated for effective police training. High-risk, low-frequency events also require priority attention as they constitute the next most significant training area. High-risk, low-frequency events should be simulated for effective training as they are also the events most prone to costly errors. The third tier of training priorities is low-risk, high-frequency events. These are routine actions that officers spend the most time on during work and during which potential risks can be overlooked. Because this area of skills is the most often encountered it can lead to complacency. Low-risk, low-frequency tasks are the lowest training priority, often having little or no time dedicated to them in skills training. The prioritization of training topics requires constant analysis of demonstrated performance to identify gaps in trained responses to events.

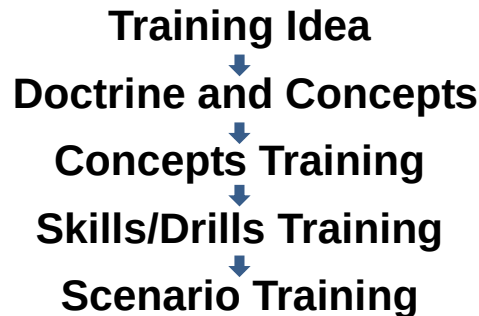
Training Development

The Seattle Police Department Education and Training Section model for realistic training is to develop a training idea, identify how it integrates into official Departmental Policies and



Procedures, instruct on the overriding concepts of the training, train the required skills and conclude with an integrated scenario.

Training development can be viewed as the following progression:



A training idea can originate from recent events, be derived from critical analysis of current practices, result from the evolution of procedures, be created from feedback of skilled instructors or come from a specific request of the chain of command or other interested parties. The training idea also can come from review of Seattle Police Department reported events or review of completed training by way of data point collection. Use of force reporting, injury reports, vehicle pursuit reports and collision reports are examples of data that can indicate the effectiveness of training or opportunities for additional training.

The “Training Idea” is a global view of a problem, which must be translated into a workable doctrine and concepts. The “Training Idea” is developed into specific curriculum and training necessary to employ core doctrines and concepts. Prior to initiating hands on or “practical” instruction, officers must become familiar with the concepts supporting particular skills or tasks. Once identified, the “Concept” is broken down into workable training components.

With the components of the training “Concept” noted, the Education and Training Section begins the process of identifying the skills required to accomplish the trained task. These “focused skills” are then “chunked” into workable, inter-related skills training blocks. Each block builds on the other to train all the desired skills needed to perform a training “Concept”. New skills and reinforcement of existing skills are drilled in a structured, repetitive manner to build familiarity and understanding of the desired results. Finally, scenario training is used to reinforce, in a realistic construct, how the trained skills are employed.

Conceptual Training Model

The Education and Training Section of the Seattle Police Department trains officers to solve problems. Training problem-solving is most effective when students are engaged in addressing real-world issues. Training is further facilitated when existing there is existing knowledge which serves as a foundation for new concepts. It is important for a learner to attach significance to



the training, have the training build on previously trained skills, have the student apply the training, and integrate the training into reality.

Additionally, officers are also asked to solve two types of problems. In the field, officers are faced with analytical problems and time-pressured decision-making problems. Analytical problem solving is generally done in static or controlled environments. Officers have the time to identify the issue, collect information, decide the cause, identify possible solutions, select the best solution, and then implement their solution.

As time pressure increases, the officer, depending on their experience and training, will begin to transition from analytical problem solving to time-pressured decision making. The current standards for reviewing use of force decisions give officers an allowance for the fact that officers are compelled to make decisions about the amount of force that is appropriate in situations that are tense, uncertain and rapidly evolving. In other words, the current standards allow for the fact that officers will make time-pressured decisions. In situations that are often described as "tense, uncertain and rapidly evolving", an officer may be presented with ambiguous or incomplete information in a dynamic and constantly changing environment with unclear or changing goals. Under these difficult conditions, an officer is expected to make a timely and reasonable decision. The more these factors increase, the less analytical the approach is to solving the perceived problem. The key to making a decision in these situations is the ability of the officer to recognize the situation or need for force.

During time-pressured decisions, officers use mental models or schema to analyze the problem, find the solution and make a choice that resolves the perceived problem in the time allowed. The officers build mental models or "*schema*" through experience and training. Schema helps officers recognize and solve the problem. Use of mental models or "*schema*" allows officers to process perceived information very quickly, facilitating time-pressured decision making. Stated another way, mental models or schemas allow an officer to address a problem in the time available during a tense, uncertain and rapidly evolving event.

Police trainers use concepts including "threat assessment training", skills training and scenarios to develop appropriate schema to assist officers in recognizing the need for force and the appropriate force response. One key concept in law enforcement training has been to use models or continuums to assist officers in correlating suspect actions and officer reactions. However, as discussed above, a key component of building schema is experience. Therefore, it is unrealistic to believe that a novice or average officer will make the same decisions about what is appropriate as effectively and predictably as a highly trained and very experienced officer would make.

It is essential that training curriculum and methodology assist officers in developing working models that support both analytical and time pressured decision making. Traditional training methods supported primarily the analytical decision-making model; for example, best practices



classes reviewed updates to law and policy as an academic exercise. Carryover to actual operations in a time-pressured environment is limited with this type of training due to the lack of schema or model development. Our current training model focuses on the development of the mental models or schema necessary to make time-pressured decisions that are consistent with the concepts established in policy. The training is carefully designed using an analytical approach in picking the concepts and skills necessary to implement the policies. The resulting schema developed in the training imprints “pictures” of when and how trained skills are applied. Realistic training provides the context for using trained skills. It is important to paint multiple pictures of an event to ensure an officer can assess the proper context for a skill across the broadest spectrum of potential events. For example, training should teach not only the application of force, but also the related concept of de-escalation of force. The officer is then be left with the mental model of when and when not to use a trained skill.



Training Methodology

The Seattle Police Department Education and Training Section trains officers using the following methods:

1. Online e-Learning and Reader Board
2. In-person classroom facilitation
3. Hands-on Skill/Drill Training
4. Reality-Based Scenario Training

Online e-Learning is largely used to train concepts and to form the foundation for building the correct schema for use in a time pressured environment. It is often used as a pre-load to planned training, beginning the indoctrination of students in the concepts supporting the curriculum. It is relatively short in duration and is intended to be conducted on duty with a minimum of impact on patrol operations. The effectiveness of online e-Learning can be measured; however, student interactivity is limited. Reader Board content is an even shorter presentation of the key concepts and their application to real world events and is done primarily to reinforce schema built during in-person or online training.

In-person classroom instruction can be productive and efficient. It is cost-effective when compared to other forms of training, due to the low instructor-to-student ratio. However, classroom instruction is also one of the most difficult methods with which to effectively train officers. Lecturing without interactivity is training of limited value. The Education and Training Section operates under the tenet that it is essential to make the material relevant to the student and to use a facilitation method of instruction that strongly encourages student engagement. Classroom training is designed to present concepts in a way that students can apply to a real event. For example, the instructor may present a scenario using video and ask the students to identify how the training would apply to the problem. These "Do-ID" exercises are interactive discussions directing students to identify a potential problem and then asking them how the previously trained concepts would apply to resolve that problem. The Education and Training Section has developed a general model for classroom instruction of concepts; 10-20 minutes is used for presenting concepts and related material, 20-40 minutes is used for a practical application of the concepts, such as a "Do-ID" exercise. The final portion is an experiential de-brief of the concepts and related exercises.

Skill and drill training uses the "tell, show, do" method of instruction to teach new skills and reinforce trained skills. The instructor explains a skill, demonstrates how to perform the skill and then has the student do the skill. Skill training is structured and done in a repetitive manner to build muscle and cognitive memory. The long-term goal is for these skills to become automatic, thus lessening the mental processing needed to employ a technique when making time-pressured decisions. Under the "Cognitive Load Theory", people have limits regarding what they can process at one time. Skills learned to automaticity lessen the impact on mental processing and speed time-pressured decision making.



Scenario training is the final step in the Education and Training Section's instructional process. Reality-based scenarios built from training concepts and shaped by skill instruction provide the mental "picture" for when certain skills should be used. Scenarios significantly improve the impact of training by providing a realistic context for the application of the skills by an officer. This form of training also gives officers an opportunity to demonstrate the skills and for instructors to evaluate/coach as necessary to ensure the desired application of the skill.

The use of reality-based scenarios integrates the training into the student's real-world view of how to solve a particular problem. It is essential that students walk away with the correct "picture" of when to use the proper technique. To ensure an officer has the correct picture, the Reflective Reinforcement method is used during scenario training. The students are briefed on relevant information and then put in to the scenario. The students then apply the trained concepts, in order to successfully resolve the scenario. If the instructor notes a deviation from the desired performance, the instructor "pauses" the scenario and redirects the student to the correct application of trained skills. The instructor ensures that each student finishes a scenario by performing the desired tasks through the correct application of the skills. Once the scenario is concluded, a narrative de-brief of the scenario is conducted. The student narrates the actions they took and the decisions they made from the start of the scenario to the finish. This gives students the benefit of an additional mental repetition of the training, which is highly effective at reinforcing the trained concepts.

Once a narrative de-brief is concluded an Education and Training Section subject matter expert will initiate a Q&A session covering Key Knowledge-Based Points for the training. Key Knowledge-Based Points are designed to ensure understanding of applicable law, policy, procedure, and highlight fair and equitable community interaction. An example of Key Knowledge Based Points might ask officers the following:

- 1) Did you have legal authority to be where the contact took place?
- 2) Did you have a lawful purpose for the contact?
- 3) Was the person free to leave or to refuse your requests? Were they seized?
- 4) Did the person understand the level of contact?
- 5) What is your reporting requirement, if any, under policy?
- 6) How should the incident be documented?
- 7) How would you conclude your contact with the subject?
- 8) Would your decision be uniformly applied in all communities?

Using the described Education and Training Section method of instruction a student learns how and when to apply a skill. The Key Knowledge Based Points build on these by compelling officers to clearly fit the trained skill into the appropriate policy and procedure and further understand how the skill comports with equitable and fair police practices.



Staffing Model

The Education and Training Section designs courses to effectively meet training objectives through safe, efficient and successful instructional methods. Historically, instructor-facilitated classroom training has between 25-40 students attending per session. The Education and Training Section staffs classroom courses with one lead instructor and an assistant instructor to share the instructional workload. In most circumstances, there are no safety concerns associated with the training as it is largely conceptual in nature.

All instructors used in Street Skills must attend a 40-hour Tactics Instructor Course and receive annual recertification training in preparation for new training cycle. In addition, trainers may complete other specialty courses such as Firearms Instructor, Defensive Tactics, Emergency Vehicle Operations, or Instructor Development. Instructors in the Education and Training section have often taken part in several hundred hours of instructor training, recertification training and an apprenticeship prior to leading a training section.



Lesson Plans

The lesson plans included in this training document are structured in the same general format. Each lesson plan has a title page followed by logistical information outlining the general training information and logistics necessary to conduct the training. Following the logistics information, the lesson plan proper begins with the performance objectives. The performance objectives outline what the student needs to be able to accomplish by the end of that training plan. When appropriate, Performance Objectives are supplemented with Enabling Learning Objectives within the individual task itself to provide greater detail regarding what tasks need to be performed to demonstrate total competence. The overview outlines how the students will achieve the performance objectives. Each lesson plan has an interest introduction designed to "hook" the students and an introduction of the material covered in the training. Following the material introduction will be the Tell, Show, Do material for individual skills or material for classroom training. Skill training concludes with dynamic drills or scenarios. At the end of each lesson plan is a review and summary section. The construction of a typical lesson plan is the following:

1. Title page
2. Logistical information
3. Performance objectives
4. Overview
5. Interest introduction
6. Material introduction
7. Tell, Show, Do
8. Dynamic Drills or Scenarios
9. Review and Summary or Debrief



2014 Search and Seizure Training



Voluntary Contacts and Terry Stops

Prepared: Ofc. R. Evans and Ofc. M. Russey

Reviewed: Sgt. T. Ovens



Training summary:

This 4-hour training module consists of a review of Seattle Police Manual Section 6.220—Voluntary Contacts and Terry Stops. The training will emphasize key concepts, to include the following: Voluntary Contacts, Reasonable Suspicion, Probable Cause, Terry Stops, and Screening and Reporting. Exercises will reinforce the key concepts in each of these areas, and focus on identifying potential problems with Terry Stops in light of the key concepts.

Daily Training schedule:

Session One:

- 0630-0700** Instructors on site to set up and prepare for class
- 0700-0715** Introduction and Overview:
- Introduction of instructors and officers
 - Course objectives
 - Interest introduction and Material introduction
- 0715-0800** Review of key concepts of Voluntary Contacts
- Instructor-facilitated review, covering key concepts:
 - Voluntary Contacts
 - Social Contacts and Non-Custodial Interviews
 - Integrated exercises
 - Instructor-facilitated review of reality-based scenarios
- 0800-0845** Review of key concepts of Reasonable Suspicion and Probable cause
- Instructor-facilitated review , covering key concepts:
 - Reasonable Suspicion and Probable Cause
 - Integrated exercises
 - Instructor-facilitated review of reality-based scenarios
- 0845-1045** Review of key concepts of Terry Stops
- Instructor-facilitated review, covering key concepts:
 - Terry for felony crimes
 - Terry for crimes in progress
 - Terry for certain misdemeanors
 - Terry for completed misdemeanors
 - Frisks and Consent Searches
 - Miranda warnings
 - Reporting Requirements
 - Integrated exercises
 - Instructor-facilitated review of reality-based scenarios
- 1045-1100** Class debrief



Session Two:

- 1130-1200** Instructors on site to set up and prepare for class
- 1200-1215** Introduction and Overview:
- Introduction of instructors and officers
 - Course objectives
 - Interest introduction and Material introduction
- 1215-1300** Review of key concepts of Voluntary Contacts
- Instructor-facilitated review, covering key concepts:
 - Voluntary Contacts
 - Social Contacts and Non-Custodial Interviews
 - Integrated exercises
 - Instructor-facilitated review of reality-based scenarios
- 1300-1345** Review of key concepts of Reasonable Suspicion and Probable cause
- Instructor-facilitated review , covering key concepts:
 - Reasonable Suspicion and Probable Cause
 - Integrated exercises
 - Instructor-facilitated review of reality-based scenarios
- 1345-1545** Review of key concepts of Terry Stops
- Instructor-facilitated review, covering key concepts:
 - Terry for felony crimes
 - Terry for crimes in progress
 - Terry for certain misdemeanors
 - Terry for completed misdemeanors
 - Frisks and Consent Searches
 - Miranda warnings
 - Reporting Requirements
 - Integrated exercises
 - Instructor-facilitated review of reality-based scenarios
- 1545-1600** Class debrief

Training plan:

Training will be delivered Monday, Tuesday, and Thursday, and every other Sunday and Thursday night; commencing after the training is approved. The intended audience is all sworn officers. This class will be a four-hour block of instruction, as part of a 9-hour overall training session. The 9-hour training session will consist of an A/B format, with a class of forty (40) students split into two groups of twenty (20) students. Group A will attend four (4) hours of Stops and Detentions, while Group B attends Bias-free Policing.



After students complete either Stops and Detentions or Bias Free Policing, they will switch sessions, to complete the other half of the training. Group A and Group B will switch at the lunch break. Each full A/B session will accommodate two (2) groups of twenty (20) students. With the addition of a Sunday daytime session or a Thursday nighttime session once per week, 200 officers will complete this training each week. This will allow 1300 officers to complete the training within an eight (8) week training cycle, with an allowance for 23% above the minimum required number of training slots.

Logistical Information:

Site: Park 90/5, Classroom #4

Staffing Requirements: Instructors: 2 (1 ETS lead instructor, 1 adjunct instructor)

Training Equipment: Computer and projector with a screen

Teaching Methodology:

Students will achieve the learning objectives or performance objectives through interactive presentation, in-class work and facilitated discussions.

Performance Objectives:

All officers, given a class room scenario and under the evaluation of an Education & Training Section staff instructor, will correctly:

1. Identify a valid voluntary contact;
2. Identify legally sufficient reasonable suspicion or probable cause;
3. Identify situations which permit a Terry Stop, for both in-progress and completed crimes;
4. Identify the steps for screening and reporting seizures and complete the necessary report.
5. Identify when a consent search is allowed
6. Identify when Miranda warnings should be given



Overview:

In order to complete the learning objectives, officers will receive four hours of in-person classroom instruction. The instruction will consist of facilitated lecture and application of the instructed material in practical analytical scenario exercises.

Officers will receive instruction on the following topics:

Instructor-facilitated review of Seattle Police Manual Section 6.010—Reporting Arrests and Detentions and Section 6.220—Voluntary Contacts and Terry Stops, to include:

1. Voluntary contacts- Social Contacts and Non-Custodial Interviews
2. Reasonable Suspicion and Probable Cause
3. Terry Stops- Felony crimes, in-progress crimes, completed misdemeanors
4. Screening and reporting seizures- Arrests, Investigation and Release (I&R), and Terry Stops
5. Frisks and Consent Searches
6. Miranda warnings



Interest Introduction:

- It is important that officers understand that members of the community have a right to be free from unreasonable searches and seizures.
- It is important that officers know when they have a legal right to seize a person.
- It is equally important that officers are able to clearly explain the legal basis for a seizure.
- Officers frequently have to make decisions whether or not to stop a subject in a time-pressured environment, where they must act quickly based on limited information. It is important that officers understand what information they need in order to seize a person.
- It is of critical importance that officers know and avoid conduct that the courts have identified as inadvertently converting an otherwise permissible Voluntary Contact into an impermissible seizure.

Material Introduction:

This class is intended to familiarize officers with the Voluntary Contacts and Terry Stops concepts outlined in Seattle Police Manual sections 6.010—Reporting Arrests and Detentions and 6.220—Voluntary Contacts and Terry Stops.

This is intended to be an interactive course; with instructors facilitating in-depth discussion and analysis of the key concepts and their application to practical analytical written and video exercises involving Voluntary Contacts, Reasonable Suspicion and Probable Cause, Terry Stops, and Screening and Reporting Seizures- Terry Stops, I&R's, and Arrests.

Officers are expected to use their own experience and knowledge to enhance the learning of other course participants.



Concept Introduction Exercise: Voluntary Contacts #1 (Social Contact)



Questions for the Class:

- What level of contact is this?
- What would make this a voluntary contact?
- What kinds of officer conduct would make this a seizure?
- During this contact could the officer ask questions about criminal activity?

Instructor Notes:

- **What level of contact is this?**
 - Without additional facts we are not certain what level of contact this is.
 - It appears that the subject is drinking coffee and this is a social contact.
 - The officer appears to be alone and engaged in casual conversation
- **What would make this a voluntary contact under our policy?**
 - The contact is voluntary
 - The contact is consensual
 - The officer making sure that the subject feels free to leave.
 - The subject is free to refuse any requests by the officer or to answer any questions from the officer



- **What kinds of officer conduct would make this a seizure?**
 - The officer ordering the subject to answer questions.
 - The officer performing a pat down search.
 - The officer removing any of the subject's property from their person or exerting control over it.
 - The officer asking to pat the subject down for weapons.
 - Anything that would tend to communicate that the subject is not free to leave.
 - For this to remain a voluntary contact the subject must be free to refuse any requests by the officer or to answer any questions from the officer.



CONCEPT INTRODUCTION EXERCISE: VOLUNTARY CONTACTS #2







Questions for the Class:

- What level of contact is this?
- What would make this a voluntary contact under our policy?
- What kinds of officer conduct would make this a seizure?
- During this contact could the officer ask questions about criminal activity?

Instructor Notes:

- **What level of contact is this?**
 - It is not clear; based solely on the pictures.
 - The officer appears to be beckoning to the man he is contacting.
 - The officer appears to be checking the man's name on a handheld device.
- **What would make this a voluntary contact under Seattle Police Department policy?**
 - If the contact is voluntary and is consensual
 - A reasonable person would feel free to leave
 - A reasonable person would feel free to refuse to answer the officer's questions requests or respond to his/her requests.
 - If the officer advises the person that they are free to go and/or not to answer questions. **(This is not required)**



- **What kinds of officer conduct would make this a seizure?**
 - The officer waving the man over to him may constitute a seizure
 - The officer's non-verbal communication may also be relevant.
 - The fact the officer is not smiling and appears to be summoning the man over to him may convert this to a seizure.
 - Requesting the man's identification to run his name may make this a seizure
 - This will depend heavily on the officer's tone of voice and phrasing when requesting identification from the man
 - Removing or exerting control over the man's identification or any of his other possessions
 - The presence of multiple officers may make this a seizure
 - This will depend heavily on the positions and actions of the other officers at the scene in relation to the man
 - Asking to pat the man for weapons would make this a seizure
- **During this contact could the officer ask questions about criminal activity?**
 - Yes, officers may ask questions related to criminal activity
 - **HOWEVER**, the officer's tone and phrasing will be considered; as to whether or not the subject felt he was free to leave or to not answer any questions
 - Do not advise of Miranda at this level of contact, as that advisement could cause a reasonable person to feel that they have been seized by the police and are not free to leave

Instructor Review Notes for Scenario Debrief

- Advising the person they are free to leave is not required, but should be done if the person questions the stop or expresses confusion regarding the stop. Making a clear statement regarding the status of the stop protects the officer against allegations of an illegal seizure by the subject of the contact.
- Make sure your actions match your words if you are telling someone they are free to leave or free to refuse to answer any of your questions.
- Utilizing the principles of LEED can allow officers to establish a rapport and gain useful information



VOLUNTARY CONTACTS
OPERATIONAL CONCEPTS:

<u>What the policy says:</u>	<u>How to do it:</u>
- Not a seizure -Must be voluntary and consensual -The subject is free to leave -The subject is free to decline any of the officer's requests at any point -Social Contact: Casual, non-investigative conversation -Non-custodial interview: Voluntary and consensual investigatory interview	-Ask permission to speak with them -Don't demand answers to your questions -Don't do anything to restrict the person's movement -Avoid any actions or statements that appear to restrict freedom to leave and/or not speak with you -If the person asks if they are free to go, and they are, tell them they are free to go -No Miranda advisement should be given; the person is not in custody and advisement will likely convert this to a seizure

Seattle Police Manual 6.220—Voluntary Contacts and Terry Stops

6.220 (2) Officers Must Distinguish Between Voluntary Contacts and Terry Stops

Voluntary contacts are not seizures. During voluntary contacts, officers must not use any words, actions, demeanor, or other show of authority that would tend to communicate that a person is not free to go.

a. Voluntary Contacts Defined

There are two categories of voluntary contacts:

Social Contact: A voluntary, consensual encounter between the police and a subject with the intent of engaging in casual and/or non-investigative conversation. The subject is free to leave and/or decline any of the officer's requests at any point; **it is not a seizure.**

Non-Custodial Interview: A voluntary and consensual investigatory interview that an officer conducts with a subject during which the subject is free to leave and/or decline any of the officer's requests at any point. **It is not a seizure.**



Experiential Debrief

Observations:

1. What did you observe during these two exercises?
2. Were they different? How so?
3. What are some of the considerations that we were trying to look at?
4. Are these types of contacts practical or useful to you as an officer

Generalizations:

1. Why are these types of contacts important?
2. Does the new policy fit with our past experiences or practices in regards to voluntary contacts?
3. Have you ever had a voluntary contact "go bad?" Why?
4. Do you anticipate the new policy making more voluntary contacts "go bad?"
5. Can the new policy help officers better understand their responsibilities during contacts with the public?
6. Do you have any suggestions that could improve the training?

Applications:

1. Does the new policy regarding voluntary contacts mean you have to change any of your practices?
2. Are you going to do anything differently because of the new policy regarding voluntary contacts?
3. What?

Confirming:

1. Are there ways that the new policy could be clarified?



Concept Introduction Exercise: Reasonable Suspicion

- Show “Straight and Narrow” video clip, (part 1)

Video Overview:

- An officer contacts a man walking down the street.
- The officer says he has been walking down the street, looking “a little suspicious”.
- He keeps looking back at the patrol car after it drove past him.
- There have been “a lot of burglaries and stuff in the area....drugs and that”.
- The officer stops his car right behind the man and gets out. The man slows down, looks over his shoulder at the officer, and then starts quickly walking away.
- The officer says “Come here, my man” and asks “You got I.D. on you?”

Questions for the Class:

- What level of contact is this?
- What conduct by the officer makes this contact a seizure?
- Is this a lawful seizure?
- What further information would the officer need to support a seizure?
- How could the officer contact this subject, without converting the contact to a seizure?
- What if the male does not want to talk to the officer?
- What if the male decides to walk away?

Instructor Notes:

- **What level of contact is this?**
 - This is a seizure



- **What conduct by the officer makes this stop a seizure?**
 - The officer pulls right behind the man and stops his car in the street.
 - The officer says “Come here my man.” This is a command, not a request.
 - The officer then asks “You got I.D. on you?”
 - The officer uses a commanding tone of voice.
 - A reasonable person would feel that they are not free to go
- **Is this a lawful seizure?**
 - NO, not as shown; although it is possible that the officer may have more information than is shown in the video.
 - The facts that the man is walking down the street, “looking a little suspicious”, in a high crime area and looking back at the patrol car following him do not, in and of themselves, amount to reasonable suspicion for a specific crime.
 - On the basis of the facts known here, the circumstances amount to nothing more than a Voluntary Contact / Non-Custodial Interview
 - This could change with further specific information linking the man to a crime
- **What further information would the officer need to support a seizure?**
 - Observed behaviors by the man that would link him to specific criminal activity
 - Information linking the man to a specific crime in the area
- **How could the officer contact this subject without converting the contact to a seizure?**
 - Officers should not avoid contact, even though a person is free to leave or decline requests, as such contacts can still be productive for officers.
 - Officers could still make a Social Contact or Non-Custodial interview
 - Ask permission to speak with the subject i.e. “May I speak to you for a moment?”
 - Avoid doing anything that would make the subject believe that he is not free to go.
- **What behavior by the officer could convert this to a seizure?**
 - Demanding identification
 - Demanding that the man take his hands out of his pockets
 - Requesting to pat the man down or patting him down
 - Commanding tone of voice
 - Multiple officers on scene
 - Positioning of contact officer or cover officers
 - Impeding the man’s movement
- **What if the man does not want to talk to the officer?**
 - The man is free to refuse to talk to the officer.
 - The officer’s use of strategic or tactical communication techniques may allow the officer to obtain more information from the subject in this situation.
- **What if the man decides to walk away?**
 - The man is free to walk away.
 - There are insufficient facts and circumstances to suspect the man of specific criminal activity that has occurred, is occurring, or is about to occur.



Instructor Review Notes for Scenario Debrief

- Officers should not avoid contacts just because there is no reasonable suspicion to support a Terry Stop.
- This may have been a good contact for the officer to make in order to determine what the man was doing, but the officer failed to recognize that there was insufficient information to support a Terry Stop.
- The officer may still have been able to gain useful information from the suspect through a voluntary contact.
- This is an example of a time when the effective utilization of LEED could allow the officer to elicit useful information. Even in the initial conversation, the man appeared to be lying about his address and what he was doing and he told the officer he was on bond for armed robbery. It is likely the officer might have gained further useful information from the man through further conversation. The officer may have been able to develop reasonable suspicion to support a detention and further investigation.

REASONABLE SUSPICION
OPERATIONAL CONCEPTS:

What policy says:

- You must have specific, objective, articulable facts
- Rational inferences
- Suspicion that criminal conduct has occurred, is occurring, or is about to occur
- Well-founded suspicion
- Substantial possibility

How to do it:

- Be able to articulate specific facts and circumstances that you observed or had knowledge of
- Base conclusions on facts, circumstances, and reasoning
- Explain how specific actions were related to specific criminal conduct. (i.e. Burglary, Theft, Property Damage, etc.)



Seattle Police Manual 6.220—Voluntary Contacts and Terry Stops

6.220(2)-Officers Must Distinguish Between Voluntary Contacts and *Terry* Stops

b. *Terry* Stops Defined

- *Terry Stop*: A brief, minimally intrusive seizure of a subject based upon articulable reasonable suspicion in order to investigate possible criminal activity. The stop can apply to people as well as to vehicles. The subject of a *Terry* stop is not free to leave. A *Terry* stop is a seizure under both the State and Federal constitutions.
- *Reasonable Suspicion*: Specific, objective, articulable facts, which, taken together with rational inferences, would create a well-founded suspicion that there is a substantial possibility that a subject has engaged, is engaging or is about to engage in criminal conduct.
- The reasonableness of the *Terry* stop is considered in view of the totality of the circumstances, the officer's training and experience, and what the officer knew before the stop. Information learned during a stop can lead to additional reasonable suspicion or probable cause that a crime has occurred, but cannot provide the justification for the original stop.



Concept Introduction Exercise: Terry Stops



Overview:

You are on patrol when you see this man hanging from a security gate.

Questions for the Class:

- Can officers stop this man? Why or why not?
- Is this a Terry Stop or an arrest?

Instructor Notes:

- **Can officers stop this man? Why or why not?**
 - Yes
 - Would a reasonable police officer believe that this may be a crime in progress?
- **Is this a Terry Stop or an arrest?**
 - This is a Terry Stop.



- The officers have reasonable suspicion that a crime is about to occur, is occurring, or has occurred.
 - It is not normal behavior for a person to climb over a security gate.
 - The gate is there to prevent entry of unauthorized persons.
 - It is reasonable to assume that the person climbing over the gate must not be authorized to be in that area.
 - At the very least, officers could reasonably believe that the crime of trespass or burglary is in progress.
- The officers have not developed Probable Cause for a specific crime. They must investigate further to determine if a crime is occurring, or if there is a lawful reason for the suspect's behavior. (i.e. he is locked out of his own apartment)

Instructor Review Notes for Scenario Debrief

- Though experienced officers often quickly recognize suspicious activity, they should consider specific elements that support reasonable suspicion prior to making contact, if time allows.

TERRY STOPS
OPERATIONAL CONCEPTS:

What policy says:	How to do it:
- Terry Stops are seizures -Requires Reasonable Suspicion that a crime has occurred, is occurring or is about to occur -Brief and minimally intrusive -Totality of the circumstances and Officer's training and experience are considered -Subjects cannot be arrested solely for refusing to identify themselves or answer questions -Officers will provide their name, rank, dept. affiliation and reason for the stop; and notify of recording if appropriate	-Be able to articulate specific facts and circumstances related to a crime the subject is involved in -Detain the subject no longer than necessary to confirm or dispel your suspicions of criminal activity -Identify self and notify of recording -Explain reason for stop at initiation and conclusion of contact



Seattle Police Manual 6.220—Voluntary Contacts and Terry Stops

1. Terry Stops are Seizures and Must Be Based on Reasonable Suspicion in Order to be Lawful

A *Terry* stop must be based on [reasonable suspicion](#) and documented using specific articulable facts as described in this policy.

This policy prohibits *Terry* stops when an officer lacks reasonable suspicion that a subject has been, is, or is about to be engaged in the commission of a crime.

Searches and seizures by officers are lawful to the extent they meet the requirements of the [4th Amendment](#) and [Washington Constitution Art. 1, Section 7](#).

A *Terry* stop is a seizure for investigative purposes. A seizure occurs any time an officer, by means of physical force or show of authority, has in some way restrained the liberty of a citizen. A seizure may also occur if an officer uses words, actions, or demeanor that would make a reasonable person believe that he or she is not free to go.

2. b. Terry Stops Defined

- *Terry Stop*: A brief, minimally intrusive seizure of a subject based upon articulable reasonable suspicion in order to investigate possible criminal activity. The stop can apply to people as well as to vehicles. The subject of a *Terry* stop is not free to leave. A *Terry* stop is a seizure under both the State and Federal constitutions.
- *Reasonable Suspicion*: Specific, objective, articulable facts, which, taken together with rational inferences, would create a well-founded suspicion that there is a substantial possibility that a subject has engaged, is engaging or is about to engage in criminal conduct.
- The reasonableness of the *Terry* stop is considered in view of the totality of the circumstances, the officer's training and experience, and what the officer knew before the stop. Information learned during a stop can lead to additional reasonable suspicion or probable cause that a crime has occurred, but cannot provide the justification for the original stop.

A *Terry Stop* is a detention short of an arrest. All other detentions must be made pursuant to the policies for arrests without a warrant ([6.010-Reporting Arrests and Detentions](#)), warrant arrests, ([6.280-Warrant Arrests](#)), traffic stops ([16.230-Issuing Tickets and Traffic Contact\)Reports](#)), or seizure of a person for a psychological evaluation ([16.110-Crisis Intervention](#)).



Seattle Police Manual 6.220—Voluntary Contacts and Terry Stops

4. During a *Terry* Stop, Officers Will Limit the Seizure to a Reasonable Scope

Actions that would indicate to a reasonable person that they are being arrested or indefinitely detained may convert a *Terry* stop into an arrest requiring probable cause or an arrest warrant.

Unless justified by the articulable reasons for the original stop, officers must have additional articulable justification for further limiting a person's freedom during a *Terry* stop, such as:

- Taking a subject's identification or driver license away from the immediate vicinity
- Ordering a motorist to exit a vehicle
- Putting a pedestrian up against a wall
- Directing a person to stand or remain standing, or to sit on a patrol car bumper or any other place not of their choosing
- Directing a person to lie or sit on the ground
- Applying handcuffs
- Transporting any distance away from the scene of the initial stop, including for the purpose of witness identification
- Placing a subject into a police vehicle
- Pointing a firearm
- Frisking for weapons
- De minimis force

Taking any of these actions does not necessarily convert a *Terry* stop into an arrest.



Seattle Police Manual 6.220—Voluntary Contacts and Terry Stops

6. During all *Terry* Stops, Officers Will Take Reasonable Steps to Be Courteous and Professional, Including Identifying Themselves

When reasonable, as early in the contact as safety permits, officers will inform the suspect of the following:

- The officer's name
- The officer's rank or title
- The fact that the officer is a Seattle Police Officer
- The reason for the stop
- That the stop is being recorded, if applicable (See Seattle Police [Manual Section 16.090 – In-Car Video System](#))

When releasing a person at the end of a stop, officers will offer an explanation of the circumstances and reasons for the stop.

Seattle Police Manual 6.220—Voluntary Contacts and Terry Stops

7. Officers Cannot Arrest Subjects Solely for Failure to Identify Themselves or Answer Questions on a *Terry* Stop

In general, subjects are not obligated to provide identification upon request and have the right to remain silent. However, there are certain statutory exceptions that do require the subject to identify himself or herself and which describe the officer's authority to take action if the person does not do so, such as:

- When the subject is a driver stopped for a traffic infraction investigation ([RCW 46.61.021](#))
- When the subject is attempting to purchase liquor ([RCW 66.20.180](#))
- When the subject is carrying a concealed pistol ([RCW 9.41.050](#))

Officers may not transport a person to any police facility or jail merely for the purpose of identifying them unless they have probable cause.



Concept Introduction Exercise: Reporting Arrests and Detentions

Officers contact the man climbing over the gate. He has identification listing the address of building as his residence. He says he lost his keys while he was out of the building and did not have another way to get in.

Officers determine that his story is credible and decide to release him.

Questions for the class:

- What are the screening and reporting requirements for this type of incident?
- What do officers need to do when they release the man?

Instructor Notes:

- **What are the screening and reporting requirements for this type of incident?**
 - You must screen the detention in person with a Sergeant.
 - If you determine that Reasonable Suspicion or Probable Cause does not exist, release the person immediately.
 - Do not detain them longer for the purpose of having a Sergeant screen the detention.
 - You may ask or encourage them to stay to talk to the Sergeant, but make it clear that they are not required to and are free to go.
 - Document the stop in a G.O.R. or Street Check at this time
- **What information is required in the documentation for stops and seizures?**
 - Original and subsequent facts supporting the detention
 - Reason and final disposition of the stop
 - Whether a frisk or search was conducted
 - Results of the frisk or search
 - Whether the person was moved or transported for the initial location
 - Demographic information
 - Race
 - Age
 - Ethnicity
 - Gender
 - Any delays in reporting
- **What do officers need to do when they release the man?**
 - Offer an explanation of the circumstances and reason for the stop

Instructor Review Notes for Scenario Debrief

- If there is a reasonable explanation for the man's behavior and he is to be released, officers should explain the circumstances and reason for the initial stop, even if they explained the reason upon initial contact.
- Officers may need additional training after the new Stops and Detentions form is created and approved.



REPORTING ARRESTS AND DETENTIONS
OPERATIONAL CONCEPTS:

<u>What policy says:</u>	<u>How to do it:</u>
-Screen arrests in person with a supervisor -Document arrests and detentions -Complete paperwork by end of shift	-Notify a sergeant -Screen in person, prior to booking or release -Do not detain just for screening -Document via Street Check or G.O.R. -By the end of shift

Seattle Police Manual 6.010—Reporting Arrests and Detentions

6.010(1) Officers are required to report arrests

An officer will notify a sergeant and complete a General Offense Report (GO), or a supplemental to an existing GO, for any arrest.

When a person is arrested for assaulting an on-duty or off-duty officer, the sergeant will notify a lieutenant.

In addition to all other pertinent information, the report shall include the name of the sergeant who reviewed the incident and the location where the review took place.

Seattle Police Manual 6.010—Reporting Arrests and Detentions

6.010(2) Sergeants must screen arrests and detentions in person

The sergeant shall review the incident in person prior to the booking or release of the person detained.

When a sergeant is the primary officer, a different sergeant or above will review the incident.

Seattle Police Manual 6.010—Reporting Arrests and Detentions

6.010(4) Reports must be completed by end of shift

The primary officer will complete the GO or Street Check as soon as practical after the arrest or detention, and in all cases, before going out of service.



For all bookings, officers shall directly notify the screening sergeant after the report has been sent. The sergeant will review the arrest report immediately for approval.

Seattle Police Manual 6.220—Voluntary Contacts and Terry Stops

6.220(10) Officers Must Document All Terry Stops

Officers must be able to clearly articulate the objective facts they rely upon in determining reasonable suspicion.

Officers must document all Terry stops and have a supervisor approve the documentation before they leave at the end of their shift. The data will be collected in an electronic form suitable for analysis. The documentation must contain at least the following elements:

- Original and subsequent objective facts for the stop or detention
- The reason (including reasonable suspicion or probable cause) and disposition of the stop (including whether an arrest resulted; whether a frisk or search was conducted and the result of the frisk or search; and whether the subject was moved or transported from the location of the initial stop)
- Demographic information pertaining to the subject, including perceived race, perceived age, perceived ethnicity and perceived gender; and
- Delays in completing necessary action

Concept Introduction Exercise: Frisks and Consent Searches

- Show “Straight and Narrow” video Part 1 and Part 2 together

Instructor will explain that the man saying he is “on bond” is the equivalent of our DOC Supervision. Officers will answer the questions below as if they are the officer in the video.

Video Overview:

- The man says he is “on bond” for armed robbery and starts acting nervous.
- The man is conspicuously holding the front waistline of his pants.
- The officer indicates that he is going to pat him down and the man starts to argue about whether the officer is allowed to search him.
- The man flees on foot.



Questions for the Class:

- Can the officer frisk the man?
- Under what circumstances could the officer justify a frisk of the man?
- When the man runs, what are the officer's options?
- Does the man's status of "on bond" change anything for the officer?
- Does the fact that the initial stop is an unlawful seizure change anything?
- If this was a lawful seizure, could the officer use force to detain him?
- If force is used, how should the incident be resolved?

Instructor Notes:

- **Can the officer frisk the man?**
 - NO, unless the officer is able to articulate that the actions shown on the video, plus any other information not shown, constitute reasonable suspicion to believe the man was committing a crime, about to commit a crime or had committed a crime.
 - Frisking a person during a social contact converts the contact to an unlawful seizure.
 - Requesting permission to frisk a person on a social contact will also convert the contact to an unlawful seizure.
- **Can the officer search or frisk the man if he gains consent?**
 - DEPENDS
 - Absent any other reasonable suspicion, this is a social contact.
 - A frisk or search, even with the man's consent, will convert a voluntary contact to a seizure.
 - If this is a Terry Stop, but the officer does not have reason to believe the man is armed and currently dangerous, then he will have to obtain consent from the man to perform a frisk or to perform a search
 -
- **Under what circumstances could the officer justify a frisk of the man?**
 - The officer needs to have reasonable suspicion to believe the man is involved in criminal activity.
 - The officer needs to be able to articulate specific facts that would lead him to believe the man is armed and presently dangerous.
 - The suspect is clutching his belt in a manner consistent with an item being concealed in that area
 - The suspect is wearing baggy clothing
- **When the man runs, what are the officers' options?**
 - The officer does not have Reasonable Suspicion that the male is involved in specific criminal activity
 - Disengage and let the man walk away



- **Does the man's status of "on bond" change anything for the officer?**
 - Not likely; without further questioning
 - The officer may have a heightened concern for his safety, due to the suspect's reported involvement in the crime of armed robbery
 - This does not support a seizure or frisk of the suspect, in and of itself.
- **Does the fact that the initial stop is an unlawful seizure change anything?**
 - YES
 - Any arrest or seizure of evidence will likely be unlawful and inadmissible as "fruit of the poisonous tree."
 -
- **If this was a lawful seizure, could the officer use force to detain him?**
 - YES
 - Officers may use reasonable and necessary force to effect a lawful purpose
 - In this case, the lawful purpose would be to investigate a crime via a Terry Stop, assuming the officer had valid reasonable suspicion of a crime
- **If force is used, how should the incident be resolved?**
 - The officer could arrest the suspect for SMC 12A.16.010-Obstructing a Public Officer
 - In other situations, officers may have used force, but found there was no crime committed by the subject. Absent probable cause, the subject should be released and the incident screened and documented appropriately.

Instructor Review Notes for Scenario Debrief

- Though the available information appears to only support a voluntary contact, the officer conducts the stop as if it is a Terry Stop.
- If this is a voluntary contact, the officer should not chase the man.
- If this were a Terry Stop, the officer would be justified in chasing the man and using objectively reasonable and necessary force to detain him.
- It is crucial that officers recognize the level of a contact in order to respond appropriately to the subject's actions.
- Refusal to provide identifying information or to answer questions on a Terry Stop does not constitute the crime of Obstructing.



Concept Introduction Exercise: Frisks and Consent Searches

- Officers receive a report of a man observing and photographing children at a park. The caller says the man has been sitting on a bench watching the children for about three hours. He does not appear to have any children with him.
- Officers contact the caller and she points out the man. He is wearing a long trench coat, despite the warm summer day.
- Officers make contact with the man and introduce themselves.

Questions for the class:

- What level of stop is this?
- Can the officer frisk for weapons?
- If the person consents, can the officer search them?
- What other course of action is available to the officers?

Instructor notes:

- **What level of stop is this?**
 - This is a social contact.
 - Based on the facts reported by the caller and the observations of the officers, the officers do not have reasonable suspicion that the man is engaged in a crime.
- **Can the officer frisk for weapons?**
 - NO
 - This is a social contact, so no frisk is allowed.
- **If the person consents, can the officer search them?**
 - NO, asking someone to consent to a frisk converts this social contact into a Terry Stop without reasonable suspicion under *State v. Harrington*.
 - Even with the consent of the person, the officer should still not conduct a search or frisk.
 - Any search or frisk will convert the contact from a voluntary contact to a seizure. A reasonable person would not feel free to leave or to refuse to answer the officer's questions.
- **What other courses of action are available to the officers?**
 - The officers could observe the man in an effort to determine if he is involved in any activity beyond watching the children.

Instructor Review Notes for Scenario Debrief

- Frisking or searching on a social contact converts to the contact to a seizure, even with consent. If the officer believes the subject is armed and presently dangerous, but there is not articulable reasonable suspicion of a crime, the officer should disengage.



FRISKS AND CONSENT SEARCHES:
OPERATIONAL CONCEPTS

<u>What policy AND the law say:</u>	<u>How to do it:</u>
-Frisks are only permitted if you reasonably suspect the subject is armed and presently dangerous -Limited to frisking for weapons -Limited to outer clothing -Frisks and searches convert voluntary contacts to seizures, even with consent -Consent searches must be documented on a consent form or recording device	-Don't frisk or search on voluntary contacts, even with consent -Articulate facts, circumstances, and observations that led you to believe that a subject was armed and presently dangerous to you or others -Utilize a Consent to Search form, In-car Video or Digital Recorder for consent searches

Seattle Police Manual 6.220—Voluntary Contacts and Traffic Stops

8. Officers May Conduct a Frisk or Pat-Down of Stopped Subject(s) Only if They Reasonably Suspect That the Subject(s) May Be Armed and Presently Dangerous

The purpose and scope of the frisk or pat-down is to discover weapons or other items which pose a danger to the officer or those nearby. It is not a generalized search of the entire person. The decision to conduct a frisk or pat-down is based upon the totality of the circumstances and the reasonable conclusions drawn from the officer's training and experience.

- A weapons frisk is a limited search determined by the state and federal constitutions.
- All consent searches must be conducted and memorialized pursuant to [Manual Section 6.180](#).
- Officers may not frisk for weapons on a social contact or noncustodial interview.
- A frisk or pat down may not be used as a pretext to search for incriminating evidence.
- The fact that a *Terry* stop occurs in a high-crime area is not by itself sufficient to justify a frisk.

In addition to the basis for the stop itself, the officer must have reasonable suspicion that the subject may be armed and pose a threat to the officer and/or others. This may include, but is not limited to:



- Prior knowledge that the subject carries a weapon
- Suspicious behavior, such as failure to comply with instructions to keep hands in sight
- Observations, such as suspicious bulges, consistent with carrying a concealed weapon

The frisk for weapons is strictly limited to what is necessary for the discovery of weapons which might be used to harm the officer or others nearby. Generally, the frisk must be limited to a pat-down of outer clothing. Once the officer ascertains that no weapon is present after the frisk or pat-down is completed, the officer's limited authority to frisk is completed. (i.e. the frisk must stop).

Seattle Police Manual 6.180 – Searches-General

II. Exceptions to the Search Warrant Requirement

A. Consent Searches

1. Officers electing to search by consent shall have the consenting person sign a Consent to Search form (form 9.54).

- a. If the Consent to Search form is not available, Officers may also document the consent using another department authorized recording device, such as in-car video.

2. The validity of the consent depends on consent being given voluntarily. Consideration of the intelligence and education of the person are scrutinized by the court, as are physical and mental coercion, exploitation and the authority of the person to give consent.

3. Third party consents are valid under certain conditions.

- a. Consent is valid if the third person has equal authority over the business or residence and it can be concluded the absent person assumed the risk the cohabitant (roommate) might permit a search.
- b. Consent to search is not allowed if one cohabitant (roommate) or business partner objects to the consent, even if the other person gives permission. Consent must be given by both people, if present.
- c. Parents may consent to search a child's living area if the parents have routine access to the area (the child is not paying rent).
- d. Landlords cannot give consent to search if a lease or rental agreement is still valid.

Seattle Municipal Code

12A.16.010 Obstructing a public officer.

A. A person is guilty of obstructing a public officer if, with knowledge that the person obstructed is a public officer, he or she:

1. Intentionally and physically interferes with a public officer; or



2. Intentionally hinders or delays a public officer by disobeying an order to stop given by such officer; or
 3. Intentionally refuses to cease an activity or behavior that creates a risk of injury to any person when ordered to do so by a public officer; or
 4. Intentionally destroys, conceals or alters or attempts to destroy, conceal or alter any material which he or she knows the public officer is attempting to obtain, secure or preserve during an investigation, search or arrest; or
 5. Intentionally refuses to leave the scene of an investigation of a crime while an investigation is in progress after being requested to leave by a public officer.
- B. No person shall be convicted of violating this section if the Judge determines, with respect to the person charged with violating this section, that the public officer was not acting lawfully in a governmental function.
- C. For purposes of this section, a "public officer" means those individuals responsible for the enforcement of the provisions of the Seattle Municipal Code, including provisions related to fire, building, zoning, and life and safety codes; those individuals empowered to make arrests for offenses under the Seattle Municipal Code; or those individuals responsible for the enforcement of the federal or state criminal laws.
- D. Obstructing a public officer is a gross misdemeanor.



Concept Introduction Exercise: Miranda Warnings

Video Summary: The audio and video is recorded by the person who is detained by the police. The recording captures the entire contact. The video is edited to just the Miranda portion of the contact.

Incident Summary:

- A man is stopped by police regarding his open carry of a firearm.
- In the course of the stop, the officer has another officer read the man his Miranda warnings.

Video Link: https://www.youtube.com/watch?v=V_q7y3pFGbI

- Video from 5:40-6:27

Questions for the class:

- Is Miranda necessary?
- When should Miranda be delivered?
- Is Miranda a best practice in this circumstance?
-

Instructor notes:

- Is Miranda necessary?
 - No
 - Miranda is not necessary unless the person is in custody and being interviewed
- When should Miranda be delivered?
 - Miranda should be delivered prior to a custodial interview
 - The right to a lawyer without charge should be provided immediately upon arrest or as soon as practical.
- Is Miranda a best practice in this circumstance?
 - No
 - Giving a Miranda warning has the potential to convert a detention to an arrest, as it is given as part of a “custodial” interview
 - Do not give Miranda until the person is under arrest

Instructor Review Notes for Scenario Debrief

- Miranda warnings are only required prior to a custodial interview. Giving the warnings prior to the person being in custody implies that they are, in fact, in custody.
- It is common knowledge in this country that you are “read your rights” when you are placed under arrest, making it reasonable for a person to feel they are under arrest upon hearing those rights being read.
- Refusal to provide identifying information or to answer questions on a Terry Stop does not constitute the crime of Obstructing.



MIRANDA WARNINGS
OPERATIONAL CONCEPTS:

<u>What policy AND the law say:</u>	<u>How to do it:</u>
-Advisement of right to a lawyer without charge shall be given immediately upon arrest of a suspect, or as soon as practical -Miranda warning must precede custodial interviews	-Follow law and policy <u>-Do not</u> advise Miranda on voluntary contacts or Terry Stops, as that may cause a person to believe they are under arrest.

Seattle Police Manual Policy 6.150 - Advising Persons of Right to Counsel and Miranda

1. Officers Shall Advise All Arrestees of the Right to a Lawyer

Officers shall give this advisement to all persons taken into custody, regardless of interview, as soon as practical.

See Superior Court Rule CrR 3.1

“You have the right to a lawyer. If you are unable to pay for a lawyer, you are entitled to have one provided without charge.”

2. Miranda Warnings Must Precede Custodial Interview

Officers must give Miranda warnings before questioning a person who is in custody. (i.e., custodial interview)

- A juvenile’s age is a consideration in determining whether the juvenile would not feel free to leave. A child may be in custody for purposes of the Miranda rule when an adult in the same circumstances would not.

See J.D.B. v. North Carolina, 131 S. Ct. 2394 (2011)

If the arresting officer is awaiting the arrival of a follow up detective, the officer may postpone the reading of Miranda and the interview.



3. Officers Must Include All Elements of Miranda and Establish Understanding

When advising a person of Miranda, officers will include the following statements:

- “You have the right to remain silent.”
- “Anything you say can be used against you in a court of law.”
- “You have the right at this time to talk to a lawyer and have your lawyer present with you while you are being questioned.”
- “If you cannot afford to hire a lawyer, one will be appointed to represent you before questioning, if you wish.”

Officers will establish that the suspect understands in one of two ways:

- By asking “Do you understand” after each of the four Miranda warnings, or
- By asking, “Do you understand each of these rights?” after reading all of the warnings.

Officers may then begin asking questions.

4. Officers Shall Read Additional Warning for Juveniles

When reading Miranda to a juvenile, officers shall include the following warning:

“If you are under the age of 18, anything you say can be used against you in a juvenile court prosecution for a juvenile offense and can also be used against you in an adult court criminal prosecution if you are to be tried as an adult.”

A parent or guardian must waive the rights of a juvenile under the age of 12, and has the right to be present during the interview.

5. Officers Shall Include Additional Warning for the Hearing-Impaired

When advising a person who is hearing-impaired of Miranda, officers shall include the following warning:

“If you are hearing-impaired, the Seattle Police Department has the obligation to offer you an interpreter without cost and will defer interviews pending the appearance of the interpreter.”

[See RCW 2.42.120 Appointment of interpreter — Responsibility for compensation — Reimbursement.](#)

[See Seattle Police Manual Section 15.250-Interpreters/Translators.](#)

6. Officers Shall Provide Miranda in Appropriate Language



When advising a person who speaks limited English of Miranda, officers shall give Miranda warnings in an appropriate language to establish understanding.

7. Officers Shall Document the Advising of Miranda

Officers may document the Miranda advisement in at least one of the following ways:

- Explanation of Rights Form ([English](#)/ [Spanish](#))
- Officer statement
- Department-approved recording device (This includes In-Car Video)

If officers are recording a custodial interview, the Miranda warnings must also be recorded, even if they have been previously given to the suspect.

[See RCW 9.73.090 \(1\)\(b\)\(iii\)](#)

[See Manual Section 7.100-Recorded Statements.](#)

8. Officers Shall Stop Questioning Once an Arrestee has Invoked the Right to a Lawyer

Once an arrestee invokes the right to counsel, officers shall stop questioning unless the suspect reinitiates contact.

Though officers may not ask further questions, they may document anything the arrestee says that is unsolicited.

Exception: Officers may continue questioning related to locating a kidnapped or missing person, or evidence, such as a gun, for public safety reasons.

9. Should an Arrestee Clearly Invoke the Right to Remain Silent, Officers Must Read Miranda Again if They Later Re-Initiate Contact



Concept Introduction Exercise: Probable Cause

Video Overview

You are dispatched to meet with a supervisor from City Light to take a theft report. Upon arrival, you meet with the supervisor. He reports that four black males, driving a turquoise minivan with a partial license plate of 122- - -, climbed aboard a City Light truck and stole copper wire from the truck. He shows you video surveillance of the theft and says that a copy is available. He reports that this has been a big problem and believes that the same group of males has hit numerous other City Light trucks.

- Show Copper Theft Video
- The video shows the suspects climbing on to the truck and removing large coils of copper wire.
- The video shows the suspect's vehicle.

You issue him a case number. About one hour after the theft, on the way the precinct to enter the video into evidence and finish your report, you see the minivan with four occupants on board. The four occupants on board appear similar to the subjects you observed on the video. The license plate matches the plate given by the complainant.

Questions for the Class:

- Can you stop this vehicle? If so, why?
- Should you stop this vehicle? If so, how?
- What level of suspicion are you at when you contact the suspects?

Instructor Notes:

- **Can you stop this vehicle?**
 - Yes
 - You have probable cause to believe that these suspects have committed the crime of theft. They are in the vehicle and it is only an hour later, it is likely they still have evidence of the crime of theft in their possession.
- **Should you stop this vehicle? If so, how?**
 - Yes
 - You should notify radio that you have the suspect vehicle and request several officers as back up.
 - You should follow the vehicle until you have sufficient back up.
 - Once back up arrives, you should initiate a stop of the vehicle.
 - Use appropriate tactics to contact the vehicle occupants; dependent on the threat posed to officers. Officers will need to articulate the reasons for any tactics beyond normal traffic stop procedures.
 - Use safe positioning and establish verbal control of the occupants.
- **What level of suspicion are you at when you contact the suspects?**
 - Probable cause arrest



Instructor Review Notes for Scenario Debrief

- Though this crime appears to be a felony, a “felony” stop is not necessarily required. If a High Risk Vehicle Stop tactic is employed, officers will need to explain the reasons for that, as it is a more significant intrusion than an ordinary traffic stop.
- A High Risk Vehicle Stop may be supported by the number of occupants, demeanor or behavior of occupants or additional information indicating the suspects could be armed or presently dangerous.

Concept Application Exercise: Probable Cause

Officers investigate the initial call. While driving back to the precinct, officers notice a blue minivan, similar to the one from the video, parked outside a construction site. There are no plates on the vehicle. Four black males, similar in appearance to the suspects in the video, are standing outside the construction site, looking through the chain-link fence around the site. The males are about twenty feet from the van. About an hour has passed from the initial incident. This location is about a mile from the location of the other incident.

Questions for the Class:

- What level of seizure can the officers justify at this point?
- Does the value of the copper wire have an effect on your procedures?
- What factors would change the level of contact?

Instructor Notes:

- **What level of seizure can the officers justify at this point?**
 - Without further information, officers may be limited to conducting a non-custodial interview.
 - There could be reasonable suspicion for a Terry Stop, dependent on the officers’ ability to recognize specific distinguishing characteristics of the suspects or involved vehicle.
 - This could be a probable cause arrest, dependent on the officers’ ability to recognize specific identifying characteristics of the suspects from the video.
- **Does the value of the copper wire have an effect on the officers’ procedures?**
 - The value of the copper wire will determine whether this is a misdemeanor or felony crime.
 - If this is only a misdemeanor crime, officers will not be able to conduct a Terry Stop without associated public safety risks.
 - This crime does not likely pose a risk to public safety
 - There does not appear to be the potential for escalating conduct
 - There may be the potential for this offense to be repeated. That could be dependent on whether this is part of an ongoing pattern of thefts involving these suspects, or there were indicators that they might return to commit the same crime again.



- **What factors would change the level of contact?**
 - Whether the officers can develop information that associates the vehicle with the incident; such as viewing evidence inside the vehicle.
 - Whether the officers can develop information that links the males with the vehicle.
 - The distance of the males from the vehicle.
 - Whether any of them return to the vehicle at any point
 - Observations that create reasonable suspicion that the males are involved in criminal activity; either related to the earlier incident or to another incident.
 - A show-up with the complainant to establish whether these are the same males involved in the earlier incident.

Instructor Review Notes for Scenario Debrief

- Even if the officers cannot develop Reasonable Suspicion, a voluntary contact may still be appropriate.
 - Effective interviewing and utilization of LEED principles may allow for development of information leading to Reasonable Suspicion or Probable Cause.
-



Concept Application Exercise: Probable Cause

Part 2:

The officers examine the van prior to contacting the males and observe spools of wire in the back, along with a set of license plates. Officers cannot see the digits on the license plate.

Questions for the Class:

- What level of seizure can the officers justify at this point?
- What facts support this?
- What facts would change this level of seizure?
- What can officers do about the items they see in the vehicle?

Instructor Notes:

- **What level of seizure can the officers justify at this point?**
 - Terry Stop based on reasonable suspicion
- **What facts support this?**
 - The van matches the suspect vehicle
 - The original crime occurred only an hour before
 - Removal of the license plates could be consistent with an attempt to avoid detection for the crime
 - The spools of wire appear to be the same type of property taken in the incident
 - The suspects near the van appear similar to the suspects from the incident
- **What facts would change this level of seizure?**
 - The distance of the van from the initial crime
 - The length of time since the crime has taken place
 - The proximity of the suspects to the van
 - The lack of visible evidence in the van
- **What can officers do about the items they see in the vehicle?**
 - The officers would need to obtain either a valid consent to search or a search warrant in order to search the vehicle and recover any items they believe are evidence of the crime.
 - For consent to search to be valid it must be knowingly, voluntarily, and intelligently given and the person granting the consent must have the authority to do so.
 - Officers electing to search by consent must have the consenting person sign a Consent to Search form. If the form is not available, officers must document the consent on a Department authorized recording device such as In Car Video. SPD Manual 6.180



Instructor Review Notes for Scenario Debrief

- Gaining consent may be facilitated through the use of LEED to establish a rapport and gain the cooperation of the subjects.
- If there is doubt about any elements of the consent, obtain a warrant
- Do not tell the subject that you “will just get a warrant anyways” in order to gain consent.

PROBABLE CAUSE
OPERATIONAL CONCEPTS:

What the Law says:

- You must have knowledge or reasonably trustworthy information
- Would lead a reasonable person to believe an offense has been or is being committed by the person being arrested
- Does not have to exclude the possibility of innocence
- Does not require evidence or circumstances sufficient to convict
- Requires only a fair probability based upon the totality of the circumstances known to the officer

How to do it:

- Be able to articulate specific facts and circumstances that you observed or had knowledge of
- Explain it so that anyone can understand and concur with your belief.
- The determination that Probable Cause exists does not end the investigation. Continue to search for evidence, witnesses, etc. that will build the case for prosecution.

Probable Cause:

- Exists when officers have knowledge or reasonably trustworthy information that would lead a reasonable person to believe that an offense has been or is being committed by the person being arrested.
- Does not have to exclude the possibility of innocence.
- Absolute certainty, clear and convincing evidence, and/or preponderance of the available evidence *are not required*.
- All that is required is a fair probability given the totality of the circumstances.



Experiential Debrief

Observations:

1. What did you observe during these exercises?
2. Were they different? How so?
3. What are some of the considerations we were trying to look at?
4. Are these types of contacts practical?

Generalizations:

1. Why are these types of contacts important?
2. Does the new policy fit with our past experiences or practices?
3. Have you ever had a probable cause arrest "go bad" because circumstances changed?
4. How can we avoid our P.C. "going bad?"

Applications:

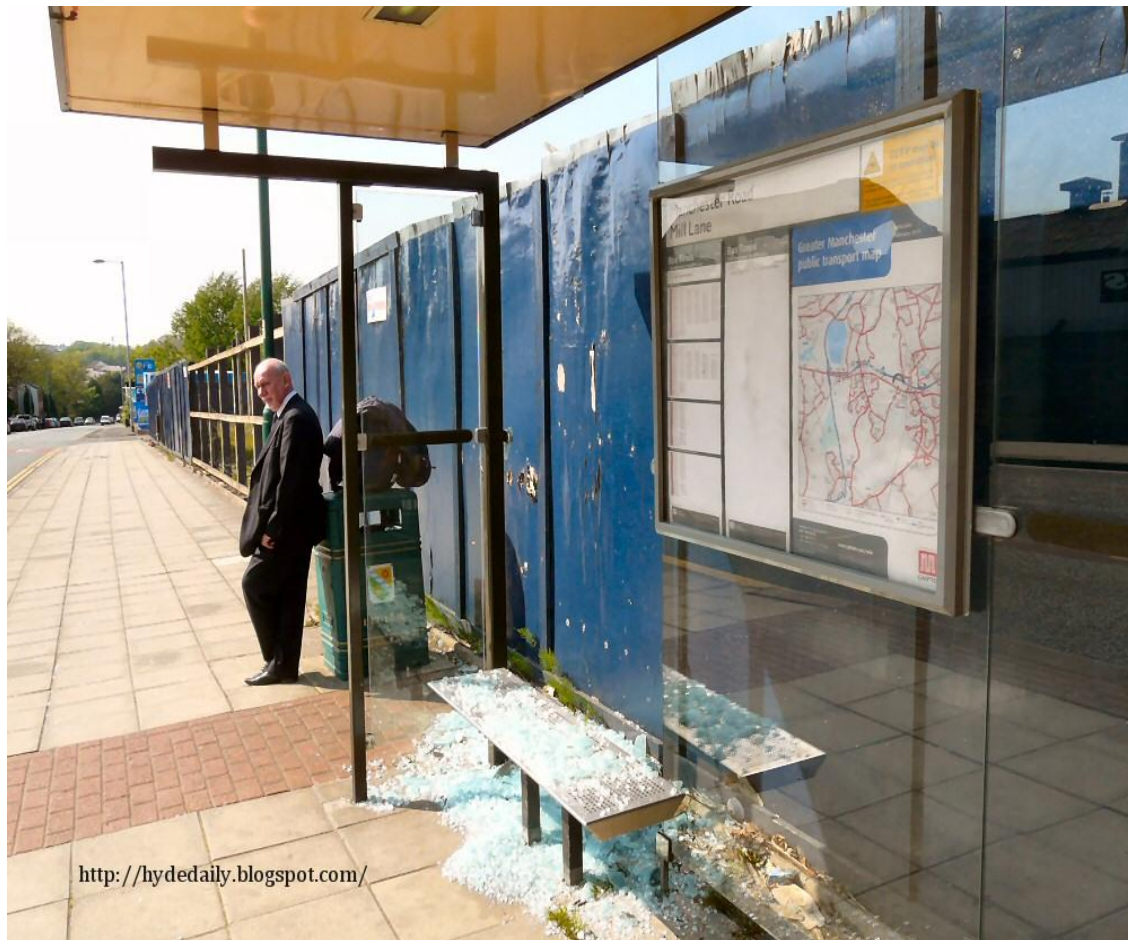
1. Does the new policy regarding this portion of the policy mean you have to change any of your practices?
2. Are you going to do anything differently because of the new policy regarding voluntary contacts?
3. What?

Confirming:

1. Are there ways the new policy could be clarified?



CONCEPT INTRODUCTION EXERCISE: COMPLETED MISDEMEANORS



Overview

Officers are on patrol in their district. They notice a bus stop window is broken out. The man standing by the bus stop describes the suspect to the officers. He describes the suspect as a white male with long hair, wearing a black hooded sweatshirt with some sort of logo on the back, blue jeans and cowboy boots. He says the suspect ran off just before officers arrived.

The officers conduct an area check, but do not locate the suspect. About an hour later, officers are conducting a premise check of a nearby park and notice a white male matching the suspect description sitting on a bench.



Questions for the Class:

- Can you stop the suspect in the park?
- How does the level of crime affect the options available to officers?
- What factors would allow you to conduct the stop of this suspect if this was a completed misdemeanor?

Instructor Notes:

- **Can you stop the suspect in the park?**
 - Is this a felony, or is this a misdemeanor? The level of crime will be determined by the value of the damaged glass and the replacement cost. Officers will need to make a reasonable estimate or contact the property owner, such as Metro, to determine the replacement cost.
- **How does the level of crime affect the options available to officers?**
 - If this is a felony, then officers can stop the subject. Terry Stops can be conducted for any Felony crimes, whether in progress or completed.
 - If this is a misdemeanor and officers do not have probable cause, they could make a voluntary contact and conduct a non-custodial interview.
- **What factors would allow you to conduct the stop of this suspect if this was a completed misdemeanor?**
 - A stop on a completed misdemeanor is dependent on associated public safety risks.
 - Those risks may include:
 - The crime itself poses a risk
 - There is a likelihood the suspect will repeat the offense
 - There is a potential for escalating conduct
- **What public safety risks might be associated with this crime?**
 - Subject who broke the window may be enraged and a risk to the public
 - Perhaps the window was broken during an altercation
 - Perhaps the subject is known for breaking windows
- **What options are available to the officers?**
 - Conduct a Social Contact or Non-custodial interview if officers cannot develop reasonable suspicion or probable cause
 - Conduct a Terry Stop, if applicable for a misdemeanor or felony
 - Make an arrest, if officers can develop probable cause with additional information
 - Attempt to locate the witness for a show-up in order to develop probable cause

Instructor Review Notes for Scenario Debrief

- Establish the level of the crime
- Determine if there are associated public safety risks
- Consider ways to develop reasonable suspicion or probable cause



Concept Introduction Exercise, Part 2:



Overview

Officers notice a freshly broken window on this bus stop. As they pull up in front of the bus stop, the man standing there points down the street to a man running down the sidewalk. He says the running man is the suspect. Based on previous investigations of this type, the officers know that it will cost approximately \$500 to repair this broken glass.

Questions for the class:

- What level of crime are the officers investigating?
- Is this a completed crime?
- What level of seizure can the officers justify?
- What factors could change the level of seizure?



Instructor Notes:

- **What level of crime are the officers investigating?**
 - Misdemeanor property damage. Since the damage amount is likely under \$750, this would be a misdemeanor. If the damage amount is \$750 or more, this would be a felony.
- **Is this a completed crime?**
 - The suspect has finished damaging the property, but it is reasonable for officers to consider him in direct flight from the crime and still within close proximity
- **What level of seizure can the officers justify?**
 - The officers can justify a seizure based on probable cause that the suspect has committed the crime.
- **What factors could change the level of seizure?**
 - A lack of positive identification from the witness
 - Locating the suspect after more time has elapsed or a greater distance away from the scene

Instructor Review Notes for Scenario Debrief

- Ask the witness to remain at the scene before giving chase to the suspect, or obtain a phone number if there is time before giving chase

COMPLETED MISDEMEANORS:
OPERATIONAL CONCEPTS

What policy AND the law say: -Officers may conduct Terry stops for completed misdemeanors only where there is a risk to public safety. -Public safety risks may include: Crime itself poses a risk Likelihood of re-offending Potential for escalation	How to do it: - Identify the appropriate level of the crime - Recognize associated public safety risks - Identify when probable cause exists -Articulate factors that lead you to believe this



Seattle Police Manual 6.220—Voluntary Contacts and Terry Stops

3. Officers May Conduct *Terry* Stops for Completed Misdemeanors Only Where There is a Risk to Public Safety

Where there is no probable cause for an arrest and only reasonable suspicion justifying a *Terry* stop, officers may make *Terry* stops for completed misdemeanor crimes only when there is an associated public safety risk.

A public safety risk may exist when:

- The misdemeanor crime *by itself* poses a public safety risk (e.g., Assault, Harassment, Reckless Endangerment, Riot, DUI, Reckless Driving, weapons offenses), or
- There is a likelihood that the suspect will repeat the misdemeanor offense, or
- There is a potential for escalating conduct (e.g., a violation of a court order,

Experiential Debrief

Observations:

1. What did you observe during these exercises?
2. How are these contacts different from or similar to each other?
3. What are some of the factors we were considering?
4. Are these types of contacts practical or useful to you as an officer?

Generalizations:

1. Why are these types of contacts important?
2. Does the new policy fit with our past experiences or practices in regards to Terry Stops?
3. Have you ever had a Terry Stop “go bad”? Why?
4. Do you anticipate the new policy having an effect on Terry Stops?

Applications:

1. Does the policy regarding Terry Stops mean you have to change any of your practices?
2. Are you going to do anything differently because of the Terry Stop policy?
3. What?

Confirming:

1. Are there ways the new policy could be clarified?



2014 Search and Seizure Training



Bias-Free Policing

Prepared by: Sgt. J. Brooks and Ofc. M. Welte



Training summary:

This four-hour training module is intended to address bias-free policing concepts and review Seattle Police Manual Section 5.140—Bias-Free Policing. The training will emphasize key concepts, including the following: how to provide services in a professional, nondiscriminatory, fair and equitable manner; how to provide equitable police services based on the needs of the community members encountered; how to increase our effectiveness as a law enforcement agency by building community trust; and clearly defining and operationalizing the concept of bias-free policing. Exercises will focus on identifying potential problems with bias in light of the key concepts.

Daily Training schedule: *This session runs opposite Stops and Detentions*

Session One:

0630-0700	Instructors on site to set up and prepare for class
0700-0715	Introductions and Overview: ▪ Introduction of instructors and students ▪ Vision and Mission of the training ▪ Course objectives
0715-0750	Who are we and what do we do? Procedural Justice and Police Legitimacy
0750-0800	Break
0800-0810	Video presentation “How would you like to be treated by the police?”
0810-0830	CPC Member Presentation “What steps as an organization should the Seattle Police Department take to become a Bias-Free agency?”
0830-0850	What is bias?
0850-0900	Break
0900-0930	Bias, continued
0930-0950	Operational Implementation of LEED
0950-1000	Break
1000-1030	Operational Implementation of LEED, continued
1030-1050	Policy and Reporting



1050-1100	Experiential De-brief
1100-1200	LUNCH BREAK
1130-1200	Instructors on site to set up and prepare for class
1200-1215	Introductions and Overview: ▪ Introduction of instructors and students ▪ Vision and Mission of the training ▪ Course objectives
1215-1250	Who we are and what do we do? Procedural Justice and Police Legitimacy
1250-1300	Break
1300-1310	Video presentation “How would you like to be treated by the police?”
1310-1330	CPC Member Presentation “What steps as an organization should the Seattle Police Department take to become a Bias-Free agency?”
1330-1350	What is bias?
1350-1400	Break
1400-1430	Bias, continued
1430-1450	Operational Implementation of LEED
1450-1500	Break
1500-1520	Operational Implementation of LEED, continued
1530-1550	Policy and Reporting
1550-1600	Experiential De-brief



Training plan:

Training will be delivered Monday, Tuesday, and Thursday, and every other Sunday and Thursday night; commencing after the training is approved. The intended audience is all sworn officers. This class will be a four-hour block of instruction, as part of a 9-hour overall training session. The 9-hour training session will consist of an A/B format, with a class of forty (40) students split into two groups of twenty (20) students. Group A will attend four (4) hours of Stops and Detentions, while Group B attends Bias-free Policing.

After students complete either Stops and Detentions or Bias Free Policing, they will switch sessions, to complete the other half of the training. Group A and Group B will switch at the lunch break. Each full A/B session will accommodate two (2) groups of twenty (20) students. With the addition of a Sunday daytime session or a Thursday nighttime session once per week, 200 officers will complete this training each week. This will allow 1300 officers to complete the training within an eight (8) week training cycle, with an allowance for 23% above the minimum required number of training slots.

Logistical Information:

Site: Park 90/5

Staffing Requirements: Instructors: 2

Training Equipment:

- Computer for instructors
- Projector/screen
- Office supplies (pens, paper)
- Classroom Dry-erase boards

Teaching Methodology:

Students will achieve the learning objectives or performance objectives through interactive PowerPoint presentation, in-class work and facilitated discussions.



Performance Objectives:

All officers, given class room exercises and under the evaluation of an Education and Training Section staff instructors, will:

1. Develop greater awareness of what the diverse communities of Seattle want from the Seattle Police Department.
2. Appreciate the importance of procedural justice/police legitimacy.
3. Learn about and assess the impact of individual, institutional, explicit and implicit bias.
4. Practice how to implement LEED (Listen and Explain, with Equity and Dignity).
5. Discover how an assertion of bias is properly reported and investigated.



Overview:

The Seattle Police Department is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner, based upon the needs of the people we encounter.

In furtherance of this vision, the Seattle Police Department is committed to delivering annual department-wide Bias-Free Policing training. 2014 Bias-Free Policing training will review the importance of police legitimacy, define biases, recognize biases are part of the human condition, discuss how police officers are impacted by implicit bias, and offer techniques to address bias; with the goal being a reduction of the perception of organizational bias.

A perception that a police department is engaged in biased policing is likely to have a significant detrimental impact on community trust in that organization. Effective policing is predicated on community trust and the willingness of the community to support police actions. It is important for our officers to recognize the significance of "Procedural Justice" and understand how these concepts promote effective policing. Several studies show that perceived fairness shapes a person's willingness to obey the police and cooperate with legal authority. If citizens perceive that the police act in a procedurally just manner and treat people with fairness, dignity and respect, then the legitimacy and support of the police is enhanced. The Education and Training Section believes promoting practices that support procedural justice will reduce the perception of institutional bias and promote more effective policing.

Once a foundational understanding of Procedural Justice is accomplished, training will shift to define and assess the impact of bias. It must be recognized that bias-free policing is a complicated topic, with multiple concepts that must be trained. In broad terms, bias training must encompass the topics of organizational bias, explicit bias, and implicit bias. For 2014 the intent of the Education and Training section is to build on prior training and establish a consistent understanding of bias throughout the organization. It is also our desire to provide officers with tools to minimize the impact of implicit bias and reduce the public's perception of organizational bias. The training will principally focus on understanding explicit bias and implicit individual bias.

In 2013 the Seattle Police Department completed the Race and Social Justice Initiative training sponsored by the Seattle Office of Civil Rights. This 8-hour city-wide class addressed race within the historical context; highlighting the impact of organizational bias on specific groups. Having provided a historical perspective for organizational bias and individual bias, the Education and Training section will now shift training to focus primarily on individual implicit bias. Implicit bias will be defined. Officers will also analyze and assess the impact of implicit bias and discuss methods for reducing its impact within the community. In assessing the impact of implicit bias, officers will review how our tactical best practices, policy, procedures and community interaction may assist in reducing perceived bias. Once this instructional block is complete, the Education and Training Section will introduce officers to the revised Bias-Free Policing Policy and review how it is properly implemented.

Another component of the 2013 Race and Social Justice Initiative training included introduction of officers to the officer/community interaction model of **Listening and Explaining with Equity and Dignity (LEED)**. LEED is intended to provide a framework for officer and community



member contacts that promotes procedural justice. Although LEED may not address all issues related to bias-free policing, it is an important tool promoting fair policing practices. Equitable policing reduces the perception that the Seattle Police Department acts with organizational bias.

2014 bias training is an important block of ongoing training, intended to build and form the foundation for the bias-free policing practices of the Seattle Police Department. In support of this layered training approach, the Education and Training Section believes it is important to marry bias-free policing training with Search & Seizure training. The topics are interrelated, with significant community bias concerns often related to the nature and reason for police contact. Due to the importance of this connection, Bias-Free training and Search & Seizure training will be taught in tandem. Officers will receive four (4) hours of bias-free training and four (4) hours of search and seizure training during one training session.

This training structure provides an opportunity to train relatively soon after the implementation of new policies in these areas. In general, more robust training on these topics would be beneficial. However, more training time would increase the time necessary to provide the instruction, with a possible impact on future training. Within the constraints outlined, it is important to establish the department's baseline of understanding on bias-free policing concepts and related search and seizure concepts within the timeline outlined in the ISDM. Not only does this support the objectives of the training, but it also eases the operational impact by allowing for the completion of the initial block of training by the end of the year.

In order to complete the learning objectives for bias-free policing training outlined above, officers will receive four hours of in-person classroom instruction. The instruction will consist of facilitated discussion and application of the instructed material in practical exercises.

Officers will participate in facilitated discussion on the following topics:

- Vision and Mission of Bias-Free Policing
- What are the expectations of the community?
- What is our job?
- What does the community say about us?
- What is bias?
- Do we all have biases and what steps can be taken to mitigate the impact of explicit and implicit bias?
- Operational implementation of Bias-Free Policing
- LEED-Listening and explaining with equity and dignity
- Review of the Seattle Police Department Bias-Free policing policy
- Identification of an assertion of bias
- How to properly report an assertion of bias
- How an assertion of bias is investigated

The instructor will guide all students through the application of the concepts in practical exercises. Officers will view video or pictures of relevant incidents and analyze the incidents in light of the Bias-Free Policing concepts.



Interest Introduction:

The objective of the Seattle Police Department is to provide equitable police services based upon the needs of the people we encounter.

Bias-Free policing and equitable treatment of all members of the community will increase the Department's effectiveness; building mutual trust and respect with Seattle's diverse groups and communities.

Our effectiveness is impacted by the perceived fairness and equitable treatment of all members of the community.

Guess what? It will make our job easier and safer.



Material Introduction:

This class is intended to familiarize officers with Bias-Free Policing concepts outlined in Seattle Police Manual Sections 5.140—Bias-Free Policing.

The class is intended to be an interactive course. The instructors will facilitate an in-depth discussion and analysis of the key concepts and their application to practical analytical exercises involving bias incidents.

Officers are expected to use their own experience and knowledge to enhance the learning of other course participants.

Material:

1. Facilitated discussion regarding the job of a Seattle Police officer and what officers are often asked to do when contacting the community.
2. Facilitated discussion regarding what the community says about the Seattle Police Department.
3. Facilitated discussion about what the community wants from officers.
4. Video prepared in conjunction with the Community Police Commission and the Seattle Police Department that asks “How would you like to be treated when contacted by the police?”
5. Presentation by a member of the Community Police Commission discussing “What steps as an organization should the Seattle Police Department take to become Bias-Free.”
6. Facilitated discussion of implicit bias and its impact. Presentation of tools to minimize the impact of implicit bias.
7. Instructors will facilitate a review of the key concepts from Manual Sections 5.140—Bias-Free Policing, including the following:
 - Responsibility of all employees to address biased policing
 - Definition of Bias-Based policing
 - When can discernible characteristics be considered by officers?
 - What is a reportable complaint of bias?
 - What is the duty of an officer when bias is asserted?
 - What is the duty of a supervisor in response to an assertion of bias?
 - Documentation requirements for an assertion of bias
 - Investigation required of a supervisor when bias has been asserted
 - Reporting requirements for a bias-based policing assertion
 - The Department’s approach to concerns about organizational or institutional bias



Material Delivery

Topical questions will be presented to facilitate a directed discussion on concepts essential to understanding officers' role in the community, what is bias based policing, how we as an agency can improve our legitimacy within the community, and how officers comply with the provisions of the Seattle Police Department Bias-Free policing policy. Questions will be asked and instructor notes, following the question, will assist in guiding class discussion. Each block of material is intended to reach, through experiential learning, conclusions that combine to arrive at a group understanding of key bias-free policing concepts.



PowerPoint Slide:

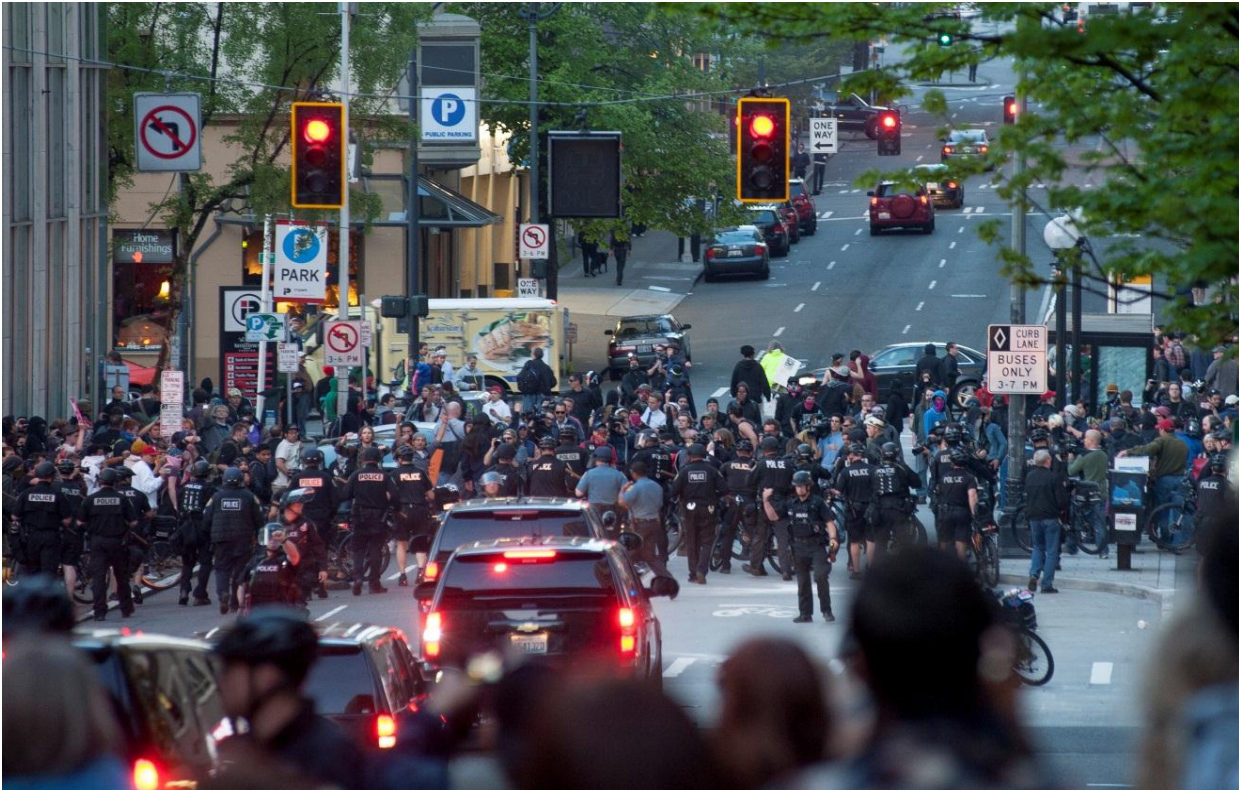
What is the job of a police officer?

What do we do?

Instructor Review Notes

- If not mentioned, after some discussions ask, “Is one of your jobs service?”
- Is police work different from other service jobs?
- What’s different?
- Are the people contacted usually pleased to be dealing with an officer?
- Is that different than when a Ford Motor Credit Company representative calls and asks for a payment? Repossesses a car?

Desired result: Officers should recognize that we are in a service industry and responsive to the community. However, members of the community are not always going to appreciate police contact.



PowerPoint Slide:

Is the person contacted always right in police work?

If not, why not?

Instructor Review Notes

- If the dynamics of our contacts impact our ability to interact with the community, once a scene is safe, can we exercise “good” service?
- What do you think are the service expectations of a person you arrested?
- What does “good service” look like? Have you had bad service?
- Describe what “poor service” looked like:
 - Not listening
 - Not explaining
 - Rude
 - Short or curt
 - Judgmental
 - Not responsive to legitimate concerns

- **Can we deal with the angry and the hostile in a professional way? How?**

Desired result: Through discussion, officers should recognize the following:

- Police work is unique in that officers must control the scene for safety reasons
- Officers must still continue to treat people with fairness and respect while controlling a scene.
- People want to be treated with fairness and want their concerns listened to by officers.
- The expectation is not to make the person feel “good”, but rather to feel that they have been treated fairly within the context of the encounter.



PowerPoint Slide:

Do our community members accept your actions and generally comply with your requests or authority?

Instructor Review Notes

- Do most community members accept officers' actions and comply with police?
- Why do community members accept officers' decisions, comply with the law or cooperate with police?
- Why is this important?

Desired result: Through interactive facilitated discussion, officers should recognize that an integral function of an officer is to serve their community. The ability to serve a community is largely based on the community's acceptance of the legitimacy of the police. Several significant studies have proven that the perceived legitimacy of a community's police had a significant impact on that community's positive feeling toward the police. Additional studies suggest that there is a cumulative impact that builds on positive contacts to improve legitimacy. Legitimacy is closely tied to the concept of Procedural Justice, which is when fairness and transparency of process lead to equitable outcomes.



PowerPoint Slide:

What is procedural justice?

Instructor Review Notes

Definition:

- Fairness in the process of resolving an incident-listening to all parties
- Transparency of the process-explaining what we are doing
- Taking the mystery out of police decisions

Procedural justice refers to the idea of *fairness in the processes* that resolve disputes and allocate resources. One aspect of procedural justice is related to discussions of the administration of justice and legal proceedings. This sense of procedural justice is connected to due process (U.S.), fundamental justice (Canada), procedural fairness (Australia) and natural justice (other Common law jurisdictions). Procedural justice concerns the **fairness and the transparency of the processes by which decisions are made**. Some theories of procedural justice hold that fair procedure leads to equitable outcomes, even if the requirements of fair allocation of rights/resources or restorative justice are not met. It has been suggested that this is the outcome of the higher quality interpersonal interactions often found in the procedural justice process, which has shown to be stronger in affecting the perception of fairness during conflict resolution.

http://www.princeton.edu/~achaney/tmve/wiki100k/docs/Procedural_justice.html



PowerPoint Slide:

What is “police legitimacy”?

Instructor Review Notes

Police legitimacy is the public view that the police are entitled to exercise authority.



PowerPoint Slide:

How does it impact your job if the community believes you have legitimacy?

Legitimacy Promotes:

- Compliance with the law
- Cooperating with the police
- Acceptance of police decisions
- Assisting with crime prevention efforts
 - Calling the police when a crime occurs
 - Providing information to police about criminal activity
 - Serving as a witness
 - Believe an officer who is testifying
- Fewer complaints
- Transparency



Instructor Review Notes

Desired result: Through discussion, officers should recognize that people want to be treated fairly and with respect. When dealing with the police, people want to be treated in the same way that officers would like to be treated. People often want their concerns heard and acknowledged. Although there are some unique characteristics to being an officer, there are still strong similarities to other types of service jobs.

COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 7

COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 12

Why does the public permit officers to carry out their police functions? Procedural justice and how it impacts the ability of officers to perform their duties must be understood as a foundational concept before considering equitable and fair treatment of community members. There is substantial research supporting the closely tied “relationship between procedural justice policing and citizen perceptions of police legitimacy.”

Reisig, Bratton, and Gertz, 2007; Tyler, 2003, 2004. Shaping Citizen Perceptions of Police Legitimacy: A Randomized Field Trial of Procedural Justice, Criminology Volume 51, Issue 1, pages 33–63, February 2013, Community Orientated Policing Services, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 7

- Studies have concluded that perceived fairness in policing is important for shaping a person’s willingness to obey the police and cooperate with legal authority. (Shaping Citizen Perceptions 2013)
- “If citizens perceive that the police act in a procedurally just manner—by treating people with dignity and respect, and by being fair and neutral in their actions—then the legitimacy of the police is enhanced. (Shaping Citizen Perceptions 2013, page 1)
- These studies show that the legitimacy of authority is important for encouraging compliance and cooperation (Tyler and Fagan, 2008) and highlight the importance of community engagement in crime management (Huq, Tyler, and Schulhofer, 2011).” (Shaping Citizen Perceptions 2013, page 1)
- The referenced article **concludes that “under field trial conditions, the impact of a procedurally just encounter on citizens’ perceptions of legitimacy and cooperativeness with the police in general is somewhat surprising.”** (Shaping Citizen Perceptions 2013, see Discussion and Conclusions) **The study shows that even single, short duration positive contacts shape a person’s view of the encounter as well as their general perception of police.** Higher ratings of perceived fairness and procedural justice resulted in improved perception of the police in general, higher reported perceptions of police legitimacy and greater satisfaction with the police. (Shaping Citizen Perceptions 2013, see Discussion and Conclusions) The referenced study demonstrates that police agencies and individual officers stand “to gain from using procedurally just approaches in even very short, police-initiated traffic encounters with citizens.” (Shaping Citizen Perceptions 2013, see Discussion and Conclusions)

COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 7



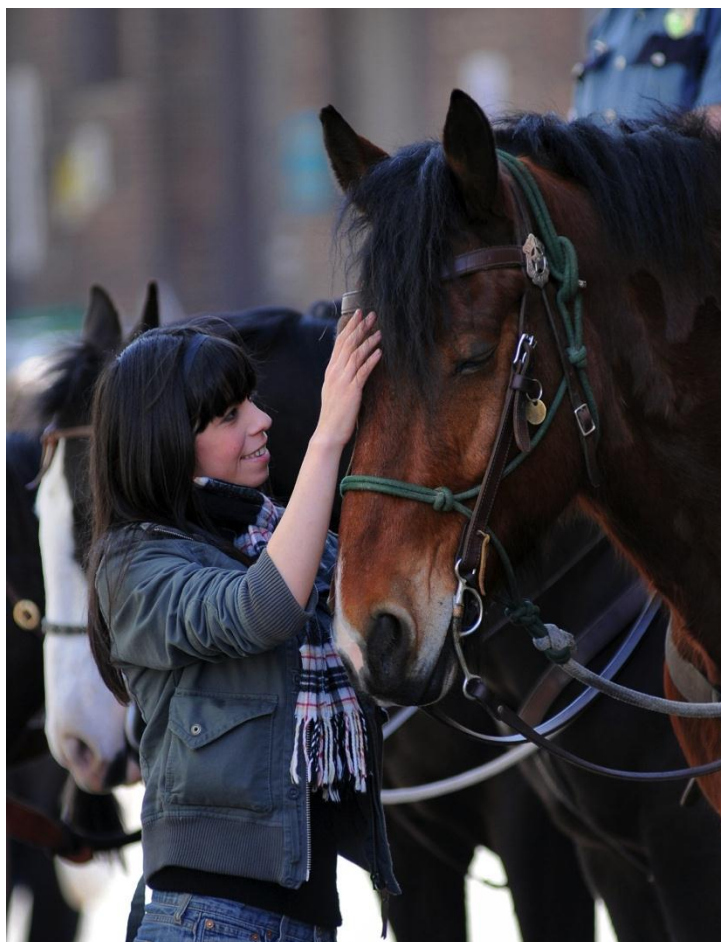
PowerPoint Slide:

What does the community think about you?

Instructor Review Notes

- How are most of your interactions with the community? Positive? Negative?
- How often are they negative?
- What is your perception of what the community thinks about the department?

Desired result: We are seeking an honest self-appraisal of what we believe the community thinks of us and the job we do daily. Avoid the introduction of the word bias. We will address bias in detail in the sections to follow. Most officers should recognize that the bulk of their interactions with the public are positive.



PowerPoint Slide:

Let's talk stats:

Overall Community Approval of SPD	60%
SPD does a good job of keeping people safe	74%
SPD treats people respectfully	77%
Treat people of all races and ethnicities equally	35%
Engages in racial profiling	53%
Uses excessive force	45%
Has anyone you have known been treated unfairly by police	76% no
Has anyone you have known been a victim of excessive force	90% no

Seattle Police Monitor, Second Semiannual Report, December 2013, Appendix



Instructor Review Notes

- **What do these numbers say?**
- **Are they consistent with how people seem to view the Department?**
- **How do we reconcile your conduct with community perception?**

Desired result: Through discussion officers should recognize that the statistics give insight into how the community perceives the Seattle Police Department.

First, officers should understand that a majority of the community believes that SPD uses excessive force and does not treat people of all races and ethnicities equally.

Second, officers should recognize that significant majorities also say that SPD does a good job at keeping people safe and treats people respectfully.

Finally, officers should note that relatively few have known someone who has been treated unfairly by police or experienced excessive force. Thus, community perceptions may not be consistent with perceived approval, fairness and direct knowledge of misconduct.



PowerPoint Slide:

What impacts a person's assessment of an encounter with police?

Let's take a closer look.

Instructor Review Notes

How does a community member assess an officer or the organization?

- Outcome (e.g., warning, ticket, arrest)
- Process (e.g. respectful, fair)

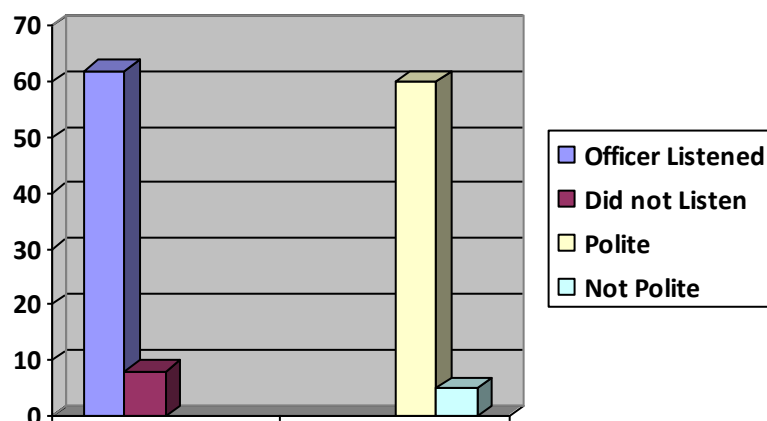


PowerPoint Slide:

How could a community member's perception that the officer listened to the driver or was polite during a traffic stop impact their perception of police?

Process Matters When Getting a Ticket

How favorable was the incident?



Data from:
COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 12-15



Instructor Review Notes

- When a driver perceived that the officer listened and was polite, they rated the incident far more favorably than when they believed that the officer did not listen to them or was not polite.

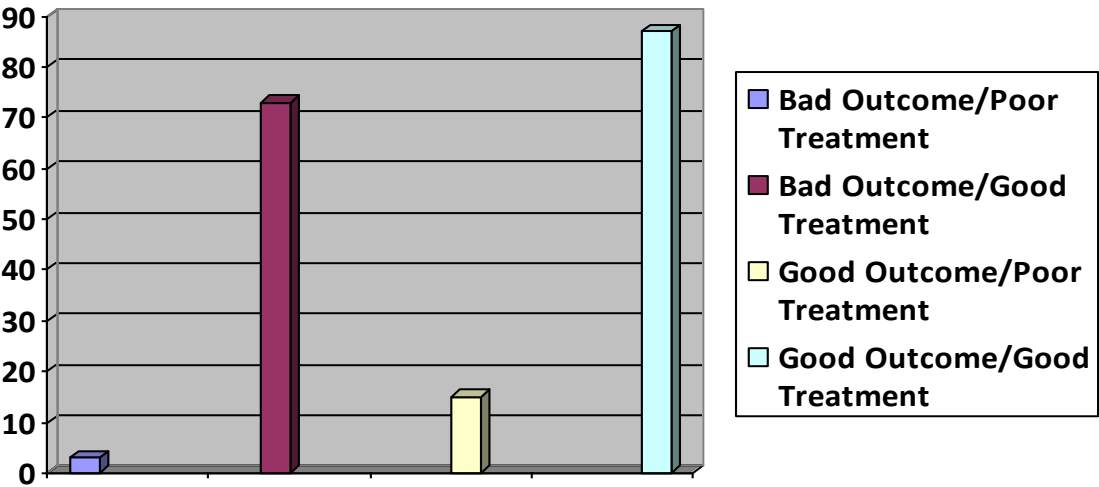
PowerPoint Slide:

How does the feeling that someone received “good” treatment impact the acceptance of police decisions?

Community Members’ Voluntary Acceptance of Police Decisions

Outcome = Result of Interaction with Officer (e.g., assistance, warning, citation, arrest)

Treatment = Community members’ sense of officer fairness, transparency, equity



COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 12-15

Outcome = Result of Interaction with Officer (e.g., assistance, warning, citation, arrest)

Treatment = Community members’ sense of officer fairness, transparency, equity



Instructor Review Notes

What does this information mean to you?

- When community members perceived the outcome as bad and also believed that their treatment was bad, 3% reported that they would voluntarily accept police decisions.
- When community members perceived the outcome as bad **but believed that their treatment was good, 73% reported that they would accept police decisions.**
- Likewise, community members who received a good outcome but still believed that officer treatment was poor reported that they would voluntarily accept police decisions just 15% of the time. However, when there is a good outcome and good treatment, 87% of community members said that they would accept police decisions.
- A community member's sense of whether officers treated them fairly, respectfully, transparently and with dignity shapes their attitudes about police far more than the outcome of the interaction.
- Procedural justice matters.

Desired result: Each of the above questions will be followed by interactive group discussions. Through interactive facilitated discussion, supported by research, officers should recognize the significant impact of people receiving perceived "good" or fair treatment on the public's acceptance of police decisions. We want officers to not only recognize the importance of the community's acceptance and support, but also how it impacts them professionally. The last graph shows that **treatment matters more than outcome**, with respect to assessments of an interaction and the perception of police generally.

COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 12-15



PowerPoint Slide:

How can you promote procedural justice in interactions with community members?

http://www.youtube.com/watch?v=N1kdNsg_8Jc

Instructor Review Notes

This is video taken after a shooting incident in the south precinct.

- Does this interaction promote procedural justice?
- What is your perception of how the community will react to this interaction?
- What where some options for promoting procedural justice in this interaction?
 - LEED
 - Walk away
 - Partner intervene and remove invovled officer from confrontation
 - Let the person voice their concerns
 - Attempt to redirect the conversation
 - Ask them for any information
 - Attempt to engage the community member

The next video shows two SPD officers arresting a subject for domestic violence.

Show officer video: Schoenberg and Conway

Waiting for approval: Two SPD Officers are observed arresting a very angry person for domestic violence. The officers are very polite and professional to someone who is refusing to engage and who will not allow officers to de-escalate the incident.



Instructor Review Notes

- **Does this interaction promote Procedural Justice?**
- **What is your perception of how the community will react to this interaction?**
- **What were some options?**
- **Does it matter if the subject does not respond to the attempts at de-escalation?**
No, the event occurs with many potential witnesses/observers present. De-escalation and the use of LEED are still of value and favorably viewed by bystanders regardless of the response of the suspect.
- **Why?**
The perception of police contacts is more than just the direct interaction between officers and the public. It is broader and supports the overall perception of us and how we do our job.

Even when dealing with a difficult person, officers can still provide procedural justice. Even if the suspect does not appear impacted by the officers' attempts to display fairness, politeness, and transparency, officers should recognize that the community is likely positively impacted by the officers' professionalism and commitment to procedural justice.



So what does the community want from its police?

Video Presentation:

(In production)

The class will be shown a video prepared by the Seattle Police Department Video Unit asking both community members and police officers the question “How would you like to be treated when contacted by the police?” The video will offer different perspectives, but with similar expectations from contacts with law enforcement.

Instructor Review Notes

- **Are the responses to the question significantly different between community members and police officers?**
- **Are you surprised by any of the answers provided in the video?**

Desired result: Through discussion the class should see recognize similarity between the community’s comments and police officers’ statements. Expectations for officers and citizens when contacted by the police are essentially the same.



Community Police Commission Presentation

A member of the Community Police Commission will make a short presentation describing the steps the Seattle Police Department, as an organization, should consider to become Bias-Free. The presentation will offer specific answers to the question and present a vision of what Bias-Free policing looks like to the community. Once the presentation is concluded, officers will have time to ask questions of the community member.





Human Bias

Video Presentation:

<http://www.youtube.com/watch?v=8OcQ9A-5noM>

Fair and Impartial Policing, <http://fairandimpartialpolicing.com/training/resources.html>

Instructor Review Notes

- What were the judges' and audience's reaction prior to her singing?
- Did people pre-judge her? If so, what was it about her that led the judges and audience to that judgment?

This is bias....

- Did it change after she began to sing? Why?

A bias changes when we have facts that are contrary to assumptions

Desired results: It is very clear the judges and audience had a bias toward the singer; that she could not perform based on her appearance and/or method of presentation. Humans tend to prejudge other people on sight. We tend to attribute characteristics to people based on appearance and behavior, and our previous experiences with people of similar appearance or exhibiting similar behavior. In the video, the judges and audience members seemed to have made conclusions about her ability to sing based on her appearance/behaviors on stage.

We all have biases; often based on some experience or fact. Our brain creates biases, through schema and stereotypes, to assist in cognitive efficiency. However, this efficiency can lead to quick non-deliberative decisions that may not be accurate. We should take steps to not allow biases to impact decision-making or evaluation of events. The goal is to make reasoned decisions that consider the impact of biases and to work to counter pre-conceived evaluation of information.

COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 1, page 7

EXHIBIT A

(part 2 of 3)



PowerPoint Slide:

Unconscious Bias



Instructor Review Notes

Exercise

Using material from the Seattle Office of Civil Rights, the slide above will be displayed and officers will be asked questions about each item. Some biases can be subtle and not necessarily deliberately thought of when faced with new information.

- **What do they all have in common?**
- **Which is the most expensive?**
- **Which one would be at a grandparents' house?**
- **What do you think of when you see the folding chair?**
- **Which is the most comfortable?**

Desired result: [Psychology](#) and [cognitive science](#) have determined that our brain creates, mental shortcuts, through schema and stereotypes, that assist us grouping things for cognitive efficiency.

- Students will recognize that we come to quick conclusions based on mental associations in order to facilitate processing of information. It is an effective shortcut to categorize all of the objects as “chairs”; to clump things together based on a prominent characteristic. However, there are fundamental differences between the chairs with respect to uses, comfort, expense, and the like. Despite these differences among the individual chairs, our brain automatically maps the item to a “chair” schema or group in our brain and we immediately know they are furniture to sit on. Our brains want to be efficient. These mental shortcuts are hard-wired to improve our cognitive efficiency.



- Although we acknowledge they are all chairs, we unconsciously categorize them based on our experiences, perceptions, and assumptions. A preference of one over another or a systematic association can be a bias.
- Could the most expensive chair be the antique chair; or the specialty chair?
- May an assumption based on prior groupings of information or experiences be inaccurate?



[PowerPoint Slide:](#)

Schema

Schema describes an organized pattern of thought or behavior that sorts categories of information and the relationships among them.

- Mental shortcuts
- Organize and categorize objects, places, events, activities, and people
- Automatic—we are not aware
- Used innately to understand, predict, and make sense of the world

Implicit Bias Taskforce, Toolbox PowerPoint Instructional Manual, ABA Section of Litigation, pg 24 & 32



PowerPoint Slide:

What do officers typically associate with a suspects quick hand movement to their waistband?

Instructor Review Notes



- Is that a schema?
- Have you ever been in similar circumstances, where the movement turned out to not be a “reach” for a weapon?
- Why were you mistaken?

We use schemas in police training to develop quick realistic pictures or associations that facilitate decision-making. Scenarios that present a suspect drawing a firearm from their waistband creates a picture that facilitates threat recognition and decision making under time-pressure. We associate certain movements with potential threats. The sudden reach may or may not be accurate; requiring an assessment of the actual threat. There is significant support that training improves schema development, which impacts cognitive load; supporting threat recognition, assisting with correct association of schema and improving performance under stress. Schemas can and often are a good thing, but can be predicated on incomplete information. In police work we evaluate the schema used by comparing it to training, and applying the reasonable officer standard to determine if officer actions were legal.

One of many articles:

Across the Thin Blue Line: Officers and Racial Bias in the Decision to Shoot, Joshua Correll, Interpersonal Relations and Group Processes, Journal of Personality and Social Psychology, 2007 vol 92,no 6,1006-1023



PowerPoint Slide:

Stereotypes

- **Similar to the concept of schema we use stereotypes to categorize people**
- **We use them to sort people into recognizable groups-We use them when we expect or assume—often without thinking—that, because a person belongs to a particular group, they must possess the characteristics that we have come to associate with that group**

What is Implicit Bias?

http://www.americanvaluesinstitute.org/?page_id14

Posted on August 24, 2009



PowerPoint Slide:



How do stereotypes surface in the real world?

Instructor Review Notes

What is the NFL's institutional view of a 5'10" quarterback?

What are other biases toward quarterbacks and how have they evolved over time?

Desired result: Recognize that there is a group or collective bias. The NFL clearly has a bias against small quarterback's in spite of their success-Wilson and Breese. The success of these quarterbacks has led to considering a QB outside the norm, but the biases remain strong. Even after winning the super bowl, commentary about QB's in the 2014 draft focused on physical attribute of height and how a taller QB brings the required "tools" to the game.

When we think of a high-quality quarterback, we might think of a certain type of person (prototypical 6'06', 240 QB). When presented with a different person, we might assume that they will not be as effective. This is an example of applying the characteristics of a group to a person—and basing decisions on it.



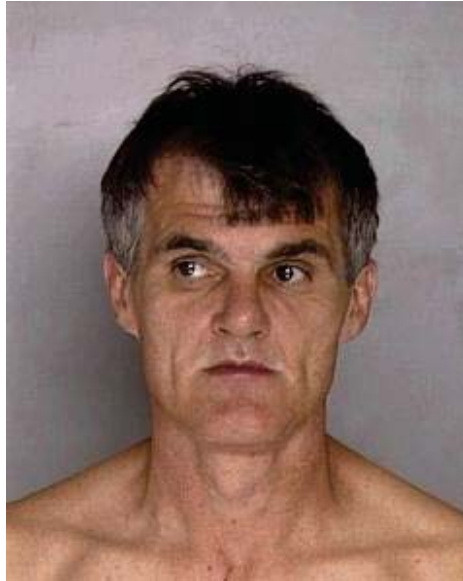
PowerPoint Slide:

Do we have stereotypes in police work?

What are the characteristics you associate with a child rapist?

Describe the image that came into your mind

Many officers will associate a child rapist with an older white male.



<http://thetimes-tribune.com/news/child-rapist-sentenced-to-20-to-40-years-in-prison-1.1575033>

29 % under 17 YOA

73% under 29 YOA

Sexually Assaulted Children: National Estimates and Characteristics, David Finkelhor, Heather Hammer, and Andrea J Sedlak, National Incidence Studies of Missing, Abducted, Runaway, and Throwaway Children, August 2008, US DOJ, Office of Justice Programs

<https://www.ncjrs.gov/pdffiles1/ojjdp/214383.pdf>



PowerPoint Slide:

Do stereotypes create problems for you?

<https://www.youtube.com/watch?v=RhSH928N9b8>

Instructor Review Notes

- Is the stop legal?
- Why did the officer stop the person if it appears illegal to be an illegal detention?

The video will be stopped just after contact and the instructor will ask question regarding the legality of the stop and any potential for stereotypes/bias. The above video shows arguably a stereotypes/bias that is wrong and resulted in an illegal detention. This creates significant problems for the involved officer and agency.

Using stereotypes or biases creates problems for officers when:

- They are wrong
- Used as the sole basis or primary factory to make decisions
- Acting on pre-judged information puts officer in an a position of acting without well thought out support for decisions-unsupported decisions create errors
- It creates significant professional problems for officer
- It supports public perception of police bias
- Profiling/pre-judging/stereotyping is morally and ethically wrong

Desired response: Officers will instantly form a mental picture. Schemas/stereotypes are part of the human condition used to bring order and create mental efficiency in processing information. We all use them, but what matters is what we do with those mental shortcuts. Officers should understand that problems occur when they act on a stereotype-as the sole basis for a decision.



Biases: We All Have Them.

[PowerPoint Slide:](#)

What in your opinion is an explicit bias?

Is racism an example of explicit bias?

Explicit Bias Defined-

- It is an attitude or stereotype that somebody is consciously aware of having
- Racism would be an explicit bias in which a person has conscious animus toward a group and is unconcerned about their bias
- Social scientist have determined that bias is very unlikely to manifest itself as explicit bias-85%+ believe they are unbiased in relation to race

http://med.stanford.edu/diversity/FAQ_REDE.html

**COPS, U.S. Department of Justice, Fair and Impartial Policing
Course, Module 1, page 4**



Instructor Review Notes

Desired results: The instructor is seeking a group discussion to define explicit bias. The questions above will prod officers to understand the distinct nature of an explicit bias.



What in your opinion is an implicit bias?

[PowerPoint Slide:](#)

Implicit Bias Defined:

- Bias operating outside of awareness or conscious recognition
- Based on attitudes or stereotypes

Instructor Review Notes

Desired results: The instructor is seeking a group discussion to define implicit bias. The questions above will prod officers to understand the distinct nature of an implicit bias.



PowerPoint Slide:

Fundamental Concepts of Implicit Bias

- Bias is a normal human attribute—even well-Intentioned people have biases
- Biases are often unconscious or "implicit"
- Implicit biases manifest even in individuals who, at the conscious level, reject prejudices and stereotyping—People who express beliefs in equality and against racism may nonetheless of innate associations between certain people and certain characteristics
- Implicit biases can influence our actions
- Understanding how implicit bias can affect our perceptions and behavior is the first step to “override” implicit bias

Biases are part of the human condition. We all have them.

**COPS, U.S. Department of Justice, Fair and Impartial Policing
Course, Module 1, page 8**



Video Presentation:

<http://www.youtube.com/watch?v=uNPpFZLeIE>

Instructor Review Notes

- **We all have biases; can they be based in part on facts?**
- **Were any of George Clooney's comments based on facts?**
 - Parents with strollers are slow? Stereotype? Bias?
- **Even if based on fact, does that necessarily make them accurate?**
 - No
- **Have biases ever impacted you? Personally or professionally? How?**

Desired results: We all have biases and many feel they have been impacted by bias. Often, our experiences support biases. Our brain uses facts and past experience to build schema and stereotypes that allow us to operate efficiently. However, that efficiency can lead to errors. Recognizing bias, that such bias may not be something about which we are consciously aware, and the errors that may result from bias, is an important step to achieving bias-free policing.



Race/Crime Association





Video presentation:

<http://www.youtube.com/watch?v= QXyyj1RiCE>

Will be edited to approx. 3 minutes

COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 30

Instructor Review Notes

In this scene, the character, played by Sandra Bullock, fears that two Black men are criminals and this turns out to be accurate. Her stereotype became true.

Of course, this happens sometimes. Yet there are also situations where a fear—or lack of fear—based on biases is inaccurate. You may assume a woman does not have a gun, when she does.

Your implicit biases might be right sometimes, but they can also be wrong. Because they are not reliable, you should not police based on your biases. Race/crime association in society is very strong even with individuals who have strong anti-bias beliefs. The video is used to present a clear bias/stereotype as a starting point to explore the issue and identify problems of implicit bias for officers.

PowerPoint Slide:

Do you think that there is an association between race and crime in society?

Is it implicit or explicit?

Instructor Review Notes

Yes. There are numerous studies to support this assertion. This bias is often one that is not conscious. It has been found to exist among individuals of all races, ages, and other categories.



PowerPoint Slide:

Why do you think we have race/crime associations?

Instructor Review Notes

- **Several significant studies suggest that there is a strong race/crime association in society equally represented in non-police and police**

Seeing Black: Race, Crime, and Visual Processing, Eberhardt, Goff, Purdie, Davies

Journal of Personality and Social Psychology Copyright 2004 by the American Psychological Association 2004, Vol. 87, No. 6, 876–893

<http://www-psych.stanford.edu/~mcslab/PublicationPDFs/Seeing%20black.pdf>

The Correlates of Law Enforcement Officers 'Automatic and Controlled Race-Based Responses to Criminal Suspects

B. Michelle Peruche and E. Ashby Plant *Florida State University* BASIC AND APPLIED SOCIAL PSYCHOLOGY, 28(2), 193–199 Copyright © 2006, Lawrence Erlbaum Associates, Inc.

<http://fairandimpartialpolicing.com/docs/pob8.pdf>

Across the Thin Blue Line: Officers and Racial Bias in the Decision to Shoot,

Joshua Correll, Interpersonal Relations and Group Processes, Journal of Personality and Social Psychology, 2007 vol 92, no 6, 1006-1023

Several factors may contribute to this stereotype:

- “a natural response, given the high proportion of Blacks convicted of violent crimes in the United States.”
Eberhardt, pg 891
- Higher levels of disrespect, hostility, economic/social disadvantage and higher crimes rates in disadvantaged neighborhoods may contribute to police race/crime association. Police interaction may also be impacted by these groups perception of being victimized by police. At times this could be unintentional; the “residents at the bottom rungs of the social ladder(may) perceive that community policing activities unfairly target them and are not likely to be happy about that” Reisig pg 247 Policing efforts and strategies may contribute to “perceptions that police unfairly target their transgressions, largely in African American communities throughout the United States.” Additionally these conditions may reinforce disrespectful activities as “defensive and legitimate.” Pg 248-249

Suspect Disrespect Toward Police, Reisig, McCluskey, Mastroski, and Terrill, Justice Quarterly, June 2004, 21,2, Law Module, pg 241



PowerPoint Slide:

There is a very strong association even in people who have strong beliefs contrary to bias-

“There is nothing more painful to me at this stage in my life than to walk down the street and hear footsteps and start thinking about robbery. Then look around and see somebody white and feel relieved.”

Rev. Jesse Jackson

Implicit Bias Taskforce, Toolbox Powerpoint Instructional Manual, ABA Section of Litigation, pg 32, Operation PUSH in Chicago (27 November 1993). Quoted in “Crime: New Frontier – Jesse Jackson Calls It Top Civil-Rights Issue” by Mary A. Johnson, 29 November 1993

PowerPoint Slide:

What would be the negative effects of race/crime association for police officers?

Instructor Review Notes

Officer Safety: Could lead to officer safety concerns—making decisions based on bias or stereotypes rather than the facts of a certain situation

Example: Not treating an armed elderly woman as threat

Unjust: Equitable and fair police actions must be based on information more than bias or a hunch; it must be predicated on articulable facts that reasonably support the officer’s legal conclusions.

Desired results: Based on many studies, there are strong race/crime associations in American society.

Although they exist, students will be presented material in the following section demonstrating that these biases can be un-trained or through police training their impact on decisions becomes negligible.

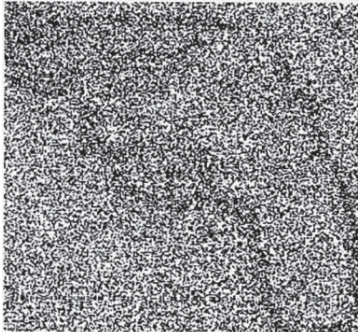
Across the Thin Blue Line: Officers and Racial Bias in the Decision to Shoot, Joshua Correll, Interpersonal Relations and Group Processes, Journal of Personality and Social Psychology, 2007 vol 92,no 6,1006-1023

COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 2, page 30



How does implicit bias impact police officers?

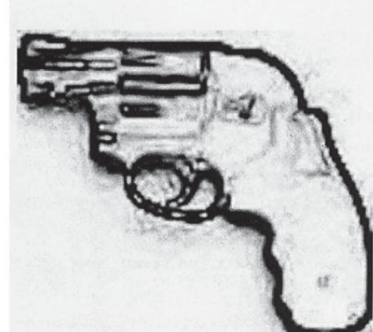
PowerPoint Slide:



Frame 1



Frame 20



Frame 41

Instructor Review Notes

In one study, subjects were exposed to Black male faces and White male faces prior to displaying crime related objects. (gun, knife, etc.)

- Exposure to Black male faces facilitated the identification of crime-related objects—they could see crime-relevant things more quickly
- Exposure to White male faces slowed the identification of crime-relevant objects—they saw crime-relevant things more slowly

“It is important to note that although visual processes may reinforce stereotypic associations, the associations themselves are consequences of widely shared cultural understandings and social patterns.”

Seeing Black: Race, Crime, and Visual Processing,
Eberhardt, Goff, Purdie,Davies Journal of Personality and Social Psychology Copyright 2004 by the American Psychological Association 2004, Vol. 87, No. 6, 876–893

Eberhardt, et al (2004). Fair & Impartial Policing Module 1, pp. 19-24



PowerPoint Slide:



Instructor Review Notes

In another study, Denver police officers and randomly chosen community members, participated in a shoot/don't shoot study, using a video game simulation. The video game presented suspects who are black and white. The background changed and the objects in the suspect's hand varied throughout the 100 slide presentation. All participants were told that if a weapon is observed it is a shooting situation.

Across the Thin Blue Line: Officers and Racial Bias in the Decision to Shoot, Joshua Correll, Interpersonal Relations and Group Processes, Journal of Personality and Social Psychology, 2007 vol 92, no 6, 1006-1023



PowerPoint Slide:

- In the study, police officers were slower to shoot armed white suspects than they are to shoot armed black suspects.
- 560 ms vs 572 ms (difference of 12 ms or 12/1000th of a second)

What does the consistent difference suggests that may be impacting the speed of officer's reactions?

Instructor Review Notes

Implicit bias/stereotypes:

When the situation conformed to a bias (e.g., an *armed* Black man), participants shot more quickly. When the situation did not conform to the bias (e.g., an *armed* White man), participants shot more slowly.

- **It appears that people are slower to fire at an armed white suspect because it presents a picture that is inconsistent with stereotypes.**

Explicit bias or values:

Even subjects who expressed beliefs and values in a pre-study questionnaire that reflected the lack of explicit bias or racism and a dedication to equality manifested the same effects.

PowerPoint Slide:

How do you think the community members perform?

Instructor Review Notes

Let the class offer suggested responses

- Community member's responses mimic officer's performance; they hold the same level of bias to shoot faster black armed suspects than white armed suspects.



PowerPoint Slide:

Do you think that police officers made more correct shoot/don't shoot decisions?

Instructor Review Notes

YES.

On average, officers were quicker to make correct shoot/ don't-shoot decisions than were civilians; they shot more armed subjects and did not shoot more unarmed subjects. It appears that police were better able to differentiate armed targets from unarmed targets.

- Although police officers may be affected by culturally shared racial stereotypes (i.e., showing bias in their response times), they are no more liable to this bias than are the people who live and work in their communities. (higher proportion of civilians were minorities than officer sample). This is further evidence that we all have implicit biases.
- For officers however, the stereotypic interference ended with reaction times. ***The bias did not translate to the decisions they ultimately made.***



PowerPoint Slide:

How do you think that researchers explained the difference between police officers and civilians?

How would you explain it?

Instructor Review Notes

- The researchers suggested that the officer's training and experience may have allowed them to more consciously "*override automatic associations*"

"We suggest, then, that police training and on-the-job experience in complex encounters may allow officers to more effectively exert executive control in the shoot/don't-shoot task, essentially overriding response tendencies that stem from racial stereotypes."

Across the Thin Blue Line: Officers and Racial Bias in the Decision to Shoot, Joshua Correll, Interpersonal Relations and Group Processes, Journal of Personality and Social Psychology, 2007 vol 92, no 6, 1006-1023

- Denver officers showed no bias to shoot based on race
- For officers however, the stereotypic interference ended with reaction times. ***The bias evident did not translate to the decisions they ultimately made. This separation of effects may reflect the officers' ability to override automatic associations (Kunda & Spencer, 2003), perhaps as a function of their training and expertise.***
- The data suggests that the officers' training and/or expertise may improve their overall performance (yielding faster responses, greater sensitivity and reduced tendencies to shoot) and decrease racial bias in decision outcomes.
- ***It appears based on Correll's study, that although race appears to impact the processing time to decide to shoot, the decision to shoot by officers does not appear to be impacted by race-***

Across the Thin Blue Line: Officers and Racial Bias in the Decision to Shoot, Joshua Correll, Interpersonal Relations and Group Processes, Journal of Personality and Social Psychology, 2007 vol 92, no 6, 1006-1023

***Note** the prior study by Peruche (**The Correlates of Law Enforcement Officers' Automatic and controlled Race-Based Responses to Criminal Suspects**, B. Michelle Peruche and E. Ashby Plant BASIC AND APPLIED SOCIAL PSYCHOLOGY, 28(2), 193-199 Copyright © 2006) is largely **discounted** by Correll's findings. Correll's work more accurately represents lethal force encounters i.e. suspect displaying a handgun as opposed to superimposing a weapon on a person. Peruche did find that more experienced officers are less impacted by bias. Correll also used many more officers in his study (237 vs. 50).



Due to the significance of Peruche's prior work, Correll attempted to replicate Peruche's results; modifying his exposure time, but was not successful. It appears that when using more realistic testing procedures, officers do not show a bias to shoot. Peruche also found that after exposure to the program officers are no more likely to mistakenly shoot unarmed white suspects vs. unarmed black suspects. Peruche at Pg. 196 This is consistent with Correll's overall findings.

PowerPoint Slide:

**Do you think a black officer's performance would vary from other officers?
Why?**

Instructor Review Notes

The performance was the same for black officers—like other officers and civilian subjects, they showed a tendency to shoot armed black suspects faster than armed white suspects.

Researchers concluded that black officers may also have a race/crime association bias.



PowerPoint Slide:

Do you think the race/crime associations apply to other ethnic groups?

Black, Asian, and Latino?

Instructor Review Notes

Correll conducted a 2012 study that examined implicit biases on decisions to shoot hostile multiethnic suspects. The study supported the results discovered in his 2007 research. The 2012 used police officers from around the nation including Washington State officers. The 2012 study conducted the experiment using the same methodology as 2007 and added the additional targets of Latino and Asian suspects. The research resulted in the following

- Officers slowest to react to armed Asian suspects
- Officers next slowest to respond to armed white suspects
- Officers reacted faster with armed Latino suspects
- Officers were fastest with armed Black suspects
- Results suggest more violence stereotypically associated with Blacks and Latinos
- The higher the perceived violent crime in a community the higher the bias to shoot armed Latino suspects and a reduced bias toward white suspects

The World is Not Black and White: Racial Bias in the Decision to Shoot in a Multi-ethnic Context, Melody Sadler, Joshua Correll, Bernadette Park, Charles M. Judd, Journal of Social Issues, Volume 68, Issue 2, June 2012, pages 286-313



PowerPoint Slide:

“It is interesting to note that biases in reaction times toward Blacks and Latinos were overcome by the time the decision was made, and in fact, there was no evidence that target race biased a police officer’s ability to correctly shoot armed targets and to not shoot unarmed targets.”

“Finally, it is interesting to note that reaction time bias and sensitivity (accuracy) bias were generally uncorrelated. The only exception was a significant negative relationship for White targets. The more bias in reaction times to White targets(slower to react) is, the less accurately participants responded to the objects White targets held.”

Instructor Review Notes

The 2012 quote continues to support the results discussed above in the 2007 study. Officers are impacted by race in the speed of threat assessment but are not likely to let race impact their decision to shoot. It does however present significant officer safety issues with potential for slower reaction to armed white suspects. Also the stronger the implicit bias toward whites the less accurate to identify a threat.

The implicit race bias in the study appears tied to the perception of threats posed by the representative groups. This appears impacted by the perceived level of violence within the community they police.

Police simulation training appears to reduce escalation and reduce the impact of race on how the encounter progresses



PowerPoint Slide:

What is the significance of the race-crime implicit bias?

Instructor Review Notes

- Everyone one has it and it is a very strong bias in society
- May create officer safety concerns, slower reactions to inconsistent stereotypes
- Increased scrutiny may support the community perception of police bias



PowerPoint Slide:

**How could the race-crime association impact the
determination of whether you have reasonable suspicion for a
Terry stop?**



Instructor Review Notes

- Who an officer chooses to monitor/scrutinize before deciding to make a stop
- Although race/crime association implicit bias appears to exist, officers may through training unlink bias, forcing them to act on facts supporting a legal detention.

"[T]his study suggests that police officers are more likely to form non-behavioral suspicions for individuals who are members of a minority group. This finding is consistent with psychological theory of cognitive scheme in suggesting that blacks are more likely to be viewed suspiciously by the police for reasons that appear innocuous . .

. . **However, this does not influence the ultimate decision to stop and questions suspects. Instead, it appears that police officers require a clearer prompt, such as a suspect committing a traffic offense, or matching a reported description of a suspect crime, before they decide to exercise their discretion to stop a suspicious person or vehicle . . .**

. [Nonetheless], the findings from this study are important in that they provide . . . empirical evidence that race is an important predictor of the suspicion formed by the police in actual street-level encounters with citizens." (Alpert at 426–427)



[PowerPoint Slide:](#)

How can you reduce the possibility implicit biases are impacting your decision to initiate a contact?

Instructor Review Notes

Consciously force yourself to think in terms of observable, articulable facts and behaviors.

Reasonable suspicion must be based on observable, articulable facts. Officers must be able to state not only how their experience and training relate to their judgments of suspicion on a particular occasion but also be able to link those factors with an individual's reasonably suspected criminal activity.

L. Song Richardson , Cognitive Bias, Police Character, and the Fourth Amendment, 44 Arizona State Law Journal 268 (Spring 2012).

Do not avoid initiating contacts.

Studies show that the mere *awareness* that you may have implicit biases that your mind sometimes uses can reduce the effects of "implicit biases." Understanding implicit bias can affect our actions and is the first step to "override" implicit bias. Rely on observable and articulable facts to make decisions.

Fair and Impartial Policing Module 1, p. 36.



Exercise:

If time permits:

Have you ever had to deal with a co-worker you just don't like, but you wanted to treat them fairly?

How did you approach that interaction?

Did consideration of your own bias and what it takes to be fair, impact the interaction?

- We have all dealt with "that" person, the one we just don't care for, it can be difficult
- Often when concerned about treating people fairly, even those we have a bias toward, if we cognitively consider being fair and impartial, we are likely to reduce the impact of the bias. Many people have experiences with other employees, squad mates, supervisor/subordinates, team mates where they must interact with the person regardless of whether they like them. This is an example of how if we identify a potential bias, bring it to conscious consideration then we are less likely to act on the bias.



PowerPoint Slide:

Do you think that there is a community bias toward police?



Instructor Review Notes

- **What would be the likely community perception of this incident based on this picture?**

Desired result: Honest reaction to the picture. Likely response would be the assumption officers are using force to make an arrest.

Police in Baltimore County, Maryland struggled to take an armed suspect into custody. Authorities there answered a report of a man attacking a woman. The attacker was armed with a knife, and refused to follow commands to surrender. Officers used pepper spray, which was ineffective. They then attempted a TASER application, which the suspect defeated.



PowerPoint Slide:





Instructor Review Notes

➤ **What would be the likely community perception of this incident based on this picture?**

The above picture will be shown first and the class will be asked what they believe the community's perception would be of this incident. The picture would likely raise question of race and police abuse.

- **If you hear of an officer using a high level of force what is your reaction when you find out the suspect is white?**
- **Are there biases toward police? Are they express biases because the people who have them are aware of their attitudes toward police? Could they be implicit?**

<https://www.youtube.com/watch?v=5RrEzSFMB6A>

Video is available if time permits; highlights community commentary related to the above incident.

- **Is the Seattle Police Department sometimes impacted by events outside its control?**
- **How do we address those events?**
- **Does promoting procedural justice impact biases toward police?**

Desired results: Police are impacted by biases toward them that may not be based on reality- the bias is false. We are further impacted by actions of officer not affiliated with Seattle Police Department. We can counter that perception through interaction with the community, seeking to enhance the perception of fairness during our interactions, listening and explaining our decisions. This incident in the videos highlights how events not tied to this organization and largely outside our control could support the national perception of officers and police agencies. The first video shows that the community members clearly have concerns about police response to this incident. The second link to the story about the event highlights the potential implications of this incident. Further the eventual outcome is largely immaterial and disconnected from the event usually by a significant period of time. In other words the impact of the event is immediate and requires officers to continuously work to support the perception of procedural justice enhancing police legitimacy.

Result of incident:

A Los Angeles federal jury unanimously rejected a civil rights lawsuit by a Venice skateboarder who claimed several Los Angeles police officers wrestled him to the ground, beat him and punched him in the head.

Los Angeles Times, June 23, 2014

<http://www.latimes.com/local/lanow/la-me-ln-venice-stakeborder-who-claimed-lapd-beat-him-loses-case-20140623-story.html>



Video Presentation

http://www.youtube.com/watch?feature=player_detailpage&list=PL972F14C05D75C195&v=PtdH5hMz0SU#t=68s

Fair and Impartial Policing, <http://fairandimpartialpolicing.com/training/resources.html>

Instructor Review Notes

- **What would you do on that call?**
Nothing, no police action required
- **Is it possible somewhere in the country a police call like that could be generated?**
Yes
- **Who is demonstrating a bias? The police or the community member who called?**
Community
- **Can we be impacted by other people's biases?**
Yes

Desired Result: Instructor will stop the video at the point of police contact. We want the officers to recognize that we do not control all aspects of a contact and can be impacted by external biases or bias by proxy. Again the goal is to identify the bias, attempt to unlink it from the decision, implement controlled behavior, slow down to permit deliberative processing and explain our actions.



PowerPoint Slide:

Is race the only bias?

Instructor Review Notes

Desired results: The instructor is seeking a group discussion on discernable characteristics linked to biases. The questions above will prod officer's to find areas of linkage to implicit bias. The class monitor will use information below to guide discussion. There are numerous studies related to biases linked to discernable characteristics. We will let the students come up with the list.

Research has documented implicit biases linked to:

- Ethnicity and race
- Gender
- Sexual orientation
- Body shape
- Age



Implicit Bias Taskforce, Toolbox PowerPoint Instructional Manual, ABA Section of Litigation, pg 32
COPS, U.S. Department of Justice, Fair and Impartial Policing Course, Module 3, page 4 Seattle Office of Civil Rights

- For example, a 2008 study found that—in a similar shoot/don't shoot study subjects were more likely to shoot individuals wearing an Islamic headdress

Unkelbach, et al; Fair & Impartial Policing Module 1, pp. 26-28.



PowerPoint Slide:

Are police the only profession impacted by bias?



Instructor Review Notes

Desired results: The instructor is seeking a group discussion on discernable characteristics linked to biases observed in other professions. There is significant research to demonstrate other professions have linked characteristics to bias. The questions above will prod officer's to suggest other professions impacted by bias. We will again let them come up with the list.

Relevant to Members of All Professions

- Implicit biases have been noted in studies focusing on:
- Doctors & nurses (relating to race, class, weight)
<http://link.springer.com/article/10.1007/s11606-007-0258-5>
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3140753/>
- Defense attorneys, prosecutors, and judges (relating to gender, race, and ethnicity)
<http://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=1364&context=facpub&sei->
- School teachers
- Social service providers

Can we change a bias?

PowerPoint Slide:

The Seattle Times

Winner of Nine Pulitzer Prizes

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Ex-Seattle police official helped expose corruption in department

By Stuart Eskenazi
Seattle Times staff reporter

At a time blind eyes were cast to corruption within the ranks of the Seattle Police Department, Assistant Chief Eugene Corr helped expose an illegal payoff system — and then paid a price for his courage.

Mr. Corr, 82, who died of lung cancer Sunday, emerged through it all with his integrity intact, earning distinction as a model public servant.



Instructor Review Notes

- In the sixties and early seventies SPD was associated with allowing illegal gambling and taking bribes. Do you think SPD is currently associated with this type of corruption?
- What changed that perception?
- How long do you think it took to change that stereotype?

Desired result: Have people acknowledge that biases change over time. They may also change as a result of additional modifying experiences or changes in behavior. Consistently addressing the concern institutionally and individually led to a change of the public's perspective of SPD. Training, policy and public leadership altered established biases.

[Section summary](#)
[PowerPoint Slide:](#)

What is a bias?

Do we all have them?

Are we always aware of a bias?

What is the race/crime association stereotype?

Can police override the stereotype?

Can biases change?



Overlaying Strategies for Reducing Implicit Bias on Police Work

PowerPoint Slide:



How can we minimize implicit bias?

What tactics, strategies, and procedures can officers use to reduce the effects of implicit bias?



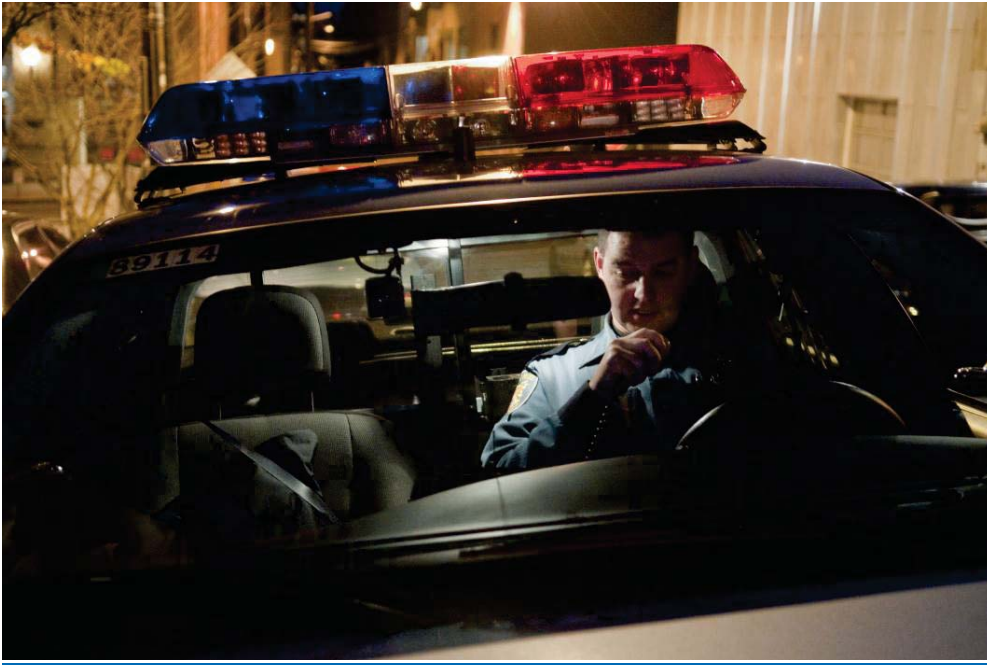
Instructor Review Notes

Officers will be presented with each tactical concept, policy, and assess how each promotes the reduction of bias. The bullet points below will flash onto the screen and officers will be asked how they support a reduction in bias and reduce likelihood of using force. Below each bullet are instructor notes to assist in directing conversation. This block will demonstrate how many of our best practices can and will reduce the impact of bias and the need to use force. This block is intended to quickly link anti-bias/force strategies with best practices. Equitable policing practices reduce the perception that officers and the Seattle Police Department acts with bias. It provides officers with clear skills and steps for reducing the perception of bias.

As discussed in the prior PowerPoint slide the effects of biases can be reduced and changed.

Implicit biases can also be changed when people “invest the effort to practice specific strategies to avoid stereotypic or prejudicial responses.” [Dasgupta & Asgari 643, Fiske & Gilbert] In addition to these intentional approaches, implicit biases can be changed by changing the “social context people inhabit rather than by directly manipulating their goals, motivation, or effort,” with the longer the period of exposure to counter stereotypes, the greater the decrease in stereotypes. [Dasgupta & Asgari 643-44, see also Fiske & Gilbert (describing impact of direct experience)]

Implicit Bias Task Force, Toolbox PowerPoint Instructional Manual, ABA Section on Litigation, at 50.



PowerPoint Slide:

STRATEGY 1: Giving yourself, where feasible, more time and space to identify facts and reduce errors

How does more time help reduce potential bias?

Instructor Review Notes

More time permits “controlled responses” and “reduce ambiguity” of situations.

See ABA Implicit Bias Taskforce, ABA Section of Litigation “Toolbox PowerPoint Instruction Manual,” at 49



PowerPoint Slide:

Existing SPD training has already provided you with many of the tools you need.

➤ **Time, distance and shielding**

Instructor Review Notes

- Less likely to use force
- Threat assessment permits modification of decisions
- More time to make decisions, process information, less likely to act on intuition or bias
- Minimizes likelihood of exigency/quick decision process
- Forces assessment of the impact of decisions

➤ **Contact/cover and team tactics, High Risk Vehicle Stops, Multiple Officer Building Searches**

Instructor Review Notes

- More time to process and control environment
- Separation of parties and controlling the scene, may help reduce cognitive load, supporting deliberative processing
- Forces threat assessment requiring evaluation of options, consider implications of decisions, and potential impact
- Less likely to use force
- Facilitates control of the scene



➤ **Less lethal tools, K9, rifles, SWAT and police tools/tactics**

Instructor Review Notes

- Present alternative force options
- Usually requires team tactical considerations minimizing risks to officers and the community
- Changes analysis to increase review of feasibility of various tactics, not locked into one option
- Changes dynamics of lethal force option, asks why particular force option was required
- Promotes deliberation when feasible
- Time spent evaluating choices promotes Bias free decisions and perceptions

➤ **Training**

Instructor Review Notes

- Shifts focus on officer priorities away from biases, to officer safety concerns
- Improves proper decision making
- Improves ability to process time pressure information

➤ **De-escalation**

Instructor Review Notes

- Use words, actions, tactics, etc. to reduce the likelihood to use force
- Supports the concept of letting the community voice their concerns



[PowerPoint Slide:](#)

STRATEGY 2: THINK ABOUT BEING ABLE TO ARTICULATE YOUR REASONING PROCESS—

**“WHAT ARE MY CLEAR, ARITCULTABLE REASONS FOR DOING
THIS”?**

2, Seattle Office of Civil Rights
Proven Strategies for Addressing Unconscious Bias in the Workplace, August 2008, vol
issue 5
Helping Courts Address Implicit Bias, Strategies to Reduce Implicit Bias, National
Center for State Courts, Open Society Institute, and the State Justice
Institute
Implicit Bias Task Force, Toolbox PowerPoint Instructional Manual, ABA Section on
Litigation,

How will this help you?

Instructor Review Notes

Focusing on actionable facts unlinks potential bias and asks you to assess the legitimacy of the information supporting the intended action.

[PowerPoint Slide:](#)

STRATEGY 3: EDUCATION AND TRAINING BUILDS AWARENESS

Attending training—and being aware of that experiences, stereotypes, and schema may be influencing your decision-making even if you’re not immediately aware of it—can help you “override” or minimize implicit bias



[PowerPoint Slide:](#)

STRATEGY 4: WHEN INTERACTING WITH THE COMMUNITY, USE “LEED”

[Section summary](#)

[PowerPoint Slide:](#)

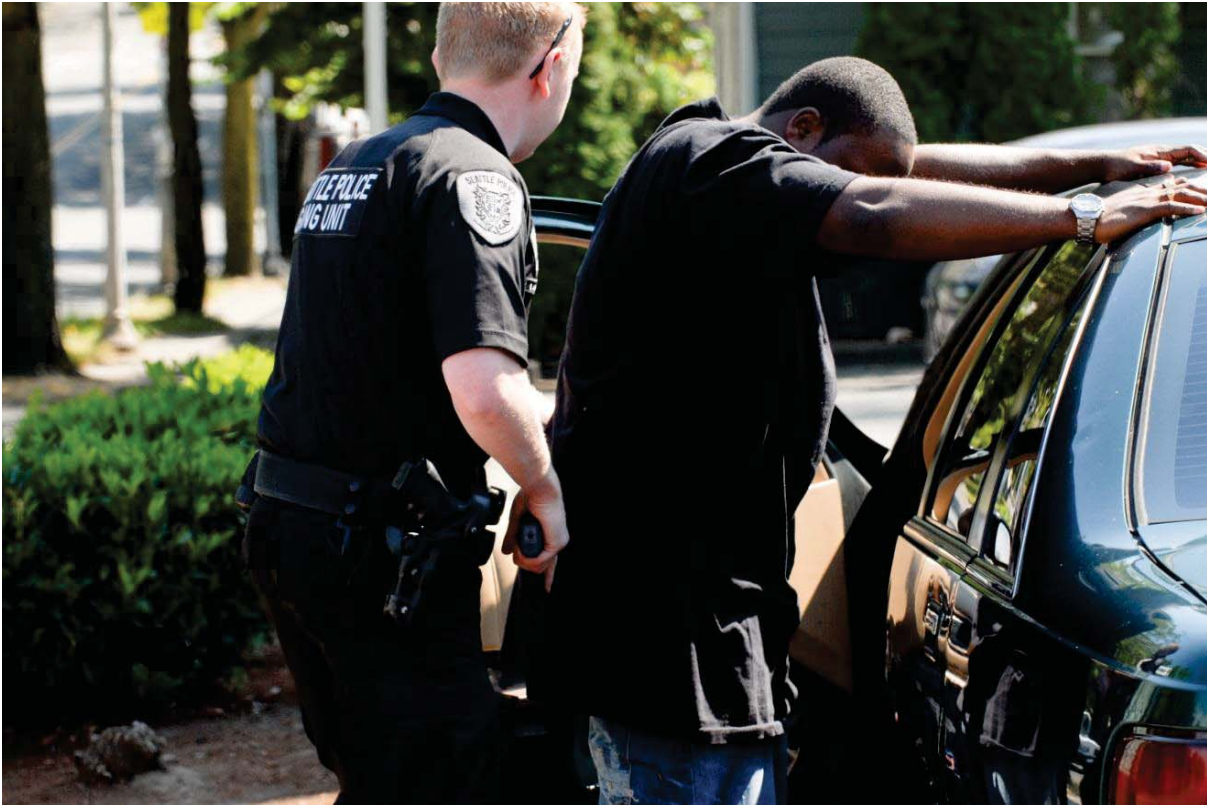
Seattle Police Department Implicit Bias Tool Kit:

STRATEGY 1: Give yourself, where feasible, more time

STRATEGY 2: Rely on articulable facts

STRATEGY 3: Education and training builds awareness

STRATEGY 4: Use “LEED”



LEED

Listen and **E**xplain, with **E**quity and
Dignity



PowerPoint Slide:

What problems does LEED help us address?

**LEED ties our commitment to equality and respect to
clear, explicit behavior and verbal communication.**



Operational Implementation

How do we operationalize LEED:

[PowerPoint Slide:](#)

Three steps of LEED

- Introduction
- Engagement
- Closing



PowerPoint Slide:

Introduction

1. Make the scene safe
2. Greet the person, identifying yourself, treat them with respect
3. Slow the situation down if feasible and begin a deliberative process for evaluating the fairness of your intended response
4. Tell the person the reason for the contact
5. Use appropriate tactics which will likely reduce the need to make exigent decisions

Video presentation:

<http://www.youtube.com/watch?v=mXPeLctgvQI>

Instructor Review Notes

Do the officers in the video use the introduction concepts of LEED?

Are they professional?

What is the impact of this type of media on the community? Does it create a bias?

What is the bias?

- The video is funny, but clearly show officers who are not acting professionally, do not listen to the person contacted, do not explain the reason for the contact and by their actions do not treat people with dignity.
- How would the person in the video feel about the incident after receiving the citation?

Desired results: It is obvious that in spite of the intended humor, these officers are concerned with their own personal desires over the need to treat the people contacted with respect and dignity. We want officers to identify that a professional approach combined with a willingness to explain our actions supports the perception of procedural justice and police legitimacy.



PowerPoint Slide:

Engagement

1. Let the person contacted “Voice” their concerns-let them tell you their side of the story
2. Actively listen to the person attempting to identify their issue
3. Attempt to find a point of agreement or understanding for your decision or the nature of the contact
4. Ask if they have questions or concerns
5. After the person has expressed their concerns explain the outcome of the law enforcement action

Video Presentation:

<http://www.youtube.com/watch?v=9VRNaru--eE>

Video will be edited to approximately 4 minutes in length

Instructor Review Notes

- What is your take-away of the video? Was the officer professional?
- Did the citizen have legitimate concerns?
- How did the officer address those concerns? Did he listen?
- Do the subjects in the video respect the authority (legitimacy) of the officer?
- What did his partner do?
- How effective was the partner?
- How should this incident have been addressed by their department?
- What are the rights of civilians to observe, comment on and document/record officer actions?

Desired results: We want officers to identify that a professional approach combined with a willingness to explain our actions supports the perception of procedural justice and police legitimacy. The officer in this case does not seem to understand the limits of his authority and is unwilling to explain his decisions. He backs himself into a corner and when his authority is not accepted the officer “loses” it. The group should also reach the conclusion that this contact could have significant professional impact on the officer-discipline, time off or potentially termination. The officer was disciplined. It is important to point out how effective the backup officer was in separating the primary officer and explaining the event to the subjects.



PowerPoint Slide:

Closing

1. Do what you said you would
2. Provide your information to any person contacted or anyone at the scene interested in the incident
3. Make efforts to follow up with victims

Video Presentation:

<http://www.youtube.com/watch?v=hPCmk4iZ6J8>

Video will be edited to approximately 3 minutes in length

Instructor Review Notes

- What is your take-away of the video?
- Was there potential in this contact for assertion of bias/racism?
- How did the officer address these concerns?
- Was it effective?
- Is it likely those involved will be “happy” with the contact?
- What is the officer goal or reasonable expectation from the contact?

Desired results: We want officers to identify that a professional approach combined with a willingness to explain our actions supports the perception of procedural justice and police legitimacy. The video also presents an officer that understands his legal authority, is capable of explaining his actions and clearly recognizes he is answerable to the community he serves. Biases require identification and through our conduct we challenge the bias or change our behavior. This can apply to perceived biases toward police.



Documentation and Reporting of Bias

If we are not aware of a problem, can we address the issue?



Officers will review policy highlighting the definition of bias within the policy, the complaint of bias reporting requirements, and how the incident must be investigated. This will be a quick review highlighting information already discussed in related e-Learning modules.



[PowerPoint Slide:](#)

How does the Seattle Police Department define bias?

Definition: Per Manual section 5.140 Bias-based policing is the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well other discernible personal characteristics of an individual.

[PowerPoint Slide:](#)

What does the policy say regarding prohibited activity?

Instructor Review Notes

- Officers may not engage in bias policing.
- Officers may not express verbally, in writing or by other gesture-any prejudice or derogatory comments concerning personal characteristics
- Officers may not retaliate against someone who complains of bias policing
- Officers and supervisors who condone or fail to report bias will be subject to discipline.
- Supervisor's failure to respond to, document or review an assertion of bias will be subject to discipline.

Officers will review the policy section by section. The desire is to ensure uniform understanding of the policy and how it is to be applied. Additionally the reporting and documentation requirements will be emphasized as this block is instructed.

Seattle Police Manual 5.140(2)

[PowerPoint Slide:](#)

Who should report bias?

Instructor Review Notes

- Anyone who observes or is aware of the bias shall report the incident.

Seattle Police Manual 5.140(4)



[PowerPoint Slide:](#)

When may officers act on discernible characteristics as defined in policy?

Instructor Review Notes

When used to establish reasonable suspicion or probable cause if the characteristic is part of a specific suspect description based on trustworthy and relevant information that links a specific person to a particular unlawful incident.

Officers are expected to consider relevant personal characteristics of an individual when determining whether to provide services designed for individuals with those characteristics (e.g., behavioral crisis, homelessness, addictions, etc.).

Seattle Police Manual 5.140(3)

[PowerPoint Slide:](#)

What does this mean?

Instructor Review Notes

Officers must articulate specific facts and circumstances that support their use of such characteristics in establishing reasonable suspicion or probable cause. Use of race as a component descriptor of a suspect of a crime is an example:

If the suspect of a burglary is described as an Asian male, 5'06', approximately 145 pounds, blue jeans and a white t-shirt with a mariners logo on the front, then a stop of a person matching this description would be based on clear articulable facts.

Seattle Police Manual 5.140(3)

[PowerPoint Slide:](#)

What is a reportable bias complaint?

Instructor Review Notes

From the perspective of a reasonable officer, a subject complains they have received different treatment from an officer because of any discernible personal characteristic.

Seattle Police Manual 5.140(3)



PowerPoint Slide:

Does the complaint have to be a direct assertion of bias?

Instructor Review Notes

When in doubt contact a supervisor and document the incident.

PowerPoint Slide:

What are the reporting requirements for a complaint of bias?

Instructor Review Notes

Until approval of new reporting procedures or forms the information below applies:

Where there has been a complaint employees will complete a GO report to document the circumstances of the complaint and steps that were taken to resolve it.

This GO must include the following information, if the person is willing to provide it:

The person's name,

Address Phone number,

or email address,

and Contact information for witnesses who observed the events.

All reports involving a complaint of bias-based policing must be reviewed and approved by a supervisor before the end of the employee's shift.

Seattle Police Manual 5.140(6)



PowerPoint Slide:

Who conducts the preliminary investigation?

Instructor Review Notes

A supervisor will conduct the preliminary investigation.

The complainant has an option of having the incident referred to OPA.

If the supervisor determines there is misconduct then the issue will be referred to OPA.

Seattle Police Manual 5.140(7)

PowerPoint Slide:

What are the procedures for an employee who receives a complaint?

Instructor Review Notes

1. Receive the call
2. Call a supervisor and get one to respond to the scene.
3. Do not detain the complainant to await arrival of a supervisor.
4. Document the incident and actions taken in a GO.

Seattle Police Manual 5.140 PRO-1

PowerPoint Slide:

What are the procedures for a supervisor when a complaint is reported?

Instructor Review Notes

1. Responds to the scene
2. Gathers all relevant information
3. Provides specific information on how to file a complaint.
4. Documents the preliminary investigation in a supplement to the GO.
5. Sends report with a cover memo to the bureau chief via chain of command.

Seattle Police Manual 5.140 PRO-1



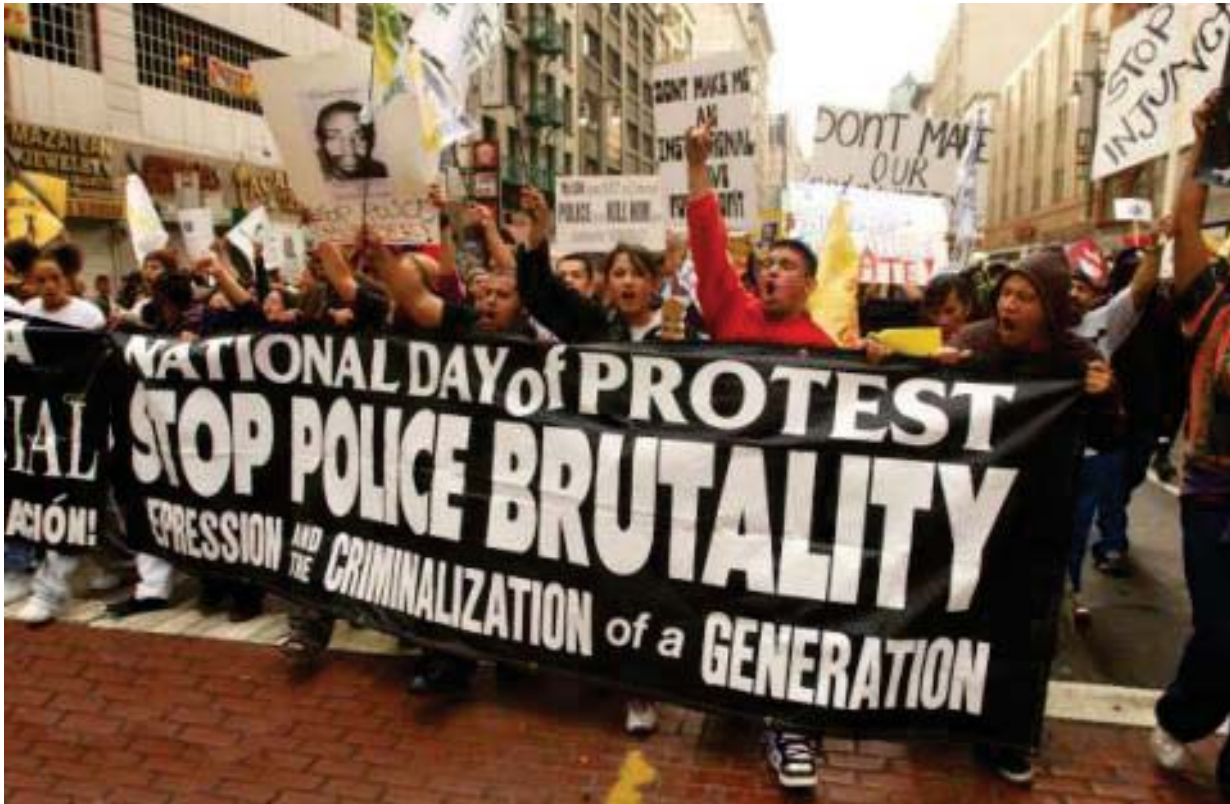
PowerPoint Slide:

What is Disparate Impacts and how will the department address them?

Instructor Review Notes

In furtherance of providing equitable services the Seattle Police Department it is committed to eliminating policies and practices that have an unwarranted disparate impact. It is possible that the long term impacts of historical inequality and institutional bias could result in disproportionate enforcement, even in the absence of intentional bias. The Department's policy is to identify ways to protect public safety and public order without engaging in unwarranted or unnecessary disproportionate enforcement. If disparate impacts are identified, the Department will consult as appropriate with neighborhood, business and community groups, including the Community Police Commission, to explore equally effective alternative practices. The Disparate Impacts section of the policy is not a basis to impose discipline upon any employee of the Department.

Seattle Police Manual 5.140 PRO--9



LEED Exercise:

The following video and PowerPoint slides are presented with no discussion about the force used or the results of the incident. Let the material tell the story. The presentation is intended to provide a backdrop for applying LEED when there is an assertion unfair treatment or a concern of bias is made or is likely be made by a person contacted.

<http://www.youtube.com/watch?v=W1bbfmUX6rU>



Seattle cop does the unthinkable to resistant jaywalker: punches girl, 17, in the mouth

Examiner.com, June 17, 2010

Why girl punched by Seattle cop was in the wrong

by Dr. Wilmer J. Leon III June 21, at 8:56 AM , The Grio, MSNBC

Black Police Defend Cop who Punched Teen; Girl Apologizes

<http://www.eurweb.com>. Jun 21, 2010

"The law is clear: You can't shove a police officer, period."

Prosecutor Dan Satterberg

Woman punched by officer in jaywalking stop pleads guilty to assault

Seattle Times, October 6, 2010 at 7:53 PM

Desired results: The video and the accompanying news source references will be shown. No comment will be made on the force or the reasonableness of the force. Let the material tell the story. This was a highly charged event for the community and for the department. Many within and outside of the Seattle Police Department still have strong feelings about the incident and how it was handled. The instructor will let the material stand and move to scenarios forcing the officers to address how they would deal with community concerns related to the event.



How should we respond to events that raise concerns of racial bias or when we may be impacted by community perceptions?

Four hours after the jaywalking/assault arrest you are out on routine patrol in the area where the incident occurred. At the start your shift you learned during roll call, that the jaywalking/assault video has gone viral and is receiving significant media coverage. You also were told that there have been minor demonstrations in the community over the jaywalking/assault arrest. You are now on patrol within four blocks from where the jaywalking/assault arrest occurred. You are a single officer car and as you turn the corner you see:

<http://www.youtube.com/watch?v=P8xvHujDQA>

The doors of the cars are open, the vehicles are blocking traffic, and there are several people around the cars. There appears to be a heated argument between several people and a fight breaks out. After you observe the fight one of the men breaks out the window of the car closest to you. Shortly after the window is broken several people notice your patrol car at the end of block.

As an officer what do you have?

- Significant amount of unknown information related to the event
- The officer appears to have observed the crime of property damage
- Officer should recognize safety concerns about approaching and potentially taking police action as single officer
- Worried that the earlier event could impact your interaction

What should you do?

- Make a threat assessment-do I need to act
- Attempt to build in time to address your concerns
- Use good tactics to reduce the likelihood of confrontation/force-request a backup officer prior to taking police action if possible
- When it can be safely done approach the scene
- Attempt to De-escalate anyone who is hostile or confrontational
- Control the scene, make it safe



Due to the events that occurred during the day and based on your observations, could you just drive away from the incident? Why or why not?

- No we can't, we have observed a crime, and we owe it to the community to investigate
- Wouldn't driving away amount to a bias-making decisions based stereotypes
- Isn't this wrong even if is trying to avoid the likely need to use force-motives really do not alter the impact
- Would you do this in another neighborhood or if the people involved were not African American
- Can we do things to achieve our law enforcement objectives while minimizing the potential for conflict

Using LEED and procedural justice concepts how would you address the people contacted during the investigation?

- Listen to the person, let them be heard
- Treat their concerns as legitimate
- Explain the process
- Let them voice their concerns even if the comments become charged
- Explain any action taken and why
- Treat the person professionally

You and another officer determine you have probable cause for property damage and you arrest the suspect. By the time of the arrest most of the people have left the scene but several family members have arrived as you put the suspect in your patrol car. The mother of the suspect comes over and is upset with the arrest of her son.

What should you do?

- Explain why the arrest was made
- Explain what will happen
- Let her voice her concerns
- Attempt to calm her down
- Provide information about the incident including the case number and your contact information
- Do what you say you will



During the incident the sector sergeant arrives on scene. The sergeant is standing next to you as the suspect's mother approaches and is upset over her son's arrest. The primary officer initially deals with the mother but her focus now shifts to the sergeant. The mother questions the need for the arrest and says he is in custody because the police are bias.

What should the sergeant do?

- Listen
- Explain why the decisions were made by the officer
- Explain the arrest process
- Explain the process for reporting bias, begin the investigation
- Explain how officers are held accountable and if misconduct is discovered the matter will be referred to OPA
- Provide OPA contact information and ask if she would like to make a complaint
- Provide contact information

After the initial assertion of bias the person comments on the earlier jaywalking arrest and asks how can she trust the police or expect them to "police their own".



What should the sergeant do about questions related to the jaywalking/assault arrest and the ongoing investigation?

Describe the investigation process

Tell how all use of force incidents are investigated by the officers, sergeants, lieutenants and captain. Ultimately the Chief of the Seattle Police Department is responsible to ensure that a fair, thorough and complete investigation is conducted.

The UOF must be reasonable, necessary and proportional. The chain of command will determine if the force is legal and within policy.

- The UOF will also be reviewed by the **Use of Force Review Board** for thoroughness and completeness, to determine if appropriate training and tactics were used and if the force is legal and within policy.
- Explain how the department is subject to external civilian review
- Explain how SPD is open and transparent and at any point anyone can assert that the actions of the officer were misconduct, excessive force, criminal or bias and refer the matter to OPA.
- Explain how an incident may also be reviewed by external evaluators, city government, and the legal system to ensure it is appropriately investigated.

Should you address specifics of the jaywalking/assault investigation?

No, do not judge the force; let the investigation process run its course. As an uninvolved person, not present during the event, you do not possess information that would allow you accurately comment on the actions of the officer. It would be appropriate to explain to concerned community members how officers are trained, and how policy, case law and department procedures affected the actions of the officer.



Fifteen hours after the jaywalking/assault arrest, a large group of community members and media meet at a local church to discuss the event. The leaders of the group have asked Police Commanders to attend the meeting to address concerns raised by the incident. Several Seattle Police Department commanders are present. Prior to the start the meeting department commanders have been briefed by investigators and have an idea of the fact pattern surrounding the juvenile's arrest. After learning of the incident, the commanders were informed that the officer was present at the arrest location at the request of the administration of a local high school. The precinct commander decided to send a single officer to enforce the jaywalking law, knowing that several hundred juveniles jaywalk daily at this location. During the command briefing, an assistant chief has also raised the question of should this have been a law enforcement operation at all? Finally, the police commanders know the female suspect attempted to assist in the escape of a friend, struck the officer who responded with one punch to the females face, and then the officer took the suspect into custody after a struggle. The community group and media are asking how the department can be trusted and how can they fairly investigate the incident. Several people assert the incident reflects bias on the part of the Seattle Police Department.

Where mistakes made during this incident? If so what are they?

- Should this have been a police function to address significant jaywalking as school gets out with a single officer
- Does this use of police at this school to enforce a minor infraction contribute to the perception of bias
- Would we have done the same at other schools in Seattle
- Who should have raised these issues
- Could the school have better and less confrontationally dealt with the issue
- Who should have explained this to the school



How should we address mistakes we have made?

- Listen and let the community voice their concerns
- Explain how and why the command decisions were made
- Explain how these contributed to the event
- Apologize for command errors

How should they address specific questions about the involved officer?

- Not comment on specifics of the event or only comment on established facts
- Let the investigation run its course
- Careful to present information objectively regardless of implications
- Let the facts define the case
- Act decisively when information/facts are known
- Let the community know the Seattle Police Department will treat the officer fairly, allowing a thorough and complete investigation, which will drive how the incident is resolved



Experiential Debrief:

- What did we cover in this block of instruction?
- What did you do?
- What did you learn?
- What are the important concepts of this training?
- Were the focus skill sets achieved?
- What was similar to your expectations or past experience?
- What was different from your expectations or past experience?
- Why is this training important?
- How can you apply this training to your job?



Key Knowledge-Based Points

- 1) Do you have legal authority to be where you took enforcement action? Why?
- 2) Do you have a lawful purpose for the seizure? What?
- 3) Did you attempt De-Escalation? Was De-Escalation possible?
- 4) Could you have taken steps that would have reduced the likelihood of using force?
- 5) Was your decision in training within policy? Why?
- 6) What is your reporting requirement, if any, under policy?
- 7) How is the incident documented?
- 8) Would your decision be uniformly applied in all communities?
- 9) Is this Reasonable?
- 10) What post-investigation or post-incident actions should you take to explain your decision to the subject, the others impacted by the police action and to the community?



Logistical Support

General Planning and Logistical Concerns

Based on this ISD plan and the Use of Force ISDN, the Education and Training Section will provide 32 hours of training to 1300 officers, beginning in May and concluding in December of 2014. Using the model of 32-40 student officers per day of training, the Department must conduct 180 days of training from May to December. These numbers have a built-in redundancy to ensure compliance with required training. One day of training will consist of Crisis Intervention Training and be provided by the Washington State Criminal Justice Training Commission. CIT has minimal logistical impact for it has grant supported overtime backfill funding for patrol operations. Therefore, the true training load is 135 training sessions from May to December. Removing days that have high demand for police services and those routinely short staffed, holidays, Fridays, Saturdays and most Sundays, there are 131 days available for training. To provide the needed number of classes additional sessions on Sundays and double classes on a few selected dates will be scheduled.

Training Sites

Training will be provided at the Seattle Police Department Range, the Park 90-5 training annexes, use the Park 90-5 classrooms and at the precincts. All sites have sufficient training facilities with all needed logistical support. Student parking at Park 90-5 is limited and impacted by adjacent businesses. To address this concern the start time will begin earlier, when more access is available. Most courses at Park 90-5 will have a 0700 start time. The Range has substantial parking and could potentially handle several hundred students a day. If needed, police precincts will be used to ease the impact on Park 90-5 facilities. The Southwest Precinct will be an alternative training site providing additional classroom space, computers, and 20 available parking slots.

Personnel Logistical Concerns

The Education and Training Section will consult with Police Operations and Investigations Bureaus to reduce the training impact on operational needs. As an example, scheduling Investigations Bureau officers to training during the summer when patrol servicers are in high demand will lessen the training burden on patrol staffing. Education and Training Section will also need adjunct instructors and role players to provide training. Again, inter-departmental cooperation will reduce the strain on the Department to provide the required training.



Post-Course Evaluation

To maintain an effective, verifiable, and defensible training program it is essential that the Education and Training Section evaluate the impact of training on Seattle Police Department officer performance. Without robust accountability measures, there is a potential for erosion in the trust of our ability to address long-term systemic concerns. Operating from these principles, the evaluation of training must adapt to our training methodology.

The Education and Training Section core training methods demand that we build performance models or “schema” in officers to cope with time-pressured decision-making. This is essential; particularly in the area of use of force decision-making, where most events are tense, uncertain and rapidly evolving. The majority of our training requires officers to leave with the correct performance model properly imprinted. Therefore, problem performance is addressed immediately and all students are required to complete the instruction with correct execution of skills. The described methodology does not lend itself to the traditional pass/fail evaluation of student performance. However, as noted in the testing section, the Education and Training Section has instituted a “Go, No Go” documentation approach that will verify acceptable completion of training. Those failing to meet acceptable levels of performance will be remediated immediately and if they fail to reach the required level of competency prior to the end of training, they will be referred to the chain of command for review.

There are several opportunities to evaluate the effectiveness of training. Review of force incidents through the Use of Force Review Board is an existing method to critically evaluate training. The Use of Force Review Board provides a global review of application of best practices and trained skills. Supporting this process has been the creation of a remedial training system that verifies remediation of identified training issues. Field supervisors add to the review process by providing daily evaluation of acceptable performance and are required to address and document gaps in application of trained skills. These layers of review, combined with improved tracking of required attendance and verification of information receipt, go a long way towards painting a clearer picture of the efficiency of training.

Additional training evaluative tools can further support an assessment of in service training. Spot-testing through training events and/or online e-Learning questions can also provide metrics for evaluation of training. Outside surveys and community feedback will play a part in the assessment process. Using the tools described above, the Education and Training Section believes systems are in place to clearly evaluate training while continuing to utilize our methods for training delivery.



To bolster our evaluative process the Education and Training Section proposes the following steps be initiated in 2014:

- I. Yearly review of Use of Force incidents; comparing current data to prior years, identifying key metrics and determining training impact on force trends, reporting methods and force decision-making.
- II. Review of citizen complaints to determine training impact on reported misconduct or policy violations.
- III. Review and comparative yearly analysis of officer discipline to discern trends and adapt training to address gaps in performance.
- IV. Initiation in late 2014 of a police performance survey; asking for citizen input on several topics including officer professionalism, perceived procedural justice, potential for disparate treatment of groups within the community, and general community trust in the organization.
- V. Form a board to randomly review police reporting of incidents for adequate performance, proper resolution, use of community outreach tools to ensure procedural justice, and whether officers' performance is consistently meeting the expectations of the Education and Training Section.
- VI. Build student course evaluations and feedback systems into all Department training. Conduct a monthly review of evaluations looking for patterns, identified deficiencies or areas where high levels of demonstrated success have been noted.

One of the purposes of Post-Course Evaluations is to identify concerns that are not currently being addressed and adapt training as required. The Education and Training Section is seeking to develop a formative assessment of training to guide content delivery. Ideally, we will develop a process where we are constantly monitoring training, identifying and remediating group or individual deficiencies, and modifying training to address gaps in learned concepts and skills. This process will clarify good performance, facilitate officer self-assessment, encourage instructor dialogue about successful delivery options, provide opportunities to close the gap between current and desired performance, and furnish information that can shape future instruction.

In the longer term, the ETS will complete an internal report, assessing training effectiveness, and forward it to the chain command. This report will be used to guide training development for the next year's training cycle. The Education and Training Section's post course evaluation process provides a thorough review of the impact of training on officer performance and verification that critical analysis of applied training is meeting our performance objectives.



Revision Plan

Testing

Where applicable, the Education and Training Section will test officers to verify acceptable levels of performance. If training permits, officers will be required to perform at a measurable level to pass the block of instruction. Testing in the traditional sense does not fit well with our training methodology. The goal of the Education and Training Section is to ensure all officers receive, understand and can functionally apply trained skills. For a majority of training, officers cannot leave training or move beyond an instructional block without successfully completing the task. We effectively require 100% passing performance or the officer is removed from training to receive remediation.

For each training block, the student's decisions and tactics will be evaluated to ensure they are consistent with course goals and are performed to the satisfaction of an Education and Training Section subject matter expert. An evaluation form will be completed stating whether an officer met the required level of performance or did not satisfactorily meet expectations. This will be a "Go" or "No Go" process with a description noting performance concerns. (see appendix for sample) If remediation is unsuccessful, the officer will be referred to the chain of command for review.

E-Learning and Facilitated Classroom Instruction require completion of the course and demonstrated understanding of concepts to the satisfaction of an Education and Training Section subject matter expert. Embedded in each training method are questions, short tests, interactive discussions, and demonstration of required skills. The students must show they understand the concepts and can apply them to successfully complete the course. Each student will be marked pass or fail, and referred to the Education and Training Section for remediation if needed.

Accountability Measures

Assessing the adequacy of in-service training through periodic testing of officer understanding permits evaluation of training concepts and instructional methods. Spot testing will allow the gathering of training data and assist in an analysis of course effectiveness. The Education and Training Section intends to implement statistical sampling to verify understanding of key training concepts. Collected data will be used to identify training effectiveness, gaps in current curriculum and the most successful methods of instruction.

The evaluation of training will be an ongoing process throughout the training cycle. It will consist of both external review and internal evaluations. The process of Post-Course Evaluation discussed above will be conducted as in-service training is proceeding and will furnish an external training effectiveness perspective. For internal analysis, all students will be asked to provide course evaluations assessing multiple performance metrics. Desired feedback



on course usefulness, practical applicability of trained concepts, instructional effectiveness, and consistency of training are but a few of the areas to be reviewed.

Using internal and external evaluations, training will adapt to address identified areas of concern. The Education and Training Section routinely modifies training to deliver the most effective curriculum. Feedback will be tracked and changes in training will be noted to verify department-wide consistency. Occasionally, revisions can create sufficient inconsistency in training to demand organization-wide remediation. Using e-Learning and the online Training Digest significant alterations in training will be disseminated and officer receipt of revisions verified.



Appendix:

Supporting Material

Procedural Justice

Shaping Citizen Perceptions of Police Legitimacy: A Randomized Field Trial of Procedural Justice, *Criminology* Volume 51, Issue 1, pages 33–63, February 2013

Research exploring the relationship between procedural justice policing and citizen perceptions of police legitimacy is a well-trodden pathway (e.g., Reisig, Bratton, and Gertz, 2007; Tyler, 2003, 2004). Numerous studies using a variety of different methods of inquiry have identified how perceived fairness in policing is important for shaping people's willingness to obey police and cooperate with legal authorities (Tyler, 1990; Tyler and Fagan, 2008). If citizens perceive that the police act in a procedurally just manner—by treating people with dignity and respect, and by being fair and neutral in their actions—then the legitimacy of the police is enhanced (e.g., Mastrofski, Snipes, and Supina, 1996; Reisig and Lloyd, 2009; Sunshine and Tyler, 2003). These studies show that the legitimacy of authority is important for encouraging compliance and cooperation (Tyler and Fagan, 2008) and highlight the importance of community engagement in crime management (Huq, Tyler, and Schulhofer, 2011).

The process-based model of legitimacy (Tyler, 2003) proposes a direct and measureable relationship between how police treat people and then, in turn, what people think of police (see also Engel, 2005; Gau and Brunson, 2009; Murphy, Hinds, and Fleming, 2008; Murphy, Tyler, and Curtis, 2009). Yet whether procedurally just encounters with police influence generalized perceptions of police legitimacy, or influence only specific assessments of police pertaining to the encounter (or both specific and generalized perceptions), is less understood in the extant literature. We do know that when police are evaluated as exercising their authority fairly in a general manner, they are viewed as more legitimate (see also Elliott, Thomas, and Ogloff, 2011; Fischer et al., 2008; Murphy, Hinds, and Fleming, 2008; Reisig, Bratton, and Gertz, 2007). Yet these judgments of police by citizens are not linked explicitly to assessments of specific police–citizen encounters. Indeed, the link among encounters, citizen assessments of police, and their long-run, generalized views of legitimacy often is inferred rather than tested (see Dai, Frank, and Sun, 2011).

Our article uses the world's first randomized field trial of legitimacy policing—the Queensland Community Engagement Trial (QCET)—to test directly the impact of an experimental



manipulation of procedural justice during police–citizen encounters on both specific and global perceptions of police. We operationalized the four key components of procedural justice (citizen participation, dignity and respect, neutrality, and trustworthy motives) into a script delivered as the experimental condition by police to drivers during police-initiated random breath testing (RBT) traffic roadblocks. The experimental condition was compared with the business-as-usual mode of RBT traffic operations. Previous findings from QCET show that the experimental condition had a significant impact on citizen attitudes to drinking and driving as well as on their specific views of police in relation to the encounter, relative to the business-as-usual traffic stop (see Mazerolle et al., [2012](#)).

The goal of this article is to test the influence of the experimental manipulation on both specific and generalized views of police legitimacy and how these views influence people's satisfaction and willingness to cooperate with police. Drawing on the way past research has explored the relationship between specific assessments of police and generalized perceptions of police legitimacy (see Elliott, Thomas, and Ogloff, [2011](#); Fischer et al., [2008](#); Reisig, Bratton, and Gertz, [2007](#); Weitzer and Tuch, [2005](#)), we use the QCET data to test our hypothesized model. Using structural equation modeling, we examine the effects of the experimental manipulation on specific citizen views about police and then assess how these views then condition their general views about the police.

We begin our article with a review of the extant literature informing our study. We then provide a brief overview of the QCET and present our data, measures, and analytic strategy, while teasing out the impact of the brief, police–citizen encounters on perceptions of both the encounter itself and citizens' general perceptions of police. Our results support the theorized causal model: We show that a single, short, and positive encounter with police can influence citizen views and that this single, procedurally just experience can shape people's general orientation toward the police. Our findings suggest that the police have a lot to gain from acting fairly during even very short traffic encounters with citizens. These findings are of particular importance given prior research that has questioned whether a favorable experience can improve general attitudes toward the police (see Skogan, [2006](#)).

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Police require voluntary cooperation from the public to be effective in controlling crime. They need citizens to comply with their directives and a tacit willingness to obey the law in general. A significant body of research during the last 20 years has shown that people obey the law and cooperate with legal authorities primarily if and when they view those legal authorities as legitimate (Tyler, [2006](#)). The legitimacy of social institutions, such as the police, is thus paramount for maintaining social order. Legitimacy is known to be a by-product of how the police treat people and make decisions when they are exercising their regulatory authority. Fairness in decision making, through neutral and nondiscriminatory behavior and fair



interpersonal treatment that respects other people and their rights, is key to securing cooperation and gaining voluntary acceptance of the decisions made by legal authorities.

Legitimacy is thus “a property of an authority that leads people to feel that the authority or institution is entitled to be deferred to and obeyed” (Sunshine and Tyler, 2003: 514). Legitimacy, therefore, is considered to be particularly key for voluntary cooperation and compliance because it reflects an individual's own values rather than a reliance on outcomes to regulate behavior (Hinds and Murphy, 2007; Tyler, 2001), signifying an important social value that can be called on to gain public compliance and cooperation (Tyler, 2006; Tyler and Huo, 2002).

In policing, the process-based perspective argues that perceptions of police legitimacy are affected by encounters with individual police officers (Skogan and Frydl, 2004; Tyler, 2003, 2004). Research on the antecedents to legitimacy has suggested that perceptions of procedural justice, or the fairness of police behavior and the processes through which police decisions are made, are of great importance to fostering legitimacy (Sunshine and Tyler, 2003). Procedural justice, as described in the literature, typically comprises four essential components: citizen participation (or voice), fairness and neutrality, dignity and respect, and trustworthy motives (Goodman-Delahunty, 2010; Murphy and Cherney, 2011; Tyler, 2008; Tyler and Huo, 2002). Research has found that police–citizen encounters that involve the use of procedural justice enhance the quality of police–citizen interactions, leading citizens to be more satisfied with the interaction and outcome (Mastrofski, Snipes, and Supina, 1996; McCluskey, 2003; Reiss, 1971; Tyler and Fagan, 2008; Wells, 2007). People who feel they have been dealt with in a procedurally fair way are less likely to believe that they have been personally singled out (e.g., racially profiled) and are more likely to accept the decisions (e.g., fine or sentence) made by authorities (Tyler and Wakslak, 2004).

The extant literature has demonstrated a direct link between procedurally just encounters and citizen perceptions of the police specific to the encounter. Yet whether positive encounters with police can influence more generalized beliefs about procedural justice and legitimacy of the police has not been as well understood in the extant literature. We do know that contact and experience with police shape citizens’ overall satisfaction with police (see Frank, Smith, and Novak, 2005; Lai and Zhao, 2010; Weitzer and Tuch, 2005). We also know that if the police are evaluated as exercising their authority fairly, then they are viewed as more legitimate (see also Elliott, Thomas, and Ogloff, 2011; Fischer et al., 2008; Ivkovic, 2008; Murphy, Hinds, and Fleming, 2008; Reisig, Bratton, and Gertz, 2007). When authorities are viewed generally as procedurally unjust, their legitimacy is undermined, leading to support for disobedience and resistance (Fischer et al., 2008). Sunshine and Tyler (2003) explored the influence of general evaluations of police use of procedural justice on people's judgments about police legitimacy, finding that global views of procedural justice are a key antecedent of legitimacy. Overall, these judgments were not linked to specific police–citizen encounters but were considered general perceptions of police.



Skogan's (2006) analysis of survey data, however, found little support for the argument that the police can gain globalized feelings of legitimacy from the public by acting in a "satisfactory" manner, but the analysis did find that the police can lose it easily by acting in an unsatisfactory way. Using data from a 2003 survey of contacts and evaluations of the police in Chicago, as well as from seven other samples in different states and countries, Skogan's multivariate analyses indicated that the impact of having a bad experience with the police is much larger than a positive experience. Positive experiences, including experiences that encapsulated many of the components of a procedurally just approach, were found to have a very small and nonsignificant effect on Skogan's outcome measure of generalized confidence in the police. Skogan (2006) thus argued that professional treatment does not necessarily produce more public confidence in the police because there is an asymmetrical effect of negative compared with positive encounters with the police.

In response to Skogan's research findings, Bradford, Jackson, and Stanko (2009) used London Metropolitan Police Public Attitude Survey data to test Skogan's finding that contacts with the police largely have a negative impact on the public's confidence in the police. Skogan (2006) used an aggregated measure of confidence, including several items measuring the apparent effort the police put into the case, their politeness and fairness, and citizens' overall satisfaction with the experience. Bradford, Jackson, and Stanko (2009) extended this measure of "confidence" and assessed whether positively received police–citizen encounters could influence public confidence in the police positively in terms of police effectiveness, fairness, and community engagement. Using survey data, Bradford, Jackson, and Stanko (2009) concurred with Skogan, finding that contact with the police may have an asymmetrical negative impact on perceptions of police effectiveness. However, they also found that positive encounters with the police can improve confidence in police fairness and community engagement (Bradford, Jackson, and Stanko, 2009).

The criminological literature has suggested that preexisting opinions of the police have a lot to do with shaping citizen perceptions of their encounters with police (see Brandl et al., 1994; see also Rosenbaum et al., 2005). Brandl et al. (1994: 119), for example, found that "global attitudes have substantial effects on specific assessments of police performance, and that the effects of specific assessments of police performance on global attitudes are modest in comparison." Hawdon (2008: 187) argued similarly that "people are likely to form their general impressions of the police before they have any personal contact with them ... that in turn influences the interaction between the individual and the police when such contact does occur."

The vicarious experience perspective also suggests that stories that people hear about police from friends, family, and the media shape the way that citizens interpret and evaluate their own encounters with police (see Brunson, 2007; Gallagher et al., 2001; Hohl, Bradford, and Stanko, 2010; Reisig and Parks, 2003; Warren, 2011; Weitzer and Tuch, 2006). Indeed, Warren (2011: 369) found that people who "hear negative stories about police contacts from friends



and family are approximately four times as likely to perceive disrespect during their own police encounter.”

Disentangling the relationship between 1) global, preexisting views of police; 2) citizen views of police following an encounter with police; 3) generalized views of police legitimacy; and 4) often-cited outcomes of legitimacy (satisfaction and cooperation) is difficult using survey-based correlational data. It is made even more difficult because of the lack of survey research that can control and differentiate the nature of the police–citizen encounter to determine how different encounters might shape generalized views of police. Our article seeks to understand these relationships more clearly using results from a randomized field trial. We compare and contrast two distinct types of police–citizen encounters and how they differentially influence citizen perceptions of police during the encounter as well as their more general orientations to police.

****See original article for detailed modeling explanation and data****

The key finding of our analysis shows that perceptions of procedural justice in the specific context not only influence specific attitudes about police, but also more general beliefs about the police: Citizens who perceived the RBT traffic encounter to be procedurally just had more positive specific as well as generalized views of police (model 1). Model 1 was the simplest model presented and fitted the data better than the more complex models, which is interesting in itself: It shows that specific views of police, derived from a very short encounter with police, can shape generalized views of police.

Our subsequent models (models 2 and 3), built on model 1, demonstrated that perceptions of procedural justice also were related to perceptions of police legitimacy. Indeed, the indirect effects of the experimental RBT encounter on general perceptions of procedural justice, legitimacy, satisfaction, and cooperation were found to be significant. Through perceptions of the specific RBT experience, the experimental encounter was related to increases in general perceptions of procedural justice, legitimacy, satisfaction, and cooperation. Overall, our findings show that the more “procedurally just” the police strive to make even a short encounter, the more likely citizens are to perceive the police as legitimate. Put simply: A little bit of being nice goes a long way.

We also found that although the effect of encounter-specific perceptions on perceptions of legitimacy was considerably smaller than the impact of general perceptions, this effect was significant. It seems that perceptions of procedural justice could be expected to have a short-term effect on legitimacy, although this is likely to dissipate over time, whereas the effect of the specific encounter on general perceptions flowing through to legitimacy could have a long-term effect. Clearly, we do not have follow-up longitudinal data at this point to support this idea, but it seems a plausible explanation.

The inclusion of paths from general perceptions of procedural justice to legitimacy-related outcomes (satisfaction and cooperation) showed that satisfaction was directly related to



perceptions of procedural justice, whereas cooperation was only indirectly related through legitimacy. This finding suggests that, at least in the Australian context, performance-based, instrumental factors influence citizen satisfaction with police (see also Hinds and Murphy, 2007). However, satisfaction with the way police do their job was not found to impact the willingness to cooperate, suggesting that the legitimacy of the police is the guiding factor for willingness to cooperate. The importance of legitimacy both of the police and of the law itself is reflective of the findings from Murphy and Cherney (2012), who found that some minority groups will only cooperate with institutions (like the police) if they agree with the legitimacy of the laws enforced.

Our study challenges Skogan's (2006) finding that police have little to gain from positive encounters with the public and a lot to lose from negative encounters. In our study, we find that the police have a lot to gain from even very short, positive encounters. Not only did citizens feel well treated by the police during the experimental encounter, but these positive encounters also engendered more positive feelings about the police in general. That is, in our study, citizens who received the experimental treatment had higher ratings of the procedural justice of the specific officer. These ratings of the specific officer also translated into enhanced perceptions of the procedural justness of police in general and higher reported perceptions of police legitimacy and satisfaction with the police. Citizens who received the experimental encounter also indicated that they would be more likely to cooperate with the police. Given that all indirect paths from the experimental condition were significant, this result indicates that this single encounter had far-reaching effects on the way citizens perceive and act toward the police. This study shows that police have a lot to gain from using procedurally just approaches in even very short, police-initiated traffic encounters with citizens.

Although our study provides some important insights into the immediate and potentially long-term benefits of police engaging citizens in procedurally just ways, our field trial only assesses the effects of police–citizen encounters in one type of forum: in our case, traffic stops where the police conducted breath tests to determine whether people were driving under the influence of alcohol. Clearly, the wide range of police–citizen encounters is likely to influence citizen perceptions in a variety of ways. Our study is thus limited in that it demonstrates only the outcomes of procedurally just encounters in just the one type of setting. Other types of settings might generate different results. We suggest, therefore, a series of replication studies of this trial, using similarly operationalized scripts undertaken in different field settings. For example, we would be very interested to observe whether the same results could be found in police responses to domestic violence calls for service or during face-to-face street encounters in entertainment districts or as part of any problem-oriented policing intervention. We recognize, of course, the challenges of conducting replication studies in settings that are less controlled than the RBT traffic operations used in our field trial.

We also recognize the limitations of how we operationalized the key constructs of procedural justice: dignity and respect, voice, trustworthy motives, and neutrality. Each of these constructs



was turned into a script (with prompts) for the police to use during the experimental encounters. We acknowledge that because of the nature of RBTs—it is compulsory by law in Australia that drivers do the test—citizen “voice” and participation in the decision-making process was not possible for the RBT encounter. Nonetheless, the script executed by the officers did indeed give drivers a chance to have a voice by asking them for their thoughts on what were the priority problems for the community. Clearly, future research in different types of encounters could operationalize the constructs of procedural justice in more precise ways.

Despite the shortcomings of the QCET trial reported in this article, the complete absence of research that tests, under field trial conditions, the impact of a procedurally just encounter on citizens’ perceptions of legitimacy and cooperativeness with the police in general is somewhat surprising. Procedural justice and legitimacy of the police have been areas of great interest to both police agencies and researchers during the past 30 years. Our results clearly show, under field trial conditions, that even a single, short, positive encounter with police directly shapes citizen views about the actual encounter as well as their general orientations toward the police. As such, we demonstrate that the police have much to gain from acting fairly during even very short encounters with citizens.

1.

From the observations of the RBT operations, more than 99 percent of drivers provided a negative reading. On average, there were only 2 positive tests per operation (range 0–10), resulting in a total of 111 positive tests during the course of the trial.

2.

Additional supporting information can be found in the listing for this article in the Wiley Online Library at <http://onlinelibrary.wiley.com/doi/10.1111/crim.2013.51.issue-1/issuetoc>.

3.

Mazerolle et al. (2012) used a different measure of procedural justice (specific to the encounter) than the procedural justice latent variable used in this article. In this study, we used five items (rather than the seven used in the previous paper) to focus on fair and respectful treatment.

4. 4

Additionally, we did fit several different models to assess the impact of the experimental manipulation on specific and general perceptions of procedural justice on the outcomes related to legitimacy, satisfaction, and cooperation. Importantly, when we added more complexity and paths to the theoretical model presented and tested in this article (model 3), the addition of these extra paths (or changing the direction of the paths) did not change the substantive results. That is, we found consistently that the experimental manipulation influenced both



specific and general views and that the experimental condition more strongly influenced specific views than generalized views and that alternative paths did not alter this finding.

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REFERENCES

- Arbuckle, James L., and Werner Wothke. 1999. *Amos 4.0 User's Guide*. Chicago, IL: SmallWaters Corporation.
- Bradford, Ben, Jonathan Jackson, and Elizabeth A. Stanko. 2009. *Contact and confidence: Revisiting the impact of public encounters with the police*. *Policing & Society* 19:20–46.
- Braithwaite, Valerie, Kristina Murphy, and Monika Reinhart. 2007. *Taxation threat, motivational postures, and responsive regulation*. *Law & Policy* 29:137–58.

Direct Link:

- Brandl, Steven G., James Frank, Robert E. Worden, and Timothy S. Bynum. 1994. *Global and specific attitudes toward the police: Disentangling the relationship*. *Justice Quarterly* 11:119–34.
- Brunson, Rod K. 2007. "Police don't like black people": African-American young men's accumulated police experiences. *Criminology & Public Policy* 6:71–101.

Direct Link:

- Byrne, Barbara M. 2010. *Structural Equation Modeling, 2nd ed*. New York: Routledge.
- Cherney, Adrian, and Kristina Murphy. 2011. *Understanding the contingency of procedural justice outcomes*. *Policing* 5:228–35.
- Dai, Mengyan, James Frank, and Ivan Sun. 2011. *Procedural justice during police-citizen encounters: The effects of process-based policing on citizen compliance and demeanor*. *Journal of Criminal Justice* 39:159–68.
- Elliott, Irina, Stuart D. M. Thomas, and James R. P. Ogloff. 2011. *Procedural justice in contacts with the police: Testing a relational model of authority in a mixed methods study*. *Psychology, Public Policy and Law* 14:592–610.
- Engel, Robin Shepard. 2005. *Citizens' perceptions of distributive and procedural injustice during traffic stops with police*. *Journal of Research in Crime and Delinquency* 42:445–81.
- Fischer, Ronald, Charles Harb, Sarah Al-Sarraf, and Omar Nashabe. 2008. *Support for resistance among Iraqi students: An exploratory study*. *Basic and Applied Social Psychology* 30:167–75.



- Frank, James, Brad W. Smith, and Kenneth J. Novak. 2005. *Exploring the basis of citizens' attitudes toward the police*. *Police Quarterly* 8:206–28.
- Gallagher, Catherine, Edward R. Maguire, Stephen D. Mastrofski, and Michael D. Reisig. 2001. *The public image of police: Final report to the International Association of Chiefs of Police*. Retrieved June 13, 2012, from <http://anj.sagepub.com/content/42/2/159.full.pdf+html>.
- Gau, Jacinta M., and Rod K. Brunson. 2009. *Procedural justice and order maintenance policing: A study of inner-city young men's perceptions of police legitimacy*. *Justice Quarterly* 27:255–79.
- Goodman-Delahunty, Jane. 2010. *Four ingredients: New recipes for procedural justice in Australian policing*. *Policing* 4:403–10.
- Hawdon, James. 2008. *Legitimacy, trust, social capital, and policing styles: A theoretical statement*. *Police Quarterly* 11:182–201.
- Hinds, Lyn, and Kristina Murphy. 2007. *Public satisfaction with police: Using procedural justice to improve police legitimacy*. *Australian & New Zealand Journal of Criminology* 40:27–42.
- Hohl, Katrin, Ben Bradford, and Elizabeth A. Stanko. 2010. *Influencing trust and confidence in the London Metropolitan Police*. *British Journal of Criminology* 50:491–513.
- Hu, Li-Tze, and Peter M. Bentler. 1999. *Cutoff criteria for fit indexes in covariance structure analysis: Conventional criteria versus new alternatives*. *Structural Equation Modeling* 6:1–55.
- Huq, Aziz Z., Tom R. Tyler, and Stephen J. Schulhofer. 2011. *Why does the public cooperate with law enforcement? The influence of the purposes and targets of policing*. *Psychology, Public Policy and Law* 17: 419–50.
- Ivkovic, Sanja Kutnjak. 2008. *A comparative study of public support for the police*. *International Criminal Justice Review* 18:406–34.
- Jackson, Jonathon, Benjamin Bradford, Michael Hough, and Katherine Murray. 2011. *Policing by consent and public compliance with the law: Notes on legal legitimacy and cynicism*. In *Legitimacy and Compliance in Criminal Justice*, eds. Adam Crawford and Anthea Hucklesby. London, U.K.: Routledge.
- Lai, Yung-Lien, and Jihong Solomon Zhao. 2010. *The impact of race/ethnicity, neighborhood context, and police/citizen interaction on residents' attitudes toward the police*. *Journal of Criminal Justice* 38:685–92.



-
- MacKinnon, David P., Chondra M. Lockwood, and Jason Williams. 2004. Confidence limits for the indirect effect: Distribution of the product and resampling methods. *Multivariate Behavioral Research* 39:99–128.
- Mastrofski, Stephen D., Jeffrey B. Snipes, and Anne E. Supina. 1996. Compliance on demand: The public's response to specific police requests. *Journal of Research in Crime and Delinquency* 33:269–305.
- Mazerolle, Lorraine, Sarah Bennett, Emma Antrobus, and Elizabeth Eggins. 2012. Procedural justice, routine encounters and citizen perceptions of police: Main findings from the Queensland Community Engagement Trial (QCET). *Journal of Experimental Criminology*. Published online July 24, 2012, <http://www.springerlink.com/content/j336787162449731/>.
- McCluskey, John D. 2003. *Police Requests for Compliance: Coercive and Procedurally Just Tactics*. New York: LFB Scholarly Publishing.
- Murphy, Kristina, and Adrian Cherney. 2011. Fostering cooperation with the police: How do ethnic minorities in Australia respond to procedural justice-based policing? *Australian & New Zealand Journal of Criminology* 44:235–57.
- Murphy, Kristina, and Adrian Cherney. 2012. Understanding cooperation with police in a diverse society. *British Journal of Criminology* 52:181–201.
- Murphy, Kristina, Lyn Hinds, and Jenny Fleming. 2008. Encouraging public cooperation and support for police. *Policing & Society: An International Journal of Research and Policy* 18:136–55.
- Murphy, Kristina, Tom R. Tyler, and Amy Curtis. 2009. Nurturing regulatory compliance: Is procedural justice effective when people question the legitimacy of the law? *Regulation & Governance* 3:1–26.

Direct Link:

- Reisig, Michael D., Jason Bratton, and Marc G. Gertz. 2007. The construct validity and refinement of process-based policing measures. *Criminal Justice and Behavior* 34:1005–28.
- Reisig, Michael D., and Camille Lloyd. 2009. Procedural justice, police legitimacy, and helping the police fight crime: Results from a survey of Jamaican adolescents. *Police Quarterly* 12:42–62.
- Reisig, Michael D., and Roger B. Parks. 2003. Neighborhood context, police behavior, and satisfaction with the police. *Justice Research and Policy* 5:37–65.



- Reiss, Albert J. Jr. 1971. *The Police and the Public*. New Haven, CT: Yale University Press.
- Rosenbaum, Dennis P., Amie M. Schuck, Sandra K. Costello, Darnell F. Hawkins, and Marianne K. Ring. 2005. Attitudes toward the police: The effects of direct and vicarious experience. *Police Quarterly* 8:343–65.
- Schuck, Amie M., and Dennis P. Rosenbaum. 2011. *The Chicago Quality Interaction Training Program: A Randomized Control Trial of Police Innovation*. Washington, DC: National Police Research Platform, National Institute of Justice.
- Skogan, Wesley G. 2006. Asymmetry in the impact of encounters with police. *Policing & Society: An International Journal of Research and Policy* 16:99–126.
- Skogan, Wesley, and Kathleen Frydl, eds. 2004. *Fairness and Effectiveness in Policing: The Evidence*. Committee to Review Research on Police Policy and Practices. Washington, DC: National Academies Press.
- Sunshine, Jason, and Tom R. Tyler. 2003. The role of procedural justice and legitimacy in shaping public support for policing. *Law & Society Review* 37:513–48.

Direct Link:

- Tabachnick, Barbara G., and Linda S. Fidell. 2007. *Using Multivariate Statistics*, 5th ed. Boston, MA: Pearson/Allyn & Bacon.
- Tankebe, Justice. 2008. Police effectiveness and police trustworthiness in Ghana: An empirical appraisal. *Criminology and Criminal Justice: An International Journal* 8:185–202.
- Tyler, Tom R. 1990. *Why People Obey the Law*. New Haven, CT: Yale University Press.
- Tyler, Tom R. 2001. Public trust and confidence in legal authorities: What do majority and minority group members want from legal authorities? *Behavioral Sciences & the Law* 19:215–35.

Direct Link:

- Tyler, Tom R. 2003. Procedural justice, legitimacy, and the effective rule of law. In *Crime and Justice: A Review of Research*, Vol. 30, ed. Michael H. Tonry. Chicago, IL: University of Chicago Press.
- Tyler, Tom R. 2004. Enhancing police legitimacy. *The ANNALS of the American Academy of Political and Social Science* 593:84–99.
-
- Tyler, Tom R. 2006. *Why People Obey the Law*. Princeton, NJ: Princeton University Press.



- Tyler, Tom R. 2008. *Psychology and institutional design*. *Review of Law & Economics* 4:801–87.
- Tyler, Tom R., and Jeffrey Fagan. 2008. *Legitimacy and cooperation: Why do people help the police fight crime in their communities?* *Ohio State Journal of Criminal Law* 6:231–75.
- Tyler, Tom R., and Yuen J. Huo. 2002. *Trust in the Law: Encouraging Public Cooperation with the Police and Courts*. New York: Russell Sage Foundation.
- Tyler, Tom R., and Cheryl J. Wakslak. 2004. *Profiling and police legitimacy: Procedural justice, attributions of motive, and acceptance of police authority*. *Criminology* 42:253–81.
- Warren, Patricia Y. 2011. *Perceptions of police disrespect during vehicle stops: A race-based analysis*. *Crime & Delinquency* 57:356–76.
- Weitzer, Ronald, and Steven A. Tuch. 2005. *Determinants of public satisfaction with the police*. *Police Quarterly* 8:279–97.
- Wells, William. 2007. *Type of contact and evaluations of police officers: The effects of procedural justice across three types of police–citizen contacts*. *Journal of Criminal Justice* 35:612–21.
-
- Yuan, Ke-Hai, and Peter M. Bentler. 2004. *On chi-square difference and z tests in mean and covariance structure analysis when the base model is misspecified*. *Educational and Psychological Measurement* 64:737–57.

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- Lorraine Mazerolle is the Australian Research Council (ARC) Laureate Fellow and a research professor in the Institute for Social Science Research (ISSR) at the University of Queensland. She is also the foundation director and a chief investigator in the ARC Centre of Excellence in Policing and Security (CEPS), a chief investigator in the Drug Policy Modeling Program, and the ISSR “Policing and Security” Program Director. Professor Mazerolle leads a team of highly talented research scholars with expertise in experimental criminology, urban criminological theories, survey methods, advanced multilevel statistics, and spatial statistics. She is the recipient of numerous U.S. and Australian national competitive research grants on topics such as community regulation, problem-oriented policing, police technologies, civil remedies, street-level drug enforcement, and policing public housing sites. Professor Mazerolle is a fellow of the Academy of Experimental Criminology, president of the Academy, and author of



scholarly books and articles on policing, drug law enforcement, regulatory crime control, displacement of crime, and crime prevention.

- Emma Antrobus is a research fellow in the ARC Centre of Excellence in Policing and Security (CEPS) at the Institute for Social Science Research (ISSR). Emma has a background in psychology and jury decision making, particularly in relation to the special measures involved with child witness testimony. Her current research interests are focused on randomized controlled trials examining the impact of legitimate policing and interventions for young people at risk.
- Sarah Bennett is a research fellow in the ARC Centre of Excellence in Policing and Security (CEPS) at the Institute for Social Science Research (ISSR). Sarah is an experimental criminologist with experience in running multisite randomized controlled trials with police in Australia and the U.K. and was the project leader for the Queensland Community Engagement Trial. Sarah's research interests include legitimacy and policing, restorative justice, pathways to preventing offending, and the impact of crime on victims. Sarah is a fellow of the Academy of Experimental Criminology (AEC) and recipient of the distinguished AEC Young Scholar Award and Nigel Walker Prize (Cambridge University).
- Tom R. Tyler is the Macklin Fleming Professor of Law and a professor of psychology at Yale Law School. He is also a professor (by courtesy) at the Yale School of Management. He joined the Yale Law faculty in January 2012 as a professor of law and psychology. He was previously a university professor at New York University (NYU), where he taught in both the psychology department and the law school. Prior to joining NYU in 1997, he taught at the University of California, Berkeley, and at Northwestern University. Professor Tyler's research explores the role of justice in shaping people's relationships with groups, organizations, communities, and societies. In particular, he examines the role of judgments about the justice or injustice of group procedures in shaping legitimacy, compliance, and cooperation. He is the author of several books, including *Why People Cooperate* (2011), *Legitimacy and Criminal Justice* (2007), *Why People Obey the Law* (2006), *Trust in the Law* (2002), and *Cooperation in Groups* (2000). He was awarded the Harry Kalven prize for "paradigm shifting scholarship in the study of law and society" by the Law and Society Association in 2000, and in 2012, he was honored by the International Society for Justice Research with its Lifetime Achievement Award for innovative research on social justice. He holds a B.A. in psychology from Columbia and an M.A. and a Ph.D. in social psychology from the University of California at Los Angeles.



Bias Supporting Material

Implicit Bias and Social Justice

<http://www.opensocietyfoundations.org/voices/implicit-bias-and-social-justice>.

I conducted this interview with Rachel Godsil, director of research at the American Values Institute, about how implicit bias not only affects individuals but society as a whole. The American Values Institute, an Open Society Foundations grantee, is a consortium of researchers from universities across the country and social justice advocates from a wide range of groups and perspectives.

What is implicit bias?

Implicit bias occurs when someone consciously rejects stereotypes and supports anti-discrimination efforts but also holds negative associations in his/her mind unconsciously. Scientists have learned that we only have conscious access to 5 percent of our brains—much of the work our brain does occurs on the unconscious level. Thus, implicit bias does not mean that people are hiding their racial prejudices. They literally do not know they have them. More than 85 percent of all Americans consider themselves to be unprejudiced. Yet researchers have concluded that the majority of people in the United States hold some degree of implicit racial bias.

How does implicit bias manifest itself in our daily lives?

The areas researchers have studied show that implicit bias can affect people's decisions and their behavior toward people of other races. For example, a doctor with implicit racial bias will be less likely to recommend black patients to specialists or may recommend surgery rather than a less invasive treatment. Managers will be less likely to invite a black candidate in for a job interview or to provide a positive performance evaluation. Judges have been found to grant dark-skinned defendants sentences up to 8 months longer for identical offenses.

Implicit bias also affects how people act with people of another race. In spite of their conscious feelings, white people with high levels of implicit racial bias show less warmth and welcoming behavior toward black people. They will sit further away, and their facial expressions will be cold and withdrawn.

These same implicitly biased white people are also more apt to view black people as angry or threatening and to predict that a black partner would perform poorly on a joint academic task. White people with stronger implicit bias against black people actually do perform poorly on a difficult task after interacting with a black person—suggesting that, without knowing it, they were challenged mentally by the effort of appearing non-biased.

Do these research findings differ from previous studies about racial bias? What were some of your most surprising findings?

Much of this research is surprising to those working for racial justice. To begin with the positive: White people appear to want to be fair and non-discriminatory when they are *aware* that they may be influenced by race. The study involving doctors showed this clearly; when the doctors were told that race had been shown to influence treatment decisions, all signs of racially different treatment disappeared. Jurors, too, wanted to be fair. In a jury study, four sets of jurors were asked to recommend conviction and sentencing for an assault charge:

- In the first scenario, a black man hits his white girlfriend in a bar.
- In the second, a white man hits his black girlfriend in a bar.



- In the third, the black man says, “How dare you laugh at a black man in public,” before he hits his girlfriend.
- And in the fourth, the white man says: “How dare you laugh at a white man in public.”

White jurors recommended higher sentences for the black man than the white man in the first scenario, but not the fourth. In the fourth, race was an explicit issue, and the White jurors clearly wanted to be fair. In the first, it was more subtle, so their implicit biases affected their decision-making.

Our challenges: the levels of implicit bias are very high, and the research is far more developed in measuring bias than effectively changing it. We know that people are less implicitly biased if they are exposed to “counter-stereotypical” individuals, but most white people lead very segregated lives.

How does implicit bias tie into Claude Steele’s idea of stereotype threat?

Stereotype threat refers to a person’s anxiety or fear that their performance on a difficult task will confirm a negative stereotype about their group. Claude Steele was able to illustrate this phenomena beginning in 1995 by having white and black undergraduates take a difficult verbal test. One group was told that this test was a measure of their verbal ability, while the other was told that the goal of the study was to learn how people experienced test-taking and that their score was not relevant. The students in both groups took the same difficult test, but there was a wide racial disparity in the performance of white and black students when they thought the test was “diagnostic” of their intelligence.

The students’ scores were almost identical when they thought their score was not being measured. Hundreds of other studies have been done to confirm this finding, and it applies to all sorts of groups depending on the context. Implicit bias and stereotype threat are linked because both are a result of the strength of negative stereotypes about race and gender within our culture. And both occur without the individual knowing about them.

How can those working in the field of social justice use these research findings to structure their messaging?

The most important lesson is that if our messages accuse people of being racist, they will do more harm than good to our work. Because the vast majority of people consider racism to be immoral they will be highly resistant to any message that suggests that they or people like them are racist or biased. Some white people will experience guilt when confronted with a message suggesting that they are racist, but this group is a small minority who are likely to be our allies already. We need to appeal to people’s best selves, to encourage them to act on their conscious egalitarian values, and to create a broader coalition for social justice work.



What is Implicit Bias?

http://www.americanvaluesinstitute.org/?page_id14

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Also known as **Hidden Bias** or **Unconscious Bias**, Implicit Bias arose conceptually as a way to explain why discrimination persists, even though polling and other research clearly shows that people oppose it. Some conjectured that people sought to hide their bias from pollsters – and simply lied about their views for fear of appearing prejudiced.

In 1995, Doctors Anthony Greenwald and M.R. Benaji posited that it was possible that our social behavior was not completely under our conscious control. In *Implicit Social Cognition: Attitudes, Self-Esteem and Stereotypes*, Greenwald and Benaji argued that much of our social behavior is driven by learned stereotypes that operate automatically – and therefore unconsciously — when we interact with other people. Three years later, Greenwald et al developed the **Implicit Association Test** (IAT), which has become the standard bearer for measuring implicit bias (you can take the test yourself [here](#)).

In order to understand how the IAT works, it's important to back up and take a look at how our minds store, process and think through information. Our minds work through what are called “schemas”. As UCLA law professor Jerry Kang describes it, “Schemas are simply templates of knowledge that help us organize specific examples into broad categories. A stool, sofa and office chair are all understood to be ‘chairs.’ Once our brain maps some item into that category, we know what to do with it—in this case, name sit on it. Schemas exist not only for objects, but also for people. Automatically, we categorize individuals by age, gender, race and role. Once an individual is mapped into that category, specific meanings associated with that category are immediately activated and influence our interaction with that individual.”

These schemas we use to categorize people are called **stereotypes**. Stereotypes have a bad reputation in everyday life, but in social science circles, a stereotype is simply the way our brains naturally sort the people we meet into recognizable groups. Stereotyping is different from its close cousin **prejudice**, which is the (generally negative) *attitude* or *reaction* towards people because they're members of a specific group. As Jerry Kang and Mahzarin Banaji discuss in their article [Fair Measures](#), “mechanisms of bias [are] produced by the current, ordinary workings of human brains—the mental states they create, the schemas they hold, and the behaviors they produce. Obviously, both history and societal factors play a crucial role in providing the content of those schemas, which are programmed through culture, media, and the material context.” The schema, in other words, is



where our implicit bias lives. Implicit Bias tests attempt to dig into our stereotypes and find out how biased they are and how we are governed by them.

The IAT uses reaction time measurement to look at subconscious bias. To take a simple example, imagine that you are asked to associate a list of positive words (pretty, sweet, calm) with a list of flower names. Next, you are asked to associate a list of negative words (ugly, scary, freaky) with a list of insect names. So far so easy, right? Most of us like flowers and aren't crazy about bugs.

But what if you reverse it? You are in front of a computer screen and the left half of the screen contains a picture of a spiny poisonous caterpillar and the word "calm" on the right hand of the screen is a picture of a tulip and the word "freaky". When a positive word *or* an insect name comes up, you press the left arrow. When a negative word or a flower name comes up, you press the right arrow.

The second task turns out to be complicated — we don't generally associate insects with positive words. This complication leads us to do worse (react more slowly) on a test that pairs insects with "pretty," "sweet," and "calm" than one that pairs insects with "ugly," "scary," and "freaky." By measuring reaction times in tests like these, Greenwald postulated that scientists are able to measure your association of positive words with flowers and negative words with insects. We call the positive association a **preference** and the negative association a **bias**.

Although this seems innocuous enough, it gets less so when "flowers" and "insects" are swapped out for what's called **in-group** (the group you belong to) and **out-group** (groups you aren't a member of) perceptions. When similar tests are administered to people with regards to race (i.e. measuring Japanese Americans' associations about Koreans) they frequently demonstrate bias. It turns out that it is generally harder for people to associate out-group images and names with positive words.

Real World Effects

What scientists have also discovered over the last decade is that the IAT works as a very good predictor of people's behavior. This is why implicit bias matters. While the measuring of hidden opinions about various groups might seem on the surface to be inconsequential, it becomes something else entirely when we see bias' impact on real world behaviors. Study after study in a wide range of fields has shown the potential real-world impact of implicit bias on people's quality of life. Studies show, for example, that doctors are more likely to prescribe life-saving care to whites, that managers are more likely to hire and promote members of their own in-group and that referees in basketball might be more likely to subtly favor players with whom they share a racial identity.



One reason why investigating Implicit Bias is so essential is the effect it has on our country's discussion of discrimination. We are used to thinking of discrimination being about individual bigoted people acting overtly to cause some harm against someone because of their race, gender or sexuality. While there are still some cases of this happening, this mode of thinking about discrimination is obsolete, and it actually hampers our journey towards equality. As long as discrimination is about a moral flaw in an individual, discussing bias and discrimination is impossible because hanging over the conversation is the idea that someone must be a hate-filled bigot. Implicit Bias, on the other hand, offers the idea that discrimination and bias are *social*, rather than *individual* issues, and that we can thus all participate in promoting equality.

No advance in social science is without some controversy – and a few have challenged both the idea of implicit bias and the tools to measure it. For a more in-depth discussion of the challenge, [click here](#). It is important to recognize though that the overwhelming evidence supports the salience of implicit bias and the utility of the IAT. Our goal here at the American Values Institute is not to prove the existence of implicit bias, but rather to investigate implicit bias to see how it affects our society. As a consortium of researchers from universities across the country and social justice advocates from a wide range of groups and perspectives we have come together to devise new ways to counter implicit bias. We seek to prevent implicit bias from undermining our national ideals, both during elections and in the creation of public policy.



Addressing Implicit Bias in the Courts*

http://www.ncsc.org/~media/Files/PDF/Topics/Gender%20and%20Fairnes/IB_Smmary_033012.ashx

Fairness is a fundamental tenet of American courts. Yet, despite substantial work by state courts to address issues of racial and ethnic fairness,¹ public skepticism that racial and ethnic minorities receive consistently fair and equal treatment in American courts remains widespread.²

Why?

Perhaps one explanation may be found in an emerging body of research on implicit cognition. During the last two decades, new assessment methods and technologies in the fields of social science and neuroscience have advanced research on brain functions, providing a glimpse into what Vedantam (2010) refers to as the “hidden brain”. Although in its early stages, this research is helping scientists understand how the brain takes in, sorts, synthesizes, and responds to the enormous amount of information an individual faces on a daily basis.³ It also is providing intriguing insights into how and why individuals develop stereotypes and biases, often without even knowing they exist.

The research indicates that an individual’s brain learns over time how to distinguish different objects (e.g., a chair or desk) based on features of the objects that coalesce into patterns. These patterns or schemas help the brain efficiently recognize objects encountered in the environment. What is interesting is that these patterns also operate at the social level. Over time, the brain learns to sort people into certain groups (e.g., male or female, young or old) based on combinations of characteristics as well. The problem is when the brain automatically associates certain characteristics with specific groups that are not accurate for all the individuals in the group (e.g., “elderly individuals are frail”). Scientists refer to these automatic associations as implicit—they operate behind-the-scenes without the individual’s awareness.

Scientists have developed a variety of methods to measure these implicit attitudes about different groups, but the most common measure used is reaction time (e.g., the Implicit Association Test, or IAT).⁴ The idea behind these types of measures is that individuals will react faster to two stimuli that are strongly associated (e.g., elderly and frail) than to two stimuli that are less strongly associated (e.g., elderly and robust). In the case of race, scientists have found that most European Americans who have taken the test are faster at pairing a White face with a good word (e.g., honest) and a Black face with a bad word (e.g., violent) than the other way around. For African Americans, approximately a third show a preference for African Americans, a third show a preference for European Americans, and a third show no preference (Greenwald & Krieger, 2006, pp. 956-958).

There is evidence that judges are susceptible to these implicit associations, too. Rachlinski, Johnson, Wistrich, and Guthrie (2009), for example, found a strong White preference on the IAT among White judges. Black judges also followed the general African American population findings, showing no clear preference overall (44% showed a White preference but the preference was weaker overall). The question is whether these implicit associations can influence, i.e., bias, an individual’s decisions and actions, and there is growing evidence that the



answer is yes. Research has demonstrated that implicit bias can affect decisions regarding, for example, job applicants (e.g., Bertrand & Mullainathan, 2004; Rooth, 2010; Ziegert & Hanges, 2005), medical treatment (e.g., Green, Carney, Pallin, Ngo, Raymond, Lezzoni, & Banaji, 2007), a suspect's dangerousness (Correll, Park, Judd, & Wittenbrink, 2002; Correll, Park, Judd, Wittenbrink, Sadler, & Keese, 2007; Plant & Peruche, 2005), and nominees for elected office (Greenwald, Smith, Sriram, Bar-Anan, & Nosek, 2009; Payne, Krosnick, Pasek, Leikes, Akhtar, & Thompson, 2010).

Kang (2009) describes the potential problem this poses for the justice system:

Though our shorthand schemas of people may be helpful in some situations, they also can lead to discriminatory behaviors if we are not careful. Given the critical importance of exercising fairness and equality in the court system, lawyers, judges, jurors, and staff should be particularly concerned about identifying such possibilities. Do we, for instance, associate aggressiveness with Black men, such that we see them as more likely to have started the fight than to have responded in self-defense? (p. 2)

The problem is compounded by judges and other court professionals who, because they have worked hard to eliminate explicit bias in their own decisions and behaviors, assume that they do not allow racial prejudice to color their judgments. For example, most, if not all, judges believe that they are fair and objective and base their decisions only on the facts of a case (see, for example, Rachlinski, et al., 2009, p. 126, reporting that 97% of judges in an educational program rated themselves in the top half of the judges attending the program—statistically impossible—in their ability to “avoid racial prejudice in decisionmaking”). Judges and court professionals who focus only on eliminating explicit bias may conclude that they are better at understanding and controlling for bias in their decisions and actions than they really are. Rachlinski, et al. (2009) also found preliminary evidence that implicit bias affected judges' sentences. Additional research is needed to confirm these findings. More importantly for the justice system, though, is the authors' conclusion that “when judges are aware of a need to monitor their own responses for the influence of implicit racial biases, and are motivated to suppress that bias, they appear able to do so” (p. 1221). The next section discusses potential strategies judges and court professionals can use to address implicit bias.

Reducing the Influence of Implicit Bias

Compared to the science on the existence of implicit bias and its potential influence on behavior, the science on ways to mitigate implicit bias is relatively young and often does not address specific applied contexts such as judicial decision making. Yet, it is important for strategies to be concrete and applicable to an individual's work to be effective; instructions to simply avoid biased outcomes or respond in an egalitarian manner are too vague to be helpful (Dasgupta, 2009). To address this gap in concrete strategies applicable to court audiences, the authors reviewed the science on general strategies to address implicit bias and considered their potential relevance for judges and court professionals. They also convened a small group discussion with judges and judicial educators (referred to as the Judicial Focus Group) to discuss potential strategies. These efforts yielded seven general research-based strategies that may help attenuate implicit bias or mitigate the influence of implicit bias on decisions and actions.⁵



Strategy 1: Raise awareness of implicit bias

Individuals can only work to correct for sources of bias that they are aware exist (Wilson & Brekke, 1994). Simply knowing about implicit bias and its potentially harmful effects on judgment and behavior may prompt individuals to pursue corrective action (cf. Green, Carney, Pallin, Ngo, Raymond, Iezzoni, & Banaji, 2007). Although awareness of implicit bias in and of itself is not sufficient to ensure that effective debiasing efforts take place (Kim, 2003), it is a crucial starting point that may prompt individuals to seek out and implement additional strategies

Strategy 2: Seek to identify and consciously acknowledge real group and individual differences

The popular “color blind” approach to egalitarianism (i.e., avoiding or ignoring race; lack of awareness of and sensitivity to differences between social groups) fails as an implicit bias intervention strategy. “Color blindness” actually produces greater implicit bias than strategies that acknowledge race (Apfelbaum, Sommers, & Norton, 2008). Cultivating greater awareness of and sensitivity to group and individual differences appears to be a more effective tactic: Training seminars that acknowledge and promote an appreciation of group differences and multi-cultural viewpoints can help reduce implicit bias (Rudman, Ashmore, & Gary, 2001; Richeson & Nussbaum, 2004).

Strategy 1: Potential Actions to Take

- **Individual:** Seek information on implicit bias by attending educational sessions, taking the IAT, and reading relevant research.
- **Courts:** Provide education on implicit bias that includes judicial facilitators/presenters, examples of implicit bias across other professions, and exercises to make the material more personally relevant. Addressing Implicit Bias in the Diversity training seminars can serve as a starting point from which court culture itself can change. When respected court leadership actively supports the multiculturalism approach, those egalitarian goals can influence others (Aarts, Gollwitzer, & Hassin, 2004). Moreover, when an individual (e.g., new employee) discovers that peers in the court community are more egalitarian, the individual’s beliefs become less implicitly biased (Sechrist & Stangor, 2001). Thus, a system-wide effort to cultivate a workplace environment that supports egalitarian norms is important in reducing individual-level implicit bias. Note, however, that mandatory training or other imposed pressure to comply with egalitarian standards may elicit hostility and resistance from some types of individuals, failing to reduce implicit bias (Plant & Devine, 2001).

In addition to considering and acknowledging group differences, individuals should purposely compare and individuate stigmatized group members. By defining individuals in multiple ways other than in terms of race, implicit bias may be reduced (e.g., Djikic, Langer, & Stapleton, 2008; Lebrecht, Pierce, Tarr, & Tanaka, 2009; Corcoran, Hundhammer, & Mussweiler, 2009).

Strategy 2: Potential Actions to Take



- **Individual:** Participate in diversity training that focuses on multiculturalism, associate with those committed to egalitarian goals, and invest effort in identifying the unique characteristics of different members of the same minority groups.
- **Courts:** Provide routine diversity training that emphasizes multiculturalism and encourage court leaders to promote egalitarian behavior as part of a court's culture.

Strategy 3: Routinely check thought processes and decisions for possible bias

When individuals engage in low-effort information processing, they rely on stereotypes and produce more stereotype-consistent judgments than when engaged in more deliberative, effortful processing (Bodenhausen, 1990). As a result, low effort decision makers tend to develop inferences or expectations about an individual early on in the information-gathering process. These expectations then guide subsequent information processing: Attention and subsequent recall are biased in favor of stereotype-confirming evidence and produce biased judgment (Bodenhausen & Wyer, 1985; Darley & Gross, 1983). Expectations can also affect social interaction between the decision maker (e.g., judge) and the stereotyped target (e.g., defendant), causing the decision maker to behave in ways that inadvertently elicit stereotype-confirming behavior from the other person (Word, Zanna, & Cooper, 1973). Individuals interested in minimizing the impact of implicit bias on their own judgment and behaviors should actively engage in more thoughtful, deliberative information processing.

Strategy 3: Potential Actions to Take

- **Individual:** Use decision-support tools such as note-taking, checklists, and bench cards and techniques such as writing down the reasons for a judgment to promote greater deliberative as opposed to intuitive thinking.
- **Courts:** Develop guidelines and/or formal protocols for decision makers to check and correct for implicit bias (e.g., taking the other person's perspective, imagining the person is from a non-stigmatized social group, thinking of counter-stereotypic thoughts in the presence of an individual from a minority social group). When sufficient effort is exerted to limit the effects of implicit biases on judgment, attempts to consciously control implicit bias can be successful (Payne, 2005; Stewart & Payne, 2008).

To do this, however, individuals must possess a certain degree of self-awareness. They must be mindful of their decision-making processes rather than just the results of decision making (Seamone, 2006) to eliminate distractions, to minimize emotional decision making, and to objectively and deliberately consider the facts at hand instead of relying on schemas, stereotypes, and/or intuition.

Strategy 4: Identify distractions and sources of stress in the decision-making environment and remove or reduce them

Tiring (e.g., long hours, fatigue), stressful (e.g., heavy, backlogged, or very diverse caseloads; loud construction noise; threats to physical safety; popular or political pressure about a



particular decision; emergency or crisis situations), or otherwise distracting circumstances can adversely affect judicial performance (e.g., Eells & Showalter, 1994; Hartley & Adams, 1974; Keinan, 1987). Specifically, situations that involve time pressure (e.g., van Knippenberg, Dijksterhuis, & Vermeulen, 1999), that force a decision maker to form complex judgments relatively quickly (e.g., Bodenhausen & Lichtenstein, 1987), or in which the decision maker is distracted and cannot fully attend to incoming information (e.g., Gilbert & Hixon, 1991; Sherman, Lee, Bessenof, & Frost, 1998) all limit the ability to fully process case information. Decision makers who are rushed, stressed, distracted, or pressured are more likely to apply stereotypes – recalling facts in ways biased by stereotypes and making more stereotypic judgments – than decision makers whose cognitive abilities are not similarly constrained. A decision maker may be more likely to think in terms of race and use implicit racial stereotypes (Macrae, Bodenhausen, & Milne, 1995; Mitchell, Nosek, & Banaji, 2003) because race often is a salient, i.e., easily-accessible, addition, certain emotional states (anger, disgust) can exacerbate implicit bias in judgments of stigmatized group members, even if the source of the negative emotion has nothing to do with the current situation or with the issue of social groups or stereotypes more broadly (e.g., DeSteno, Dasgupta, Bartlett, & Cajdric, 2004; Dasgupta, DeSteno, Williams, & Hunsinger, 2009). Happiness may also produce more stereotypic judgments, though this can be consciously controlled if the person is motivated to do so (Bodenhausen, Kramer, & Susser, 1994).

Given all these potential distractions and sources of stress, decision makers need enough time and cognitive resources to thoroughly process case information to avoid relying on intuitive reasoning processes that can result in biased judgments.

Strategy 4: Potential Actions to Take

- **Individual:** Allow more time on cases in which implicit bias might be a concern by, for example, spending more time reviewing the facts of the case before committing to a decision; consider ways to clear your mind (e.g., through meditation) and focus completely on the task at hand.
- **Courts:** Review areas in which judges and other decision makers are likely to be overburdened and consider options (e.g., reorganizing court calendars) for modifying procedures to provide more time for decision making (see Guthrie, Rachlinski, Wistrich, 2007). Addressing Implicit Bias in the Courts 10

Strategy 5: Identify sources of ambiguity in the decision-making context and establish more concrete standards before engaging in the decision-making process

When the basis for judgment is somewhat vague (e.g., situations that call for discretion; cases that involve the application of new, unfamiliar laws), biased judgments are more likely. Without more explicit, concrete criteria for decision making, individuals tend to disambiguate the situation using whatever information is most easily accessible—including stereotypes (e.g., Dovidio & Gaertner, 2000; Johnson, Whitestone, Jackson, & Gatto, 1995).

In cases involving ambiguous factors, decision makers should preemptively commit to specific decision-making criteria (e.g., the importance of various types of evidence to the decision) before hearing a case or reviewing evidence to minimize the opportunity for implicit bias (Uhlmann & Cohen, 2005). Establishing this structure before entering the decision-making



context will help prevent constructing criteria after the fact in ways biased by implicit stereotypes but rationalized by specific types of evidence (e.g., placing greater weight on stereotype-consistent evidence in a case against a Black defendant than one would in a case against a White defendant).

Strategy 5: Potential Actions to Take

- **Individual:** Commit to decision-making criteria before reviewing case-specific information.
- **Courts:** Develop protocols that identify potential sources of ambiguity; consider the pros (e.g., more understanding of issues) and cons (e.g., familiarity may lead to less deliberative processing) of using judges with special expertise to handle cases with greater ambiguity. Addressing Implicit Bias in the Courts 11

Strategy 6: Institute feedback mechanisms

Providing egalitarian consensus information (i.e., information that others in the court hold egalitarian beliefs rather than adhere to stereotypic beliefs) and other feedback mechanisms can be powerful tools in promoting more egalitarian attitudes and behavior in the court community (Sechrist & Stangor, 2001). To encourage individual effort in addressing personal implicit biases, court administration may opt to provide judges and other court professionals with relevant performance feedback. As part of this process, court administration should consider the type of judicial decision-making data currently available or easily obtained that would offer judges meaningful but nonthreatening feedback on demonstrated biases. Transparent feedback from regular or intermittent peer reviews that raise personal awareness of biases could prompt those with egalitarian motives to do more to prevent implicit bias in future decisions and actions (e.g., Son Hing, Li, & Zanna, 2002). This feedback should include concrete suggestions on how to improve performance (cf. Mendoza, Gollwitzer, & Amodio, 2010; Kim, 2003) and could also involve recognition of those individuals who display exceptional fairness as positive reinforcement.

Feedback tends to work best when it (a) comes from a legitimate, respected authority, (b) addresses the person's decision-making process rather than simply the decision outcome, and (c) when provided before the person commits to a decision rather than afterwards, when he or she already has committed to a particular course of action (see Lerner & Tetlock, 1999, for a review). Note, however, that feedback mechanisms which apply coercive pressure to comply with egalitarian standards can elicit hostility from some types of individuals and fail to mitigate implicit bias (e.g., Plant & Devine, 2001). By inciting hostility, these imposed standards may even be counterproductive to egalitarian goals, generating backlash in the form of increased explicit and implicit prejudice (Legault, Gutsell, & Inzlicht, 2011).

Strategy 7: Increase exposure to stigmatized group members and counter-stereotypes and reduce exposure to stereotypes

Increased contact with counter-stereotypes—specifically, increased exposure to stigmatized group members that contradict the social stereotype—can help individuals negate stereotypes, affirm counter-stereotypes, and “unlearn” the associations that underlie implicit bias. “Exposure” can include imagining counter-stereotypes (Blair, Ma, & Lenton, 2001), incidentally observing counter-stereotypes in the environment (Dasgupta & Greenwald, 2001; Olson &



Fazio, 2006), engaging with counter-stereotypic role models (Dasgupta & Asgari, 2004; Dasgupta & Rivera, 2008) or extensive practice making counter-stereotypic associations (Kawakami, Dovidio, Moll, Hermsen, & Russin, 2000).

Strategy 6: Potential Actions to Take

- **Individual:** Seek feedback through, for example, participating in a sentencing round table discussing hypothetical cases or consulting with a skilled mentor or senior judge about handling challenging cases; ask for feedback from colleagues, supervisors and others regarding past performance; document and review the underlying logic of decisions to ensure their soundness.
- **Courts:** Periodically review a judge's case materials and provide feedback and suggestions for improvement as needed; develop a bench-bar committee to oversee an informal internal grievance process and work with judges as needed; convene sentencing round tables to discuss hypothetical cases involving implicit bias issues and encourage more deliberate thinking. For individuals who seek greater contact with counter-stereotypic individuals, such contact is more effective when the counter-stereotype is of at least equal status in the workplace (see Pettigrew & Tropp, 2006). Moreover, positive and meaningful interactions work best: Cooperation is one of the most powerful forms of debiasing contact (e.g., Sherif, Harvey, White, Hood & Sherif, 1961).

In addition to greater contact with counter-stereotypes, this strategy also involves decreased exposure to stereotypes. Certain environmental cues can automatically trigger stereotype activation and implicit bias. Images and language that are a part of any signage, pamphlets, brochures, instructional manuals, background music, or any other verbal or visual communications in the court may inadvertently activate implicit biases because they convey stereotypic information (see Devine, 1989; Rudman & Lee, 2002; Anderson, Benjamin, & Bartholow, 1998; for examples of how such communications

Strategy 7: Potential Actions to Take

- **Individual:** View images (e.g., by hanging photos, creating new screen savers and desk top images) of admired individuals (e.g., Martin Luther King, Jr.) of the stereotyped social group; spend more time with individuals who are counter-stereotypic role models; practice making positive, i.e., counter-stereotypic, associations, with members of minority social groups.
- **Courts:** Assess visual and auditory communications for implicit bias and modify to convey egalitarian norms and present counter-stereotypic information; increase representation of stigmatized social groups in valued, authoritative roles in the court to foster positive intergroup relations and provide immediately accessible counter-stereotype examples. can prime stereotypic actions and judgments; see also Kang & Banaji, 2006). Identifying these communications and removing them or replacing them with non-stereotypic or counter-stereotypic information can help decrease the amount of daily exposure court employees and other legal professionals have with the types of social stereotypes that underlie implicit bias.



Conclusion

Research shows that individuals develop implicit attitudes and stereotypes as a routine process of sorting and categorizing the vast amounts of sensory information they encounter on an ongoing basis. Implicit, as opposed to explicit, attitudes and stereotypes operate automatically, without awareness, intent, or conscious control and can operate even in individuals who express low explicit bias (Devine, 1989). Because implicit biases are automatic, they can influence or bias decisions and behaviors, both positively and negatively, without an individual's awareness. This phenomenon leaves open the possibility that even those dedicated to the principles of a fair justice system may, at times, unknowingly make crucial decisions and act in ways that are unintentionally unfair. Thus although courts may have made great strides in eliminating explicit or consciously endorsed racial bias, they, like all social institutions, may still be challenged by implicit biases that are more difficult to identify and change.

Devine (1989) argues that “prejudice need not be the consequence of ordinary thought processes” if individuals actively take steps to avoid the influence of implicit biases on their behavior. Avoiding the influence of implicit bias, however, is an effortful, as opposed to automatic, process and requires intention, attention and time. Combating implicit bias, much like combating any habit, Addressing Implicit Bias in the Courts involves “becoming *aware* of one’s implicit bias, being *concerned* about the consequences of the bias, and learning to *replace* the biased response with non-prejudiced responses—ones that more closely match the values people consciously believe that they hold” (Law, 2011).

Once judges and court professionals become aware of implicit bias, examples of strategies they can use to help combat it and encourage egalitarianism are:

- Consciously acknowledge group and individual differences (i.e., adopt a multiculturalism approach to egalitarianism rather than a color-blindness strategy in which one tries to ignore these differences)
- Routinely check thought processes and decisions for possible bias (i.e., adopt a thoughtful, deliberative, and self-aware process for inspecting how one’s decisions are made)
- Identify sources of stress and reduce them in the decision-making environment
- Identify sources of ambiguity and impose greater structure in the decision-making context
- Institute feedback mechanisms
- Increase exposure to stereotyped group members (e.g., seek out greater contact with the stigmatized group in a positive context)

Those dedicated to the principles of a fair justice system who have worked to eliminate explicit bias from the system and in their own decisions and behaviors may nonetheless be influenced by implicit bias. Providing information on implicit bias offers judges and court staff an opportunity to explore this possibility and to consider strategies to address it. It also provides an opportunity to engage judges and court professionals in a dialog on broader race and ethnic fairness issues in a thoughtful and constructive manner:

Recognizing that implicit bias appears to be relatively universal provides an interesting foundation for broadening discussions on issues such as minority over-representation (MOR), disproportionate minority contact (DMC), and gender or age discrimination. In essence, when we look at research on social cognitive processes such as implicit bias we understand that



these processes are normal rather than pathological. This does not mean we should use them as an excuse for prejudice or discrimination. Rather, they give us insight into how we might go about avoiding the pitfalls we face when some of our information processing functions outside of our awareness. (Marsh, 2009, p. 18)

¹ See, for example, state court reports of racial fairness task forces and commissions, available through the National Center for State Courts at <http://www.ncsc.org/SearchState> and the National Center for State Courts' Interactive Database of State Programs to address race and ethnic fairness in the courts, available at <http://www.ncsc.org/refiprograms>.

² See, for example, National Center for State Courts (1999, p. 37), reporting on a national survey of public attitudes about state courts that found 47% of Americans surveyed did not believe that African Americans and Latinos receive equal treatment in America's state courts, 55% did not believe that non-English speaking persons receive equal treatment, and more than two-thirds of African Americans thought that African Americans received worse treatment than others in court. State surveys, such as the public opinion survey commissioned by the California Administrative Office of the Courts report similar findings: A majority of all California respondents stated that African Americans and Latinos usually receive less favorable results in court than others, approximately two-thirds believed that non-English speakers receive less favorable results, and, a much higher proportion of African Americans, 87%, thought that African Americans receive unequal treatment (see Rottman, 2005, p. 29).

³ Social science research on implicit stereotypes, attitudes, and bias has accumulated across several decades into a compelling body of knowledge and continues to be a robust area of inquiry, but the research is not without its critics (see "What Are the Key Criticisms of Implicit Bias Research?" in Appendix B in Casey, et al., 2012). There is much that scientists do not yet know. This project brief and the full report on which it is based are offered as a starting point for courts interested in exploring implicit bias and potential remedies, with the understanding that advances in technology and neuroscience promise continued refinement of knowledge about implicit bias and its effects on decision making and behavior.

⁴ See "How Is Implicit Bias Measured" in Appendix B in Casey, et al. (2012) for more information on measures of implicit bias.

⁵ See Appendix G in Casey, et al. (2012) for more information on the strategies. Addressing Implicit Bias in the Courts 17



References

- Aarts, H., Gollwitzer, P., & Hassin, R. (2004). Goal contagion: Perceiving is for pursuing. *Journal of Personality and Social Psychology*, 87, 23-37.
- Anderson, C., Benjamin, A., Bartholow, B. (1998). Does the gun pull the trigger? Automatic priming effects of weapon pictures and weapon names. *Psychological Science*, 9, 308-314.
- Apfelbaum, E. P., Sommers, S. R., & Norton, M. I. (2008). Seeing race and seeming racist? Evaluating strategic colorblindness in social interaction. *Journal of Personality and Social Psychology*, 95, 918-932.
- Bertrand, M., & Mullainathan, S. (2004). Are Emily and Greg more employable than Lakisha and Jamal? A field experiment on labor market discrimination. *American Economic Review*, 94, 991- 1013.
- Blair, I., Ma, J., & Lenton, A. (2001). Imagining stereotypes away: The moderation of implicit stereotypes through mental imagery. *Journal of Personality and Social Psychology*, 81, 828-841.
- Bodenhausen, G. (1990). Stereotypes as judgmental heuristics: Evidence of circadian variations in discrimination. *Psychological Science*, 1, 319-322.
- Bodenhausen, G., & Lichtenstein, M., (1987). Social stereotypes and information-processing strategies: The impact of task complexity. *Journal of Personality and Social Psychology*, 52, 871- 880.
- Bodenhausen, G., & Wyer, R. (1985). Effects of stereotypes in decision making and information processing strategies. *Journal of Personality and Social Psychology*, 46, 267-282.
- Bodenhausen, G., Kramer, G., & Susser, K. (1994). Happiness and stereotypic thinking in social judgment. *Journal of Personality and Social Psychology*, 66, 621-632.
- Casey, P., Warren, R., Cheesman, F., & Elek, J. (2012). *Helping courts address implicit bias: Resources for education*. Williamsburg, VA: National Center for State Courts.
- Corcoran, K., Hundhammer, T., & Mussweiler, T. (2009). A tool for thought! When comparative thinking reduces stereotyping effects. *Journal of Experimental Social Psychology*, 45, 1008-1011.
- Correll, J., Park, B., Judd, C., & Wittenbrink, B. (2002). The police officer's dilemma: Using ethnicity to disambiguate potentially threatening individuals. *Journal of Personality and Social Psychology*, 83, 1314-1329.
- Correll, J., Park, B., Judd, C., Wittenbrink, B., Sadler, M., & Keese, T. (2007). Across the thin blue line: Police officers and racial bias in the decision to shoot. *Journal of Personality and Social Psychology*, 92, 6, 1006-1023.
- doi: 10.1037/0022-3514.92.6.1006
- Addressing Implicit Bias in the Courts 18



- Darley, J., & Gross, P. (1983). A hypothesis-confirming bias in labeling effects. *Journal of Personality and Social Psychology*, 44, 20-33.
- Dasgupta, N. (2009). Mechanisms underlying the malleability of implicit prejudice and stereotypes: The role of automaticity and cognitive control. In T. Nelson (Ed). *Handbook of prejudice, stereotyping, and discrimination* (pp. 267-284). New York: Psychology Press.
- Dasgupta, N. & Asgari, S. (2004). Seeing is believing: Exposure to counterstereotypic women leaders and its effect on the malleability of automatic gender stereotyping. *Journal of Experimental Social Psychology*, 40, 642-658.
- Dasgupta, N. & Greenwald, A. (2001). On the malleability of automatic attitudes: Combating automatic prejudice with images of admired and disliked individuals. *Journal of Personality and Social Psychology*, 81, 800-814.
- Dasgupta, N., & Rivera, L. (2008). When social context matters: The influence of long-term contact and short-term exposure to admired outgroup members on implicit attitudes and behavioral intentions. *Social Cognition*, 26, 54-66.
- Dasgupta, N., DeSteno, D., Williams, L., & Hunsinger, M. (2009). Fanning the flames of prejudice: The influence of specific incidental emotions on implicit prejudice. *Emotion*, 9, 585-591.
- DeSteno, D., Dasgupta, N., Bartlett, M., & Caidric, A. (2004). Prejudice from thin air: The effect of emotion on automatic intergroup attitudes. *Psychological Science*, 15, 319-324.
- Devine, P. (1989). Stereotypes and prejudice: Their automatic and controlled components. *Journal of Personality and Social Psychology*, 56, 5-18. doi: 10.1037/0022-3514.56.1.5
- Djikic, M., Langer, E., & Stapleton, S. (2008). Reducing stereotyping through mindfulness: Effects on automatic stereotype-activated behaviors. *Journal of Adult Development*, 15, 106-111.
- Eells, T., & Showalter, C. (1994). Work-related stress in American trial judges. *Bulletin of the American Academy of Psychiatry & the Law*, 22, 71-83.
- Gilbert, D., & Hixon, J. (1991). The trouble of thinking: Activation and application of stereotypic beliefs. *Journal of Personality and Social Psychology*, 60, 509-517.
- Green, A., Carney, D., Pallin, D., Ngo, L., Raymond, K., Iezzoni, L., & Banaji, M. (2007). Implicit bias among physicians and its prediction of thrombolysis decisions for black and white patients. *Journal of General Internal Medicine*, 22, 1231-1238.
- Greenwald, A. G., & Krieger, L. H. (2006). Implicit bias: Scientific foundations. *California Law Review*, 94, 945-967.
- Greenwald, A., Smith, C., Sriram, N., Bar-Anan, Y., Nosek, B. (2009). Implicit race attitudes predicted vote in the 2008 U.S. presidential election. *Analyses of Social Issues and Public Policy*, 9, 241-253.
- Addressing Implicit Bias in the Courts



- Guthrie, C., Rachlinski, J., & Wistrich, A. (2007). Blinking on the bench: How judges decide cases. *Cornell Law Review*, 93, 101-141.
- Hartley, L., & Adams, R. (1974). Effect of noise on the Stroop test. *Journal of Experimental Psychology*, 102, 62-66.
- Kang, J. (2009). *Implicit bias: A primer for courts*. Williamsburg, VA: National Center for State Courts.
- Kang, J., & Banaji, M. (2006). Fair measures: A behavioral realist revision of "affirmative action."
- Kawakami, K., Dovidio, J., Moll, J., Hermsen, S., & Russin, A. (2000). Just say no (to stereotyping): Effects of training in the negation of stereotypic associations on stereotype activation. *Journal of Personality and Social Psychology*, 78, 871-888.
- Keinan, G. (1987). Decision making under stress: Scanning of alternatives under controllable and uncontrollable threats. *Journal of Personality and Social Psychology*, 52, 639-644.
- Kim, D. (2003) Voluntary controllability of the implicit association test (IAT). *Social Psychology Quarterly*, 66, 83-96.
- Johnson, J. Whitestone, E., Jackson, L., & Gatto, L. (1995). Justice is still not colorblind: Differential racial effects of exposure to inadmissible evidence. *Personality and Social Psychology Bulletin*, 21, 893-898.
- Law, B. (2011). Retraining the biased brain. *Monitor on Psychology*, 42, 42.
- Lebrecht, S., Pierce, L., Tarr, M. & Tanaka, J. (2009). Perceptual other-race training reduces implicit racial bias. *PLoS ONE*, 4, e4215.
- Legault, L., Gutsell, J., & Inzlicht, M. (2011). Ironic effects of antiprejudice messages: How motivational interventions can reduce (but also increase) prejudice. *Psychological Science*, 22, 1472-1477.
- Lerner, J., & Tetlock, P. (1999). Accounting for the effects of accountability. *Psychological Bulletin*, 125, 255-275.
- Macrae, C., Bodehausen, G., & Milne, A. (1995). The dissection of selection in person perception: Inhibitory processes in social stereotyping. *Journal of Personality and Social Psychology*, 69, 397-407.
- Marsh, S. (2009). The lens of implicit bias. *Juvenile and Family Justice Today*, 18, 16-19.
- Mendoza, S., Gollwitzer, P., & Amodio, D. (2010). Reducing the expression of implicit stereotypes: Reflexive control through implementation intentions. *Personality and Social Psychology Bulletin*, 36, 512-523.
- Mitchell, J., Nosek, B., & Banaji, M. (2003). Contextual variations in implicit evaluation. *Journal of Experimental Psychology: General*, 132, 455-469.



- National Center for State Courts (1999). How the public views the state courts: A 1999 national survey. Williamsburg, VA: Author. Retrieved from <http://www.ncsc.org/~media/Files/PDF/Topics/Gender%20and%20Racial%20Fairness/PublicViewCrtsPub.ashx>
- Olson, M. & Fazio, R. (2006). Reducing automatically activated racial prejudice through implicit evaluative conditioning. *Personality and Social Psychology Bulletin*, 32, 421-433.
- Payne, K. (2005). Conceptualizing control in social cognition: How executive functioning modulates the expression of automatic stereotyping. *Journal of Personality and Social Psychology*, 89, 488-503.
- Payne, K., Krosnick, J., Pasek, J., Leikes, Y., Ahktar, O., & Thompson, T. (2010). Implicit and explicit prejudice in the 2008 American presidential election. *Journal of Experimental Psychology*, 46, 367-374.
- Pettigrew, T., & Tropp, L. (2006). A meta-analytic test of intergroup contact theory. *Journal of Personality and Social Psychology*, 90, 751-783.
- Plant, E. & Devine, P. (2001). Responses to other-imposed pro-black pressure: Acceptance or backlash? *Journal of Experimental Social Psychology*, 37, 486-501. Doi: 10.1006/jesp.2001.1478
- Plant, E., & Peruche, B. (2005). The consequences of race for police officers' responses to criminal suspects. *Psychological Science*, 16, 180-183.
- Rachlinski, J., Johnson, S., Wistrich, A., & Guthrie, C. (2009). Does unconscious racial bias affect trial judges? *Notre Dame Law Review*, 84, 1195-1246.
- Richeson, J., & Nussbaum, R. (2004). The impact of multiculturalism versus color-blindness on racial bias. *Journal of Experimental Social Psychology*, 40, 417-423.
- Rooth, D. (2010). Automatic associations and discrimination in hiring: Real world evidence. *Labour Economics*, 17, 523-534.
- Rottman, D. (2005). *Trust and confidence in the California courts: A survey of the public and attorneys*. San Francisco: Judicial Council of California/Administrative Office of the Courts. Retrieved from <http://contentdm.ncsconline.org/cgi-in/showfile.exe?CISOROOT=/ctcomm&CISOPTR=25>
- Rudman, L., & Lee, M. (2002). Implicit and explicit consequences of exposure to violent and misogynous rap music. *Group Processes and Intergroup Relations*, 5, 133-150.
- Rudman, L., Ashmore, R., & Gary, M. (2001). "Unlearning" automatic biases: The malleability of implicit prejudice and stereotypes. *Journal of Personality and Social Psychology*, 81, 856-868.
- Seamone, E. R. (2006). Understanding the person beneath the robe: Practical methods for neutralizing harmful judicial biases. *Willamette Law Review*, 42, 1-76.
- Addressing Implicit Bias in the Courts 21



- Sechrist, G., & Stangor, C. (2001). Perceived consensus influences intergroup behavior and stereotype accessibility. *Journal of Personality and Social Psychology*, 80, 645-654.
- Sherif, M., Harvey, O., White, B., Hood, W., & Sherif, C. (1961). Intergroup conflict and cooperation: The Robbers Cave experiment. Norman: University of Oklahoma Book Exchange.
- Sherman, J., Lee, A., Bessenoff, G., & Frost, L. (1998). Stereotype efficiency reconsidered: Encoding flexibility under cognitive load. *Journal of Personality and Social Psychology*, 75, 589- 606.
- Son Hing, L., Li, W., & Zanna, M. (2002). Inducing hypocrisy to reduce prejudicial response among aversive racists. *Journal of Experimental Social Psychology*, 38, 71-77.
- Stewart, B., & Payne, B. (2008). Bringing automatic stereotyping under control: Implementation intentions as efficient means of thought control. *Personality and Social Psychology Bulletin*, 34, 1332-1335.
- Uhlmann, E., & Cohen, G. (2005). Constructed criteria: Redefining merit to justify discrimination. *Psychological Science*, 16, 474-480.
- van Knippenberg, A., Dijksterhuis, A., & Vermeulen, D. (1999). Judgment and memory of a criminal act: The effects of stereotypes and cognitive load. *European Journal of Social Psychology*, 29, 191-201.
- Vedantam, S. (2010). *The hidden brain: How our unconscious minds elect presidents, control markets, wage wars, and save our lives*. New York: Spiegel & Grau.
- Wilson, T. D., & Brekke, N. (1994). Mental contamination and mental correction: Unwanted influences on judgments and evaluations. *Psychological Bulletin*, 116, 117-142.
- Word, C., Zanna, M., & Cooper, J. (1973). The nonverbal mediation of self-fulfilling prophecies in interracial interaction. *Journal of Experimental Social Psychology*, 10, 102-120.
- Ziegert, J., & Hanges, P. (2005). Employment discrimination: The role of implicit attitudes, motivation, and a climate for racial bias. *Journal of Applied Psychology*, 90, 553-562.



Race and Crime Association Supporting Material

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The Correlates of Law Enforcement Officers' Automatic and Controlled Race-Based Responses to Criminal Suspects

B. Michelle Peruche and E. Ashby Plant

Florida State University

The current work explored law enforcement officers' racial bias in decisions to shoot criminal suspects as well as their self-reported beliefs about Black versus White suspects. In addition, this work examined what factors contribute to officers' racial biases and the likelihood of having these biases eliminated. Examination of the officers' explicit attitudes toward Black people and their beliefs about the criminality and difficulty of Black suspects revealed strong relationships with the quality of their contact with Black people on the job and in their personal lives. In addition, officers with negative compared to more positive beliefs about the criminality of Black people were more likely to tend toward shooting unarmed Black suspects on a shooting simulation. However, officers with positive contact with Black people in their personal lives were particularly able to eliminate these biases with training on the simulation. The findings are discussed in terms of their implications for the training of law enforcement personnel.

In recent years there has been growing interest in the influence of race on law enforcement officers' responses to criminal suspects. For many, the concern is that police officers are more likely to focus on minority group members, particularly Black and Latino people, in their investigations, leading them to target minority group members when making decisions about behaviors such as traffic stops, searches, and questioning. There is also concern that police officers may be more aggressive in their responses to minority compared to White suspects (Lusane, 1991; Quinney, 1970). Such responses may be influenced by stereotypic expectations. For example, it is possible that the stereotype that Black men are more likely to be violent and hostile may create expectations that Black people, particularly Black men, are more likely to be violent criminals than are White people (Brigham, 1971; Devine & Elliot, 1995). If law enforcement officers harbor such expectations, then decisions about whether a suspect is dangerous may be biased and result in more antagonistic responses to Black compared to White suspects, including decisions about the amount of force necessary to restrain a suspect and whether to shoot a suspect.

Recent research has examined whether race influences people's decisions to shoot criminal suspects (e.g., Correll,

Correspondence should be addressed to E. Ashby Plant, Department of Psychology, Florida State University, Tallahassee, FL 32306–1270.

E-mail: plant@psy.fsu.edu

Judd, Park, & Wittenbrink, 2002; Greenwald, Oakes, & Hoffman, 2003; Plant & Peruche, 2005; Plant, Peruche, & Butz, 2005). These examinations have revealed that people are more likely to mistakenly decide that a Black suspect is in possession of a weapon compared to a White suspect. For example, in the work conducted by Correll and colleagues (2002), undergraduate students completed a computer simulation where they had to decide whether to shoot at a male suspect who appeared on the computer screen. Their decision was supposed to be based upon whether the suspect was holding a gun or neutral object (e.g., wallet, cell phone). The results indicated that college students were more likely to misinterpret neutral objects as weapons and mistakenly shoot when the suspect was a Black person compared to a White person.

Given the potentially disastrous implications of these biases, recent attention has focused on the elimination of biased responses toward criminal suspects (Plant & Peruche, 2005; Plant et al., 2005). Plant and her colleagues (2005)



asked undergraduate participants to complete a computer simulation similar to that of Correll et al. (2002) where participants made a decision as quickly as possible whether to shoot Black and White male suspects who appeared on a computer screen. The decision was based on whether a gun or a neutral object was present in the picture. In this computer simulation the race of the suspect was unrelated to the presence of a weapon and being influenced by the race of the sus



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pect would only impair performance. Upon initial exposure to the program, participants were more likely to mistakenly shoot unarmed Black suspects than unarmed White suspects. However, after extensive practice with the program where the race of suspect was unrelated to the presence of a weapon, this racial bias was eliminated immediately after training and 24 hr later.

These findings indicate that repeated exposure to stimuli where race is unrelated to the presence or absence of a gun can eliminate race bias. Plant and her colleagues (2005) argued that over the course of multiple trials on the shooting task, participants came to inhibit the activation of the racial category because race was not diagnostic of weapon possession. As a result, the participants eliminated the automatic influence of race on their responses. In an important extension of this work, Plant and Peruche (2005) demonstrated that law enforcement officers also respond with racial bias in decisions to shoot suspects on computer simulations but that this bias can be eliminated with exposure to their program where race was unrelated to weapon possession.

The present work expands upon the previous literature and explores law enforcement officers' racial bias in decisions to shoot criminal suspects as well as self-reported racial bias in response to criminal suspects. Another goal of the current work was to examine the factors that may contribute to police officers' racial biases and the likelihood of having these biases eliminated. It is currently unclear, for example, whether positive and negative contact with Black people on the job or in an officer's personal life is related to law enforcement officers' beliefs regarding Black suspects or their split-second decisions whether to shoot criminal suspects. The current work explored the impact of a range of factors on law enforcement officers' responses to criminal suspects.

The present work examined law enforcement officers' explicit attitudes and beliefs about Black suspects and their more implicit responses because both types of responses are likely important in influencing reactions to criminal suspects. Previous research has revealed that White people's self-reported racial attitudes predict the degree of racial bias in their verbal behavior whereas their implicit attitudes relate to nonverbal friendliness and perceived friendliness of an interaction partner (Dovidio, Kawakami, & Gaertner, 2002). To date, we know very little about the self-reported attitudes and beliefs of police officers regarding Black people. These explicit responses may have important implications for their responses and interactions with Black citizens when on the job. For example, if a law enforcement officer believes that Black suspects are more likely to be violent and hostile than White suspects, Black suspects may be under greater scrutiny by the officer. In addition, the officer may interpret the behavior of the suspect through the lens of his or her stereotypical expectations, which could lead the officer to interpret the behavior of Black suspects

as more aggressive and dangerous than the same behavior performed by White suspects.

This in turn may lead to a more aggressive response from the law enforcement officer toward Black suspects compared to White suspects. Also, if a law enforcement officer believes that a Black person is more likely to be a dangerous criminal than is a White person, the officer may be more likely to subject Black suspects compared to White suspects to searches and may be less likely to give them warnings in lieu of tickets or citations.

One potentially important factor in understanding law enforcement officers' responses to Black suspects is the officers' previous contact with Black people both on the job and in their personal lives. The intergroup contact hypothesis suggests that when certain criteria are met, contact between members of outgroups improves intergroup attitudes (Allport, 1954). Pettigrew (1997) demonstrated that people who have intergroup friends are less likely to exhibit implicit and explicit intergroup bias. However, law enforcement officers frequently encounter citizens who are angry, frustrated, or frightened. Therefore, if the officers' contact with Black people is primarily on the job, then repeated exposure to upset or antagonistic Black citizens may reinforce stereotypes about Black people and exacerbate negative attitudes and responses to Black suspects. However, positive experiences with Black people on the job or in their personal lives may help to eliminate racial biases and counteract officers' negative stereotypes about Black people. Therefore, the current work examined the implications of law enforcement officers' contact with Black people both on the job and in their personal lives.

In addition to contact, it may also be important to consider whether other experiences on the job influence racial bias in responses to suspects. For example, most officers have some form of diversity training, which is intended to improve attitudes toward people from other racial and ethnic groups and decrease intergroup bias. If such training is effective, then the amount of diversity training should be negatively related to the degree of bias. In addition, it is possible that merely being on the force will influence the officers' responses based on race. For example, one could imagine that law enforcement officers with more experience may exhibit less bias than newer officers because they have more training and have learned to control the influence of stereotypes and base their responses in the field on the specific situation at hand. Alternatively, it may be that those individuals with more years in the area of law enforcement exhibit more bias than officers with less experience because over time, experiences on the job may strengthen negative stereotypical expectations. Another factor that may influence the degree of bias of a law enforcement officer is the frequency with which the officer has had to draw a weapon on a suspect in the recent past. For example, law enforcement officers who are frequently involved in situations where they must draw their weapon and point it at



a suspect may be more likely to interpret the behavior of suspects as threatening, which could influence their degree of racial bias.



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THE CURRENT WORK

The goal of the current work was to examine the factors that are related to police officers' racial bias in decisions to shoot suspects as well as their explicit attitudes about Black people in general and beliefs about Black suspects in particular. To this end, certified police patrol officers first completed Plant and her colleagues' (2005) shoot/don't shoot computer simulation task. Examination of the officer's responses to the simulation allowed us to determine the officer's initial level of racial bias on the simulation and whether exposure to the simulation reduced this racial bias. Next, participants completed a traditional measure of attitudes toward Blacks (ATB, Brigham, 1993) and a measure of their beliefs about the criminality and danger of Black compared to White suspects. In addition, we explored the implications of the officers' contact with Black people both on the job and in their personal lives, the extent of their diversity training, their years on the force, and the number of times they had drawn their weapon on a suspect for their explicit and automatic responses to Black suspects. Based on previous work, officers with more positive contact experiences should have more positive implicit and explicit responses to Black people (Pettigrew, 1997; Tropp & Pettigrew, 2005). In addition, positive contact with Black people may be vital for counteracting negative experiences on the job and may increase officers' ability to eliminate racial biases. In contrast, negative contact with Black people on the job may increase racial biases or impede the elimination of racial biases. Further, it was possible that the more time on the force and the more time spent in diversity training, the more positive the officers' automatic and controlled responses to Black suspects.

METHOD

Participants

Fifty certified sworn law enforcement personnel in the state of Florida (83% men; 84% White, 10 % Black, 2% Native American, and 4% Hispanic) volunteered to participate in the study. It is important to note that the sample in the current study was the same as in Plant and Peruche (2005). Due to space restrictions, in Plant and Peruche's brief report, they presented only the basic findings (errors and latencies) from the shoot/don't shoot simulation. They did not report on the explicit attitude measures or the association between the self-report responses and the responses to the shoot–don't shoot simulation. The mean age of participants was 37 years ($SD = 7.82$) and law enforcement experience ranged from 2 to 32 years ($M = 11.13$, $SD = 5.94$). Two officers made too few valid

responses to the computer simulation (i.e., responded to less than 20% of trials in the time limit), and two participants did not complete the self-report measures, leaving a sample of 46 officers.

Materials

To investigate the present hypotheses, we used the computer simulation from Plant et al.'s (2005) work. The program instructed participants to decide whether to shoot at suspects that appeared on a computer screen. This decision was to be based on whether a gun or neutral object was present in the picture. The stimuli consisted of pictures of Black and White college-aged men matched for attractiveness (Malpass, Laviguer, & Weldon, 1974) with a picture of a gun or a neutral object (e.g., cell phone, wallet) superimposed on the picture (see Plant et al., 2005, for a full description of the program). Each participant completed 20 practice trials followed by 160 test trials. Participants were instructed to hit the "shoot" key if a gun was present, and they were instructed to hit the "don't shoot" key if a neutral object was present. To determine whether exposure to the program reduced racial bias in decisions to shoot, the trials were split in half and responses to the first half of the trials were compared to responses to the second half of the trials. Of interest was the number of errors (mistaken responses) that participants made as a function of the race of suspect, the object that the suspect was holding, and training (early vs. late trials).

Following the computer simulation, participants completed a questionnaire packet that included Brigham's (1993) ATB Scale. This scale contained 20 questions assessing attitudes toward Black people (e.g., "I would not mind at all if a Black family with about the same income and education as me moved in next door"). Responses were given on a 7-point scale and were averaged with higher scores indicating more positive attitudes toward Black people ($\alpha = .84$). Participants also completed a questionnaire we created specifically for law enforcement personnel asking about their experiences on the job. The questionnaire included 15 items assessing perceptions regarding the criminality and violent behavior of Black compared to White suspects (e.g., "White suspects are less likely to be violent than Black suspects," "Black males are more likely to possess weapons compared to any other group") that were averaged with higher scores indicating more negative perceptions of Black suspects ($\alpha = .93$). The packet also included questions regarding the quality of the officers' contact with Black people at work and in their personal lives. These questions were similar with the exception of the context of the contact



(personal vs. work). Four separate contact indexes were created based on factor analysis: positive personal contact (PPC; e.g., "My interactions with Black people over the last couple weeks have been very pleasant"; $\alpha = .76$), negative

personal contact (NPC; e.g., "In the last couple of weeks, I have had arguments with Black people," $\alpha = .79$), positive work contact (PWC; $\alpha = .67$), and negative work contact (NWC; $\alpha = .87$). Officers were also



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asked to report how many times over the previous 6 months they had drawn their weapon on a suspect ($M = 1.59$, $SD = 3.89$).¹ Finally, the officers were asked to report the number of hours of human diversity training they had completed ($M = 50.76$ hr, $SD = 30.94$ hr).

Procedure

The experimenter met participants in a private office at their department headquarters. The officers were run individually and were seated at a desk with a laptop computer. After the participants read the consent form, the experimenter provided instructions regarding the computer simulation and the participants completed the program. After the simulation, participants completed the questionnaire packet. They were then debriefed and thanked for their participation.

RESULTS

We were interested in whether the police officers' contact with Black people and their experiences on the job were related to their attitudes toward Black people in general and Black suspects in particular. Therefore, we conducted multiple linear regression analyses on the officers' attitudes toward Black people and their beliefs about Black suspects with contact on each of the four contact measures (e.g., PWC, NPC), hours of cultural diversity training, time in the law enforcement profession, and the number of times the officers had drawn their weapon on a suspect in the last 6 months all simultaneously included as predictors. This approach allowed us to examine the independent influence of each of the predictors on the attitude measures. Those effects not explicitly mentioned were not significant.

Analysis of Explicit Responses

The analysis of the general attitudes toward Black people (i.e., ATB scores) revealed an effect of PPC such that participants with more PPC reported more positive attitudes toward Black people than those with less PPC, $F(1, 38) = 9.18$, $p < .004$ ($\beta = .55$). There was also an effect of NPC, such that participants with more NPC with Black people reported more negative attitudes toward Black people, $F(1, 38) = 4.12$, $p = .05$ ($\beta = -.35$). In addition, there was a marginal effect of NWC with high compared to low levels of recent negative contact with Black people at work being associated with negative attitudes toward Black people generally, $F(1, 38) = 3.94$, $p < .06$ ($\beta = -.30$).

¹The variable of the number of times the officers drew their weapons was somewhat skewed; however, the findings from all analyses using a transformed version yielded basically identical results. Therefore, we chose to use the more easily interpretable untransformed variable.

The analysis of the officers' beliefs about the criminality and violent behavior of Black suspects revealed an effect of PPC whereby officers that reported more PPC with Black people reported more positive beliefs about Black suspects than did those with less PPC, $F(1, 38) = 8.24$, $p < .008$ ($\beta = -.50$). Further, there was an effect of NWC such that officers with high levels of negative contact with Black people at work reported more negative expectations regarding Black criminal suspects than did officers with less negative work contact, $F(1, 38) = 8.53$, $p < .005$ ($\beta = .42$).

Analysis of Responses to Shooting Simulation

As reported in Plant and Peruche (2005), examination of the officers' errors on the shooting simulation revealed that, consistent with previous work using undergraduate samples (e.g., Correll et al., 2002; Plant et al., 2005), the officers were initially more likely to mistakenly shoot unarmed Black suspects compared to unarmed White suspects but were no more likely to mistakenly not shoot armed Black suspects than White armed suspects. However, on the later trials, after extensive exposure to the program, this racial bias was eliminated such that the officers responded similarly to the Black and White suspects.² Thus, although on the early trials the officers were biased toward mistakenly shooting unarmed Black suspects compared to unarmed White suspects, on the later trials this bias was eliminated.

Having established that the officers were initially racially biased in their responses to the program but were able to overcome these biases, we were interested in identifying who was more or less able to overcome biased responses on the shoot/don't shoot computer simulation. To examine this issue, we created an assessment of participants' degree of bias reduction on the shooting simulation. Specifically, we created a bias score for both the early and late trials of the shooting simulation using a procedure similar to that used in previous work (e.g., Correll et al., 2002). Responses by participants were considered biased if they made more errors when Black faces were paired with neutral objects than when White faces were paired with neutral objects and made more

²The findings for the error analysis of the shooting simulation for the current sample, which doesn't include 2 participants who did not complete the self-report measures, were almost identical to those reported by Plant and Peruche (2005). Most important, the analysis revealed the key Race of Suspect $\times$ Object by Trial interaction, $F(1, 45) = 4.93$, $p < .04$.



Specifically, the officers were more likely to mistakenly shoot at an unarmed suspect when the suspect was Black ($M = 3.63$, $SD = 2.51$) compared to when the suspect was White ($M = 2.70$, $SD = 2.17$), $t(1, 45) = -2.92$, $p < .007$. In contrast, when the suspect was armed, the officers were somewhat but not significantly more likely to mistakenly not shoot an armed suspect when he was White ($M = 3.54$, $SD = 2.65$) compared to

Black ($M = 3.04$, $SD = 2.18$), $t(1, 45) = 1.50$, $p = .14$. On the later trials, the participants were no more likely to mistakenly shoot an unarmed Black suspect ($M = 2.61$, $SD = 1.94$) than an unarmed White suspect ($M = 2.41$, $SD = 1.84$), $t < 1$. In addition, they were equally likely to mistakenly not shoot armed White ($M = 3.11$, $SD = 2.17$) and Black suspects ($M = 3.28$, $SD = 2.83$), $t < 1$.



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errors when White faces were paired with guns than when Black faces were paired with guns. Specifically, the number of errors for Black/gun trials was subtracted from the number of errors for Black/neutral trials. In addition, the number of errors for White/neutral trials was subtracted from the number of errors for White/gun trials. These two scores were added together for the early and late trials separately. To assess the amount that participants improved, that is, their degree of bias reduction, we created an overall improvement score that assessed the degree to which participants responded with less racial bias on the later trials than the early trials.³

We conducted multiple linear regression analyses on the officers' bias reduction score as well as on their early and late bias scores with the measures of attitudes, contact, diversity training, years on the force, and times a weapon was drawn all simultaneously included as predictors. Initial analyses revealed that the PPC measure was the only contact measure that was a significant predictor of the performance on the simulation. Therefore, to conserve degrees of freedom, it was the only contact measure included in the reported analyses.

The analysis of the bias reduction score revealed an effect of beliefs about the criminality of Black suspects such that participants with negative beliefs about the criminality of Black people exhibited a greater reduction in bias ($Y = 3.12$) than those with less PPC with Black people ($Y = -0.60$). Having established that the effect of officers with more negative attitudes toward Black suspects and more PPC with Black people showed a larger positive reduction in racial bias on the simulation, we were interested in understanding these effects. For example, it may have been that officers with more negative attitudes toward Black suspects compared to those with positive attitudes had larger bias reduction scores because they had more racial bias on the early trials to be eliminated. Alternatively, they may have responded with less racial bias on the later trials than those with more positive attitudes.

The analysis of the degree of bias in the early trials revealed an effect of beliefs about the criminality of Black suspects, such that participants with negative beliefs about Black criminal suspects exhibited more racial bias in their responses to the shooting simulation (i.e., erred toward shooting Black suspects and erred away from shooting White suspects) in the early trials compared to those with more positive beliefs about Black criminal suspects, $F(1, 39) = 12.36, p <$

variables increased or decreased the average bias. We created such a score and found that it was unrelated to all of the other variables.

.002 ($\beta = .66$). This finding indicates that the effect of negative attitudes toward Black suspects on the bias reduction score was likely due to the officers with negative attitudes toward Black suspects responding with more initial racial bias on the simulation.

In addition, analysis of bias on the early trials revealed an effect of attitudes toward Black people more generally, such that participants with more negative attitudes toward Black people were more likely to exhibit racial bias in their responses to the early trials of the shooting simulation than were those with less negative attitudes, $F(1, 39) = 7.14, p < .02$ ($\beta = .50$). Further, a marginal main effect of years in the law enforcement profession was found such that the more years the participants had accumulated in the law enforcement profession, the less racial bias evident in their responses to the early trials of the shooting simulation, $F(1, 39) = 3.38, p < .08$ ($\beta = -.26$).

The analysis of the degree of bias on the late trials revealed a marginal main effect of PPC, $F(1, 39) = 3.16, p < .09$ ($\beta = -.30$). Specifically, high PPC participants had less racial bias on the later trials of the shooting simulation compared to low PPC participants. This finding indicates that the reason why officers with higher levels of PPC had larger bias reduction scores was because they had less racial bias than the low PPC officers after training on the program. Together, these findings indicate that positive contact with Black people in their personal lives may have helped the officers to eliminate their racial bias on the shooting simulation.

DISCUSSION

The current work examined the factors that were related to police officers' explicit attitudes toward Black people and beliefs about the criminality of Black suspects as well as the factors that predicted their automatic racial biases in response to a shooting simulation. Examination of the officers' explicit attitudes revealed strong relationships with the quality of their contact with Black people. It is interesting that officers who had positive experiences with Black people in their personal lives had more positive attitudes toward Black people as well as more positive beliefs about the criminality and violence of Black suspects. These findings suggest that positive experiences with Black people outside of work may be important for counteracting negative experiences at work. That is, if officers do not have positive contact with Black people outside of work, then their only contact with Black people would be in work-related settings, which may be predominantly negative. Consistent

³A reviewer of this article suggested creating an average bias score across the early and late trials to examine which



with this idea, high levels of negative contact with Black people at work were related to negative expectations regarding Black suspects and marginally more negative attitudes toward Black people generally.

These findings suggest that the quality of contact that police officers have with Black people may have important implications for their attitudes and responses to Black people on



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the job and in their personal lives. However, because of the methodological approach used in the current study, the causal relationships between contact and attitudes cannot be identified. Although officers who have negative contact with Black people at work may come to view Black suspects as more difficult than White suspects, it is also quite likely that officers who possess negative expectations about Black suspects may experience more negative interactions with Black people on the job. Similarly, although officers who have more positive experiences with Black people in their personal lives may have more positive expectations about Black suspects, it is also possible that officers with more positive beliefs about Black people may seek out and contribute to more positive experiences with Black people in their personal lives. Thus, attitudes and contact may influence and reinforce each other. To decrease negative responses to Black suspects and improve intergroup attitudes, it may be useful to create more opportunities for positive interactions between officers and citizens. For example, it may be helpful to expand opportunities where officers can take part and get involved in community events. In addition to providing more positive contact, this type of contact may help to improve the beliefs of officers about Black people generally and could have a positive impact on community attitudes about law enforcement officers. Indeed, mounting evidence indicates that intergroup contact is critical for improving responses to out group members (e.g., Tropp & Pettigrew, 2005).

The officers' beliefs about the criminality of Black suspects as well as the quality of their contact with Black people were important factors in determining their responses to the shooting simulation. These self-reported responses were related to both their degree of racial bias in responding to the program as well as their ability to overcome the racial bias with repeated exposure to the program. Upon initial exposure to the program, the officers who perceived Black criminal suspects as more dangerous than White suspects exhibited more of a racial bias in their split-second decisions to shoot than the officers with more positive beliefs about Black suspects. Specifically, the officers with negative attitudes toward Black criminal suspects tended toward shooting the Black suspects and tended to avoid shooting the White suspects compared to the officers with more positive attitudes toward Black criminal suspects. Similarly, the officers' with more negative attitudes toward Black people generally were more likely to exhibit bias in early trials than were those with less negative attitudes. These findings indicate that officers' beliefs about Black suspects as well as their attitudes toward Black people in general are both related to the degree of racial bias the officers initially exhibited when making split-second decisions whether to shoot Black and White

suspects. These findings indicate that it may be critical to focus on changing police officers' attitudes and beliefs about Black people when attempting to reduce any racial bias in their decisions on the job.

On a more promising note, there was a marginally significant effect of years on the force in predicting the degree of racial bias on the shooting simulation. More years in the law enforcement profession was related to less racial bias on the early trials of the shooting simulation. This suggests that the experiences and training the officers receive in law enforcement may help to discourage racial bias. Over time the officers may learn that when making split-second decisions about whether a suspect is armed and dangerous it is critical to focus on the object that the suspect is holding as opposed to extraneous factors such as his or her race. As a result, they may be less influenced by race when making decisions on the shooting simulation.⁴

Further, on the later trials of the shooting simulation, the officers with more PPC with Black people in their personal lives responded with less racial bias compared to the officers with less PPC. In addition, examination of the improvement scores indicated that the officers with PPC with Black people were better able to eliminate their racial bias on the shooting simulation even after controlling for the officers' attitudes toward Black people. These findings suggest that contact with Black people outside of the job facilitated the elimination of biased responses and that officers with this type of contact were better able to learn that race is not an effective diagnostic tool when attempting to ascertain whether a suspect is potentially dangerous. Because so much of police officers' contact with citizens is negative, positive contact with people in their personal lives may be critically important to counteract this negativity. The primarily White officers in the current study were likely to have ample positive contact with White people. However, if they did not have contact with Black people outside of the work setting, their only contact with Black people may have been at work and negative. PPC with Black people may help offset negative experiences on the job. Further, officers with positive contact with Black people in their personal lives are more likely to have positive Black exemplars to draw upon to help them remove the influence of the negative cultural stereotype of Black people in their decisions to shoot on the computer simulation.

It is worth noting that diversity training was not related to either explicit attitudes or responses to the computer simulation. The lack of relationship may be due to the way we measured the diversity training (i.e., number of hours). However, it would likely be beneficial for law enforcement training programs to explore the efficacy of their diversity training procedures and work to determine whether changes can be made to increase the effectiveness of their current



training.

⁴Of course, years on the force are also likely highly related to the officers' age ($r = .76$), which might seem to suggest that the relationship between years on the force and racial bias is a cohort effect, whereby officers from an older cohort are less likely to respond with this kind of racial bias. However, age was largely unrelated to the degree of bias on the early trials of the simulation ($r = -.10$).

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CONCLUSIONS

Our hope is that the current work may provide some early insight into the factors that help reduce any influence of race on law enforcement personnel's explicit and automatic responses to suspects. The present study highlights the importance of police officers' contact and training for their explicit and more automatic responses to criminal suspects. Law enforcement officials may want to consider encouraging positive personal contact with citizens from a range of racial and ethnic groups. This may be accomplished by encouraging officers to volunteer for local charities, outreach programs, or community projects. This may help give officers the opportunity to discuss community issues with Black, White, Hispanic, and Asian community members in more informal settings. Such contact may also diminish negative attitudes regarding law enforcement officers that citizens may harbor.

The ultimate goal of the current work is to help us better understand how to eliminate any racial bias in people's real-life responses to others. In addition, we hope to contribute to the understanding of what factors may influence officers' split-second decisions as well as their more explicit and overt responses to suspects. With this work, we want to help officers make correct, individuated decisions about suspects under the arduous circumstances in which they sometimes find themselves. Specifically, we want to help train officers to protect themselves and others from harm and at the same time train officers to accurately assess the potential threat and criminality of the citizens they encounter.

REFERENCES

- Allport, G. W. (1954). *The nature of prejudice*. Reading, MA: Addison-Wesley.
- Brigham, J. C. (1971). Ethnic stereotypes. *Psychological Bulletin*, 76, 15–38.
- Brigham, J. C. (1993). College students' racial attitudes. *Journal of Applied Social Psychology*, 23, 1933–1967.
- Correll, J., Park, B., Judd, C. M., & Wittenbrink, B. (2002). The police officer's dilemma: Using ethnicity to disambiguate potentially hostile individuals. *Journal of Personality and Social Psychology*, 83, 1314–1329.
- Devine, P. G., & Elliot, A. J. (1995). Are racial stereotypes really fading? The Princeton trilogy revisited. *Personality and Social Psychology Bulletin*, 21, 1139–1150.
- Dovidio, J. F., Kawakami, K., & Gaertner, S. L. (2002). Implicit and explicit prejudice and interracial interaction. *Journal of Personality and Social Psychology*, 82, 62–68.
- Greenwald, A. G., Oakes, M. A., & Hoffman, H. (2003). Targets of discrimination: Effects of race on responses to weapons holders. *Journal of Experimental Social Psychology*, 39, 399–405.
- Lusane, C. (1991). *Pipe dream blues: Racism and the war on drugs*. Boston: South End Press.
- Malpass, R. S., Laviguer, H., & Weldon, D. E. (1974). Verbal and visual training in facial recognition. *Perception and Psychophysics*, 14, 285–292.
- Pettigrew, T. F. (1997). Generalized intergroup contact effects on prejudice. *Personality and Social Psychological Bulletin*, 23, 173–185.
- Plant, E. A., & Peruche, B. M. (2005). The consequences of race for police officers' responses to criminal suspects. *Psychological Science*, 16, 180–183.
- Plant, E. A., Peruche, B.M., & Butz, D. A. (2005). Eliminating automatic racial bias: Making race on-diagnostic for responses to criminal suspects. *Journal of Experimental Social Psychology*, 41, 141–156.
- Quinney, R. (1970). *The social reality of crime*. Boston: Little, Brown.
- Tropp, L. R., & Pettigrew, T. F. (2005). Differential relationships between intergroup contact and affective and cognitive dimensions of prejudice. *Personality and Social Psychology Bulletin*, 31, 1145–1158.

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INTERPERSONAL RELATIONS AND GROUP PROCESSES

Across the Thin Blue Line: Police Officers and Racial Bias in the Decision to Shoot

Joshua Correll

University of Chicago

Bernadette Park and Charles M. Judd

University of Colorado at Boulder

Bernd Wittenbrink

University of Chicago

Melody S. Sadler

University of Colorado at Boulder

Tracie Keese

University of Denver

Police officers were compared with community members in terms of the speed and accuracy with which they made simulated decisions to shoot (or not shoot) Black and White targets. Both samples exhibited robust racial bias in response speed. Officers outperformed community members on a number of measures, including overall speed and accuracy. Moreover, although community respondents set the decision criterion lower for Black targets than for White targets (indicating bias), police officers did not. The authors suggest that training may not affect the speed with which stereotype-incongruent targets are processed but that it does affect the ultimate decision (particularly the placement of the decision criterion). Findings from a study in which a college sample received training support this conclusion.

Inspired in part by high-profile police shootings of unarmed Black men, a flurry of social psychological research has attempted to assess the influence of a suspect's race on the use of force, specifically in terms of the decision to shoot (Correll, Park, Judd, Joshua Correll, Department of Psychology, University of Chicago; Bernadette Park, Charles M. Judd, and Melody S. Sadler, Department of Psychology, University of Colorado at Boulder; Bernd Wittenbrink, Graduate School of Business, University of Chicago; Tracie Keese, University of Denver).

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In the interest of disclosure, we note that Tracie Keese also serves as a commander in the Denver Police Department. We thank Chief Gerald Whitman, the Denver Police Department, Calibre Press, the Denver Department of Motor Vehicles, and (especially) the many officers of the Denver Police Department and police departments around the country for their assistance, patience, and participation. We also thank Alinne Barrera, Heather Coulter, and David M. Deffenbacher for their invaluable assistance with this research and Myron Rothbart for his many helpful comments. & Wittenbrink, 2002; Greenwald, Oakes, & Hoffman, 2003; Payne, 2001). Although social psychologists have only recently addressed this question, the impact of suspect ethnicity on police shootings has long been the focus of researchers in other fields of study, particularly sociology, political science, and law enforcement. Investigators have consistently found evidence that police use greater force, including lethal force, with minority suspects than with White suspects (e.g., Inn, Wheeler, & Sparling, 1977; Smith, 2004; see Geller, 1982, for a review). Data from the Department of Justice (2001), itself, indicate that Black suspects are approximately five times more likely than White suspects, per capita, to die at the hands of a police officer.

One of the most detrimental consequences of police shootings is the upheaval they can provoke. Shootings of a minority suspect may engender a sense of mistrust and victimization among community members and give rise to conflict between the community and police. Weitzer and Tuch (2004) present evidence that members of ethnic minorities often feel that they are mistreated by the police, even after statistically controlling for factors like personal and vicarious experiences with the law, exposure to the media, and neighborhood disadvantage (see also Sunshine & Tyler, 2003). The implication is that the police are racist and that officers use excessive force with minority suspects. In response, Black people may engage in more belligerent behavior, including “talking back” to police officers, and—in a vicious cycle—this belligerence may prompt more severe use of force by police (Reisig, McCluskey, 10.1037/0022-3514.92.6.1006 Mastroski, & Terrill, 2004). It is equally important to note that, as a consequence of this tension, officers who see their job as protecting the community may feel, and to some extent may actually *be*, thwarted in their efforts to perform their duty.

Officer-involved shootings, then, can have severe consequences, not just for the officers and suspects involved, but for the community at large as well. It is of paramount importance to understand and explain why minority suspects are disproportionately likely to be shot. The sociological literature offers a number of explanations. Some research suggests that bias in police shootings stems, at least in part, from the officers’ role as protectors of the privileged (predominantly White) classes over the less fortunate (predominantly minority) members of society (Sorenson, Marquart, & Brock, 1993). Others argue that the racial discrepancy in officer-involved shootings stems from differential minority involvement in criminal activity (Department of Justice, 2001; Inn et al., 1977) or from the fact that minorities are disproportionately likely to live and work in low-income, high-crime communities (Terrill & Reisig, 2003).

A primary strength of the sociological approach is that it examines police use of force directly and in its true context. These researchers study real locations and real officers, and their dependent variable is the number of

suspects who are actually shot. They thus maintain the richness and complexity of the real world when analyzing relationships between officer-involved shootings and variables like race or community disadvantage. At the same time, the preexisting correlations among these variables confound efforts to assess their independent effects. For example, the relationship between the proportion of Black citizens in a community and perceptions of disorder (Sampson & Raudenbush, 2004) is inextricably tied to, and cannot be fully separated from, racial discrepancies in officer-involved shootings (Terrill & Reisig, 2003). For this reason, a social psychological analysis of the problem with experimental methods is useful not to replace but rather to supplement research of a more naturalistic sort.

Over the past several years, social psychological researchers have examined the effect of race on shoot/don't-shoot decisions using videogame-like simulations. In one paradigm, participants view a series of images (background scenes and people) and are instructed to respond to armed targets with a *shoot* response, and to unarmed targets with a *don't-shoot* response as quickly and as accurately as possible (Correll et al., 2002; Correll, Park, Judd, & Wittenbrink, 2007; Correll, Urland, & Ito, 2006). The results of some 20 studies with this task, with a variety of parameters and manipulations, consistently show racial bias in both the speed and accuracy with which such decisions can be made. Participants are faster and more accurate when shooting an armed Black man rather than an armed White man, and faster and more accurate when responding "don't shoot" to an unarmed White man rather than an unarmed Black man. The bulk of this research has been conducted with college students, but the effect has been replicated with community samples of both White and Black participants, and conceptually similar effects have been obtained by a number of other labs (Amodio et al., 2004; Greenwald et al., 2003; Payne, 2001; Payne, Lambert, & Jacoby, 2002; Plant, Peruche, & Butz, 2005). These findings, along with reports from sociological and related literatures, clearly indicate that race can play an important role in decisions about the danger or threat posed by a particular person. But experimental data rarely speak directly to police behavior.

In our literature review, we discovered only two papers that examine officers in experimental studies of racial bias. Eberhardt, Goff, Purdie, and Davies (2004) found that priming the concept of crime served to orient attention to Black (more than White) faces. This pattern held for officers and civilians alike. Plant and Peruche (2005) examined training effects among officers on a task where images of White and Black men appeared with a gun or nongun object superimposed on the face. They found that officers showed racial bias in their errors during the first phase of the study (i.e., officers were more likely to mistakenly shoot Black targets who appeared with nongun objects, and to not shoot White targets who appeared with a gun in the first 80 trials of the task), but that bias fell to non-significant levels in the second phase (i.e., the last 80 trials of the task). These studies suggest that officers, like undergraduates, show racial biases in the processing of crime-related stimuli.

But there is reason to believe that police will differ from citizens in shoot/don't-shoot decisions. Most notably, officers receive extensive experience with firearms during their academy training (before they are sworn in) and throughout their careers. For example, the Denver Police Department requires that new recruits spend 72 hr in practical weapons training, and officers must recertify on a quarterly basis. At the firing range, officers and recruits make shoot/don't-shoot decisions for target silhouettes that appear suddenly, either armed or unarmed; in Firearms Training System simulators (Firearms Training Systems, Inc., Atlanta, GA), they respond to an interactive

video simulation of a potentially hostile suspect; and in simulated searches, they confront live actors armed with weapons that fire painful but nonlethal ammunition (e.g., paintballs, Simunition, or Air Soft pellets).

An extensive body of research shows that training improves performance on tasks in which a peripheral cue interferes with a participant's response to a central or task-relevant cue. Through training, participants learn to ignore the irrelevant information and respond primarily on the basis of the central feature of the stimulus (e.g., MacLeod, 1998; MacLeod & Dunbar, 1988; Plant & Peruche, 2005). For example, in a Stroop (1935) task, participants classify the color in which a word is printed (e.g., red). Color is thus the central cue. This task becomes more difficult if the word (a peripheral cue) refers to a different color (e.g., the word "blue" printed in red). Initially, participants have difficulty with this task, responding slowly and inaccurately when the central and peripheral cues conflict. But with training, judgment improves. Responses occur more quickly and require less effort and less cognitive control. As a result, experts demonstrate reduced interference in both latencies and errors. Neuroimaging studies have even documented the shifting patterns of brain activity that correspond to the development of automatic task performance (Bush et al., 1998; Jansma, Ramsey, Slagter, & Kahn, 2001; for a review, see Kelly & Garavan, 2004). During initial performance on interference tasks, participants recruit brain regions related to conflict detection and response control (e.g., the anterior cingulate and medial prefrontal cortexes). With extensive practice, however, activation in these regions decreases, presumably because an automatic task requires less executive supervision.

But automatization may not characterize all learning on interference tasks. In some cases, training actually promotes *controlled processing*. For example, when participants are continuously challenged by variable task requirements or increasing demands, practice can lead to more extensive recruitment of prefrontal brain regions (Olesen, Westerberg, & Klingberg, 2004; Weissman, Woldorff, Hazlett, & Mangun, 2002). Of particular relevance to shoot/don't-shoot decisions, this control involves the medial and middle frontal gyri areas related to the detection and resolution of conflicting information and to the maintenance of goal-relevant representations. In some cases, then, training leads participants to work harder, in cognitive terms, as they learn to marshal the attention and control necessary for optimal performance.

When will training promote automaticity in a judgment task, and when will it promote control? A probable moderator is task complexity (Birnboim, 2003; Green & Bavelier, 2003). On tasks with simple stimuli (e.g., the words presented in a Stroop task), practice allows participants to streamline the judgment process, performing it easily and automatically. Only when the task is difficult (e.g., involving visually complex stimuli or ever-changing task requirements) does practice seem to promote control. As Birnboim (2003) wrote, "automatic processing relies on a reduction of stimulus information to its perceptual and motor features" (p. 29). When complexity renders this kind of reduction impossible, controlled processing may be required to "extract more meaningful information" (p. 29). Consistent with this argument, Green and Bavelier (2003) have shown that practice on a visually complex video game (i.e., *Medal of Honor*; Electronic Arts, Redwood City, CA) improves performance on attention-demanding tasks, but practice on a visually simple video game (i.e., *Tetris*; Electronorgtechnica, Moscow, Russia) does not.

Task complexity has tremendous relevance for the officer engaged in a potentially hostile encounter. Faced with a range of irrelevant and confusing factors (e.g., darkness, noise, movement, bystanders), the officer must determine

whether or not a small and relatively inconspicuous weapon is present. On a reduced scale, our paradigm attempts to simulate this visual and cognitive challenge. The task employs a variety of complex and realistic backgrounds (e.g., parking lots, train stations). By varying backgrounds and suspect poses (e.g., standing, crouching), as well as the timing of stimulus onset, we prevent participants from knowing when or where an object will appear. When the object does appear, it accounts for roughly 0.2% of the visual field. To respond correctly, participants must engage in a careful, controlled search for a small cue amid a complex stimulus array. In contrast to the visually simple tasks typically employed in research on training, training on this relatively complex task may not foster automaticity in the shoot/don't-shoot decision. In our task—as in a police encounter—even highly trained experts may need to fully engage executive control processes to identify the object and execute the appropriate response (Weissman et al., 2002).

If experts are better able than novices to engage control processes, it stands to reason that police officers, whose training and on-the-job experiences routinely force them to identify weapons in complex environments, should make fewer errors in our shoot/don't-shoot task and should show reduced racial bias in those errors (i.e., their expertise should minimize stereotypic errors). This training-based reduction in bias, which we might call a “police as experts” pattern, serves as our primary hypothesis (H1).

But control may not entirely eliminate race-based processing. The necessity of a slow, effortful, and controlled search for the object leaves open the possibility that even experts will inadvertently process racial information. Research suggests that racial cues are often perceived quickly, whether or not the participant intends to do so (Cunningham et al., 2004; Ito & Urland, 2003), and accordingly, a slow visual search for the object should glean racial information. By activating stereotypes, these cues may interfere with the speed of the decision-making process. By virtue of enhanced control, experts may rarely, if ever, shoot an unarmed Black individual; but because even experts must search (slowly) for the object, they are likely to perceive the target's skin color and facial features, triggering relevant stereotypes. Again, experts may effectively override this interference and make an unbiased response (“don't shoot”), but because the weapon judgment is not automatic, the controlled decision to stereotype incongruent targets may still take more time. This leads us to predict a dissociation, such that a target's race may affect the *speed* of the expert's decisions, even though it has no impact on their *accuracy*.

To examine this possibility, the present research extends past work in two critical ways. First, we examine bias in both response times and errors. In past research (e.g., Correll et al., 2002; Payne,

2001), results from these two measures mirrored one another and were characterized as more or less interchangeable. But the measures may capture partially distinct aspects of the decision process. *Latency*—the time necessary for a participant to respond correctly to a given target—should depend on the difficulty of processing the stimulus. The fact that stereotype-incongruent targets (unarmed Black targets and armed White targets) generally produce longer latencies suggests that participants have greater difficulty arriving at a correct decision for these stimuli. Processing difficulty may also influence *error rates*, but errors also reflect the participant's ultimate decision about which response to make. Particularly from an officer's perspective, the distinction between a slow-but-accurate response (e.g., hesitating and then deciding not to fire) and an incorrect response (e.g., shooting an unarmed suspect) assumes great importance.

This research also advances our understanding by comparing police officers with samples of laypeople drawn from the communities those officers serve. Community samples provide a crucial baseline against which we can compare the police. As we have already discussed, one of the most damaging consequences of officer-involved shootings in which a minority suspect is killed is the implication that police inappropriately use race when making the decision to fire. However, given the prevalence of bias in the decision to shoot (which has been documented in all types of people, from White college students to Black community members), how can we interpret the magnitude of any bias we might observe among the police? Inhabitants of the community served by a given police department provide a critical comparison. As members of a common culture, these individuals experience many of the same influences, whether very global (e.g., national broadcast media) or very local (e.g., racial and ethnic composition of the neighborhood, local levels of poverty and crime) in nature. To fully characterize the presence of any bias among police, it is therefore critical to examine bias in the communities they serve. No such comparison is available in existing research. Although we have elaborated the hypothesis that police will demonstrate less bias than the community, particularly with respect to their error rates (H1), we note that the comparison between police and community presents two other possibilities.

Of course, it is also possible that officers will show more pronounced bias than community members (H2) or that police and civilians will show relatively similar patterns of bias (H0). In line with the former hypothesis, Teahan (1975a, 1975b) presented evidence that police departments acculturate White officers into more prejudicial views during their first years on the job. Similarly, the Christopher Commission's investigation into the Los Angeles Police Department's 1991 beating of Rodney King reported that officers who adopted anti-Black attitudes were more likely to be promoted within the department (Christopher, 1998). This ostensible culture of bias may find expression in police officers' relatively high social dominance orientation (Sidanius & Pratto, 1999), reflecting support for the group-based (and race-based) hierarchical structure of society (see Sorenson et al., 1993, for similar conclusions on the basis of police use of force). Given these findings, we might reasonably expect a "police as profilers" pattern, with officers relying heavily on racial information when making their decisions to shoot.

Finally, police officers and community members may show equivalent levels of racial bias in decisions to shoot. Inasmuch as police and community members are subject to the same general cognitive heuristics (Hamilton & Trolier, 1986) and sociocultural influences (Devine & Elliot, 1995), the two groups may demonstrate similar patterns of behavior in the video game simulation. This prediction would yield a pattern we might call "police as citizens."

Our primary hypothesis derives from the possibility that practice enables police officers to more effectively exert control over their behavioral choices (relative to untrained civilians). That is, H1 suggests that officers may more extensively engage in controlled processing operations during the course of the shoot/don't-shoot task. Because of this difference in processing, we predict a divergence between measures of bias that are based on errors and

measures that are based on reaction times. By contrast, H2 and H0 offer no clear reason to predict differences between officers and civilians in terms of cognitive processing, and (accordingly) they offer no reason to expect a divergence between error-rate and reaction-time measures.

Study 1

Method

Overview. Three samples of participants completed a 100-trial video game simulation in which armed and unarmed White and Black men appeared in a variety of background images. Participants were instructed that any armed target posed an imminent threat and should be shot as quickly as possible. Unarmed targets posed no threat and should be flagged accordingly by pushing the don't-shoot button, again as quickly as possible. The speed and accuracy with which these decisions were made served as our primary dependent variables, and performance was compared across three samples: officers from the Denver Police Department, civilians drawn from the communities those officers served, and a group of officers from across the country attending a 2-day police training seminar.

Participants. For the purposes of law enforcement, the city of Denver is divided into six districts. With the help of the command staff, officers were recruited for this study from four of these districts during roll call. Participation was completely voluntary, and officers were assured that there would be no way to identify individual performance on the task and that the command staff would not be informed of who did and did not participate. Officers were required to complete the simulation during off-duty hours. Our goal was to recruit primarily patrol officers, and, in this effort, we were successful: 84% of the sample listed patrol as their job category. Investigative officers accounted for 9% of the sample, administrative officers for 2% of the sample, with the remaining 5% of the officers from a mixture of other job categories. A total of 124 officers participated in the study (9 female, 114 male, 1 missing gender; 85 White, 16 Black, 19 Latina/o, 3 other, 1 missing ethnicity; mean age 37.9 years). Each received \$50.

To obtain a companion civilian sample, we enlisted the Department of Motor Vehicles (DMV) office in each of the four districts, recruiting community members to perform the simulation on or around the same days as the police officers. Several of the DMVs were in areas with a high concentration of Spanish-speaking citizens. For these areas, a bilingual research assistant recruited and instructed the participants.¹ A total of 135 civilians participated in the study. Eight participants were dropped from the analyses: 2 because of a computer malfunction and 6 because they had fewer than five correct trials for at least one of the four cells of the simulation design. Thus, the reported results for this sample are based on 127 civilians (51 female, 73 male, 3 missing gender; 39

White, 16 Black, 63 Latina/o, 9 other; mean age 35.5 years). Each received \$20.

To collect the national police sample, we attended a training seminar for officers. This was one of several seminars that officers voluntarily attend to obtain additional training in some particular area of law enforcement. The seminars are specifically geared for patrol officers, rather than administrative personnel. The sample of officers obtained for this study came from 14 different states, and only 7% worked in some administrative capacity. The remaining job categories included patrol officers (58%), investigative officers (14%), traffic officers (7%), SWAT team members (3%), and a sprinkling of other categories (11%). Although this clearly is not a random national sample of officers, it offers a greater diversity of background than the Denver sample. An announcement regarding the study was made during the seminar, and officers were invited to participate on one of two evenings after the

conclusion of the seminar for that day. A total of 113 officers participated in the study (12 female, 100 male, 1 missing gender; 72 White, 10 Black,

15 Latina/o, 13 other, 3 missing ethnicity; mean age 38.4 years). Each received \$50.

Video game simulation. Fifty men (25 Black, 25 White) were photographed in five poses holding one of a variety of objects, including four guns (a large black 9 mm, a small black revolver, a large silver revolver, and a small silver automatic) and four non- guns (a large black wallet, a small black cell phone, a large silver Coke can, and a small silver cell phone). For each individual, we selected two images, one with a gun and one with an innocuous object, resulting in 100 distinct images (25 of each type: armed White, armed Black, unarmed White, and unarmed Black), which served as the principal stimuli, or targets, in the game. Forty of these images were drawn from previous work (see Correll et al.,

2002, for example stimuli). The others were added in an effort to diversify the sample of targets. Using Photoshop, we embedded targets in 20 otherwise unpopulated background scenes, including images of the countryside, city parks, facades of apartment build- ings, and so on. Each target was randomly assigned to a particular background, with the restriction that each type of target should be represented with equal frequency in each background.

Design. The video game, developed in PsyScope (Cohen, MacWhinney, Flatt, & Provost, 1993), followed a 2 × 2 within- subjects design, with Target Race (Black vs. White) and Object Type (gun vs. nongun) as repeated factors (see Correll et al., 2002). On any given trial of the game, a random number (0 –3) of preliminary backgrounds appeared in slideshow fashion. These scenes were drawn from the set of 20 original unpopulated back- ground images. Each remained on the screen for a random period of time (500 ms– 800 ms). Subsequently, a final background ap- peared (e.g., an apartment building), again for a random duration. This background was replaced by an image of a target person embedded in that background (e.g., an armed White man standing in front of the building). From the player’s perspective, the target simply seemed to appear in the scene. The player was instructed to respond as quickly as possible whenever a target appeared, press- ing a button labeled *shoot* if the target was armed and pressing a button labeled *don’t shoot* if the target was unarmed. The game awarded points on the basis of performance. Correctly pressing *don’t shoot* in response to an unarmed target earned 5 points, but shooting earned a penalty of 20 points; pressing *shoot* in response to an armed target earned 10 points, but pressing *don’t shoot* earned a penalty of 40 points (the implication being that the hostile target shot the player). Failure to respond to a target within 850 ms of target onset resulted in a penalty of 10 points. Feedback, both visual and auditory, and point totals were presented at the conclu- sion of every trial. The game consisted of a 16-trial practice block and a 100-trial test block.

Procedure. Officers in the Denver sample were recruited roughly 1 week prior to the study. Volunteers selected a time and date to participate. At the scheduled time, each officer was seated at a small cubicle in a test room equipped with a laptop computer, button box, and headphones. They completed the simulation and questionnaire packet. The measures included in the questionnaire packet are summarized in Table 1. Community members were approached at one of the various DMV locations, and those who agreed to participate completed the simulation using the same equipment as the officers. Community members completed the same questionnaire as the officers

(excluding items specific to policing). For the national sample of officers, an announcement was made the first day of the training seminar inviting officers to participate in the study. Officers completed the simulation and questionnaire packet on one of two evenings in a room in the hotel where the conference was held. The equipment was identical to that used for the Denver officers and civilians. Upon completion, all participants were debriefed and thanked.

Results

Signal-detection analyses. We began by examining the accuracy of responses as a function of trial type and sample. Overall, participants responded incorrectly on 4.7% of the trials and timed out on another 4.8% of the trials. Correct and incorrect responses (i.e., excluding timeouts) were used to conduct a signal-detection analysis. Applied to the shooter simulation, signal detection theory (SDT) assumes that armed and unarmed targets vary along some dimension relevant to the decision at hand (e.g., the threat they pose). SDT yields estimates of participants' ability to discriminate between the two types of target (i.e., sensitivity to the presence of a weapon, a statistic called d') and the point on that decision-relevant dimension at which they decide a stimulus is threatening enough to warrant shooting (i.e., the psychological criterion for the decision to shoot, a statistic called c). With SDT it is possible to test whether the race of a target affects discriminability and, separately, whether target race affects the decision to shoot. Correll et al. (2002, Study 2) observed no race differences in d' but found that c was lower for Black targets than for White targets. That is, participants were equally able to differentiate between armed and unarmed targets regardless of target race, but they used a more lenient threshold—indicating a greater willingness to shoot—when the target was Black rather than White.

We calculated d' , or the ability to accurately discriminate armed from unarmed targets, once for the White targets and once for the Black targets. We also calculated c , or the criterion, assessing the threshold for making a *shoot* response separately for Black and White targets.² The SDT estimates were submitted to separate 3 (Sample: national officers vs. Denver officers vs. Denver community) $\times$ 2 (Target Race: Black vs. White) mixed-model analyses of variance (ANOVAs).

Placement of the criterion for the decision to shoot (c) at zero indicates no greater tendency to make a *shoot* response than a *don't-shoot* response. Deviations from zero in a positive direction indicate a bias favoring the *don't-shoot* response, and deviations in a negative direction indicate a bias to shoot. On average (i.e., for both officers and civilians and both Black and White targets), participants demonstrated a bias in favor of the *shoot* response, $F(1, 361) = 4.68, p = .03$, but the extent to which this was true depended on sample, $F(2, 361) = 4.97, p = .008$. Pairwise comparisons indicated that the community set significantly lower criteria than either officer sample, both $F_s(1, 361) = 4.12, p_s = .05$. (All pairwise comparisons were tested with the error term from the full sample.) Indeed, although the mean threshold was significantly below zero for the community sample, $F(1, 126) = 10.05, p = .002$, it did not differ from zero for either of the two officer samples, both $F_s = 1$, and the two officer samples did not differ from each other, $F(1, 361) = 1.22, p = .27$. It is important to note that the main effect of target race in the placement of the decision criterion was significant, $F(1, 361) = 5.17, p = .03$, such that c was lower when responding to Black² $c = 0.5$ ($z_{FA} = z_H$); $d' = z_H - z_{FA}$, where FA is the proportion of false alarms (relative to correct rejections) and H represents the proportion of hits (relative to misses). The z operator is the translation of

these proportions to z-scores. Both FA and H were assigned a minimum value of $1/2n$ (where n = the total number of no-gun and gun trials, respectively) and a maximum of $1 - (1/2n)$, to eliminate infinite z-scores.

Table 1

Demographic and Psychological Variables Included in Questionnaire Packet and Their Correlations With Bias in Latencies in Study 1

Correlation with bias in latencies

Variable

National officers Denver officers Denver community

Violent crime in community served	. 2 0 * *	. 0 9	. 0 5
% African Americans in community served	. 2 1 * *	. 0 1	. 0 1
% all ethnic minority groups in community served	. 2 2 * *	. 0 2	. 0 5
Classroom firearms training	. 0 1	—	—
Firing-range firearms training	. 0 3	—	—

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Video firearms training	. 0 2	—	
Live firearms training	. 0 2	—	
Total years on the force	. 0 9	. 1 7 *	
Gender (1 female; 1 male)	. 1 3	. 1 3	. 2 1 * *
Ethnicity (1 non-White; 1 White)	. 0 9	. 1 4	. 0 8
Education	. 0 2	. 1 0	. 1 2
Self-rated liberalism (1)– conservatism (13)	. 0 4	. 2 1 * *	. 0 6
Thermometer rating (warmth toward White people– warmth	. 0 0	. 0	. 0 3

		2	

Population of city in which officer serves .31*** — —
 Population of county in which officer serves .31*** — —toward
 Black people)

Thermometer rating (warmth toward White people–warmth toward members of all ethnic minority groups)

Personal stereotype of Black people as dangerous, violent, and aggressive

Contact with Black people	. 0 5	. 0 2	. 1 1
Internal motivation to control prejudice	. 0 4	. 0 5	. 1 1
External motivation to control prejudice	. 1 6	. 1 2	. 2 0 * *
Discrimination scale	. 1 3	. 0 4	. 0 8

Cultural stereotype of Black people as dangerous, violent, and aggressive

.00 .00 .04

.02 .01 .20**

.02 .05 .09

Note. City and county population have no variance for the Denver police and community samples, and hence no correlation can be computed. Firearms training data were not collected for the Denver officers, nor for the community. *Ns* vary slightly across entries because of missing observations. In the national sample, *ns* vary from 97–113; in the Denver police sample, they vary from 118–123; and in the Denver community sample, they vary from 120–127. Dashes indicate that data were not collected. **p* .10. ***p* .05. ****p* .01. rather than White targets (see the top half of Figure 1 and the means in Table 2). This discrepancy constitutes bias. Although the omnibus test of the interaction between target race and sample was not significant, $F(2, 361) = 1.87, p = .16$, pairwise comparisons indicated a larger target race difference for the Denver community compared with the national officer sample, $F(1, 361) = 3.67, p = .056$, other $Fs = 1.49, ps = .22$. Racial bias in *c* was significant among the Denver community sample, $F(1, 126) = 5.71, p = .02$, marginally significant among the Denver officer sample, $F(1, 123) = 3.28, p = .07$, and nonsignificant among the national officer sample, $F = 1$. It is informative to examine sample differences in *c* separately for the White and Black targets. As is clear from Figure 2, placement of the criterion for the White targets changed very little across the three samples, and in fact neither the omnibus test of sample differences, $F = 1$, nor any of the pairwise comparisons, all $Fs(1, 361) = 1.54, ps = .22$, revealed a significant difference on this measure. Moreover, the criterion for White targets was not significantly different from zero for any of the three samples, all $Fs = 1.49, ps = .23$. That is, neither officers nor community members showed a tendency to favor one response over the other when the target was White. In contrast, the threshold for Black targets changed substantially and significantly across the three samples, $F(2, 361) = 7.03, p = .001$. The criterion was set lowest by the Denver community sample, whose mean *c* was both significantly lower than zero, $F(1, 126) = 15.05, p = .001$, and significantly lower than either of the two officer samples, both $Fs(1, 361) = 4.42, ps = .04$. The Denver officers' mean *c* value was also significantly below zero, $F(1, 123) = 4.04, p = .05$, and approached a significant difference when compared to the national officer sample, $F(1, 361) = 2.79, p = .10$. The national officers' criteria for Black targets did not differ from zero, $F = 1.33$. In each of the three samples, we tested for moderation of bias in latencies, *d*, and *c* by participant ethnicity and gender. Because of the relatively small number of non-White participants, particularly in the officer samples, these analyses compared all non-White participants with White participants. Bias was not moderated by participant ethnicity for any of the samples (*ps* ranged from .76 to .11). The only effect of gender was moderation of bias in response times for the community sample. Bias was significantly greater for male than for female community members, $F(1, 122) = 5.66, p = .02$, but it is important to note that bias was significant within each sample, $F(1, 50) = 11.16, p = .002$ for female participants, and $F(1, 72) = 61.00, p = .001$ for male participants.

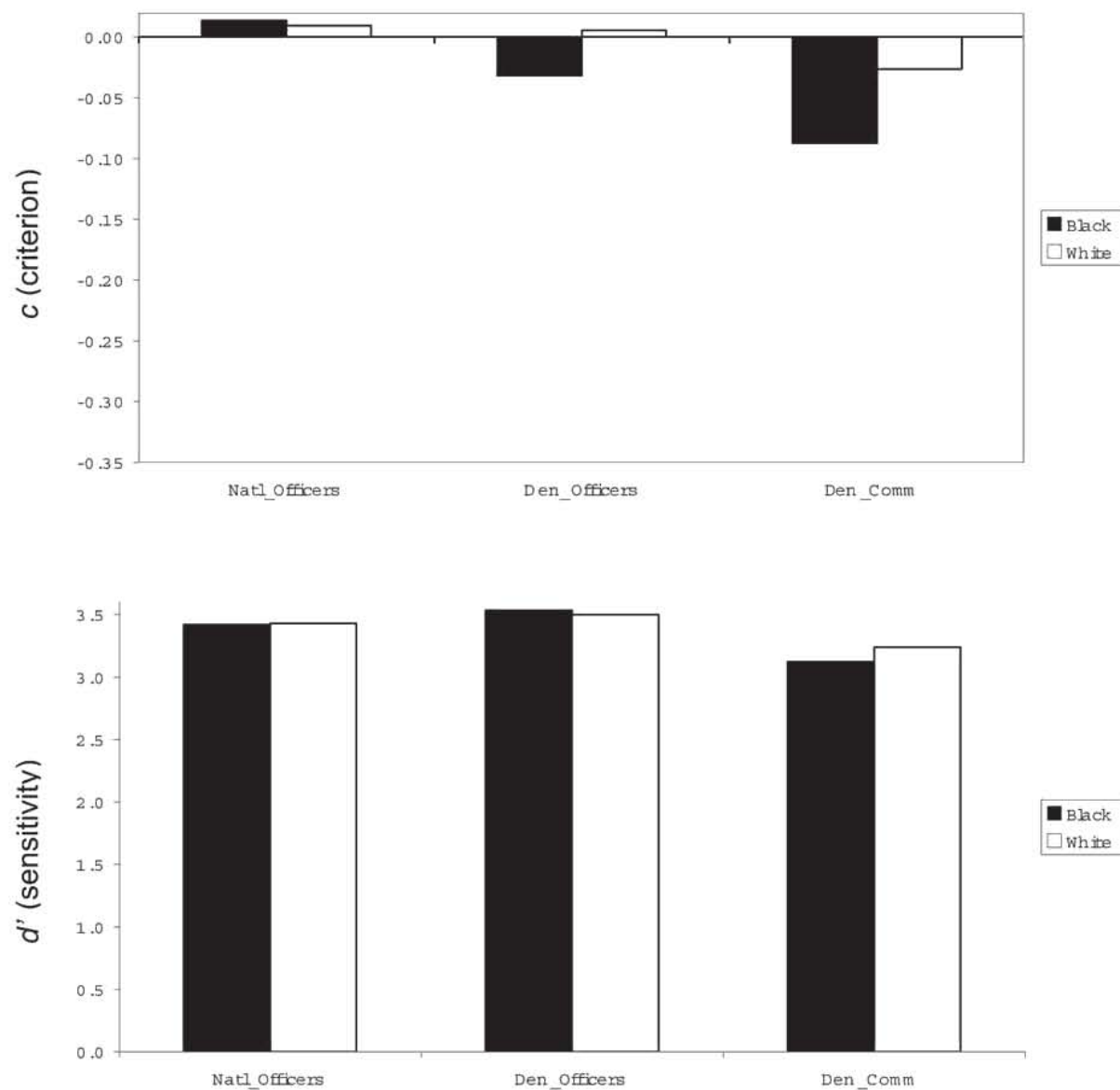


Figure 1. Decision criterion placement (c) and sensitivity (d') for Black and White targets as a function of sample (Study 1).

With respect to the analysis of d' , these data largely replicated previous work, such that target race did not affect participants' ability to discriminate armed from unarmed targets. In other words, the main effect of target race

was not significant in the d analysis, $F(1, 361) = 1.12, p = .29$ (see the bottom panel of Figure 1 and Table 2 for all means and standard deviations). However, the main effect of sample was significant, $F(2, 361)$

$11.69, p = .001$. Pairwise comparisons indicated that both officer samples showed higher discriminability than the community, indicating a greater ability to differentiate armed from unarmed targets, both $F(1, 361) = 11.01, ps = .001$. The two officer samples did not differ from one another, $F(1, 361) = 1.55, p$

$.21$. The interaction between sample and race of target was marginally significant, $F(2, 361) = 2.49, p = .085$. Pairwise comparisons indicated a significant difference only between the Denver officers and the Denver community, $F(1, 361) = 4.63, p = .04$. The officers showed slightly (but nonsignificant, $F = 1$) greater sensitivity to weapon detection for Black rather than White targets. Among the community, d was significantly higher for White targets than for Black targets, $F(1, 126) = 4.84, p = .03$.

Reaction-time analyses. We next examined reaction times. For each participant, latencies from correct responses were log transformed and averaged separately for each type of target (see Table 2 for means and standard deviations). Averages were analyzed as a function of sample (national officers vs. Denver officers vs. Denver community), target race (Black vs. White), and object type (gun vs. nongun) using a $3 \times 2 \times 2$ mixed-model ANOVA with repeated measures on the latter two factors. Consistent with past research, we obtained a main effect of object type, $F(1, 361) = 2,171.27, p = .001$, such that participants shot armed targets more

Table 2

Response Time, Sensitivity, and Decision Criterion Means and Standard Deviations for Studies 1 and 2

Sample

National officers				Denver officers				Denver community			
Black		White		Black		White		Black		White	
<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>

Study 1

ms		5	5	5	5	5	5	5	
		6	6	7	6	7	7		
log		0	0	2	8	8	8		
tran		b	a	b	a	b			
sfor									
me		0	0	0	0	0	0		
d		.	.	.	.	.	.		
mea		0	0	0	0	0	0		
n		7	7	8	7	9			

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		6 . 3 3	6 . 3 3	6 . 3 5	6 . 3 4	6 . 3 6	
No gun							
ms		6 3 5 a	6 5 3 a	6 3 7 b	6 6 3 a	6 4 9 b	
log tran sfor me d mea n		0 . 0 6 6 . 4 5	0 . 0 6 6 . 4 8	0 . 0 5 6 . 4 6	0 . 0 6 6 . 5 0	0 . 0 7 6 . 4 8	
Sen sitiv ity (d)		0 . 5 9 3 . 4 3	0 . 5 0 3 . 5 4	0 . 5 2 3 . 5 0	0 . 5 9 3 . 1 2	0 . 7 8 a 3 . 2 4	
Thr esh old (c)		0 . 1 9 .	0 . 2 1 .	0 . 1 8 .	0 . 2 1 .	0 . 2 5 a .	

		0	0	0	0	.	
		0	3	0	8	0	
		9	2	6	7	2	
			*		*	6	

Study 2

Sensitivity (<i>d</i>)				2.39	0.80	2.17	0.73	1.39
0.84	1.47	1.03						
Threshold (<i>c</i>)				.072	0.30	.122*	0.31	.302*
0.33a	.185*	0.39b						

Note. Different row subscripts within each sample indicate a significant Black–White difference at $p < .05$. For the decision criterion, means significantly different from zero at $p < .05$ are indicated with an asterisk. quickly than they decided to not shoot unarmed targets. The target race main effect was also significant, $F(1, 361) = 4.90, p = .03$, such that, overall, responses were very slightly faster to White ($M = 605$ ms) than to Black targets ($M = 608$ ms). Moreover, the sample main effect was significant, $F(2, 361) = 5.36, p = .006$. Contrasts among the samples indicated that both officer groups responded significantly faster overall than the civilian group, $F_s(1, 361) = 3.68, p_s = .056$, and the two officer samples did not differ from each other, $F = 1.86, p = .18$ ($M_{\text{national officers}} = 597$ ms, $M_{\text{Denver officers}} = 604$ ms, $M_{\text{Denver community}} = 613$ ms). It is important to note that we obtained the Target Race Object Type interaction, $F(1, 361) = 239.37, p = .001$. This effect reflects racial bias in decisions to shoot (see Figure 2). Notably, the interaction did not depend on sample, $F(2, 361) = 1.74, p = .18$. Bias was significant for all three samples: for the national sample of officers, $F(1, 112) = 68.89, p = .001$, for the Denver officers, $F(1, 123) = 117.29, p = .001$, and for the Denver community sample, $F(1, 126) = 65.29, p = .001$. Pairwise comparisons among the samples revealed no differences in the magnitude of bias between the community sample and either of the officers samples, $F_s = 1.17, p_s = .28$, and marginally greater bias among the Denver than national officer sample, $F(1, 361) = 3.44, p = .065$.

We further examined the simple effects of target race for each type of object. Again, consistent with previous findings, participants shot armed targets more quickly when they were Black, rather than White, $F(1, 361) = 74.04, p = .001$, and they indicated *don't shoot* in response to unarmed targets more quickly when they

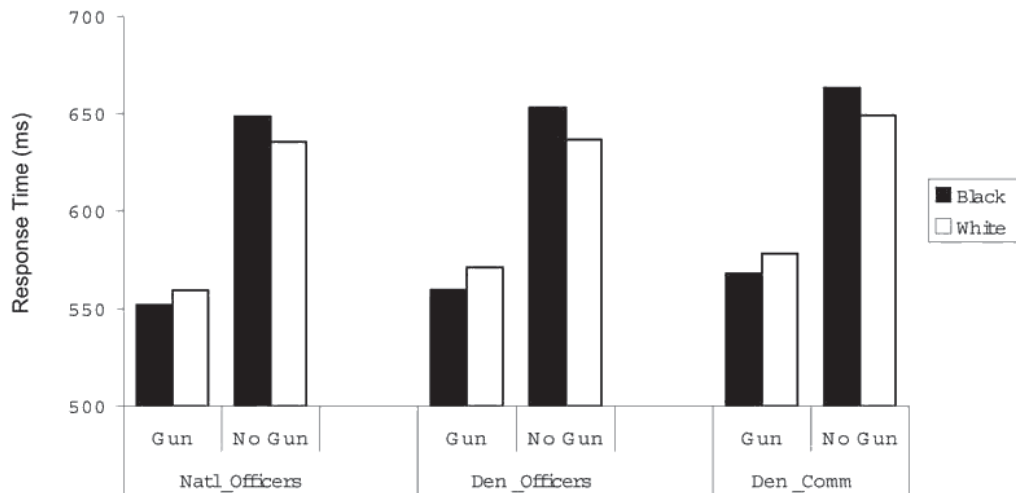


Figure 2. Response times to Black and White armed and unarmed targets as a function of sample (Study 1).were White, rather than Black, $F(1, 361) = 177.27, p < .001$. These simple effects did not depend on sample, both $F_s = 1, p_s = .39$, and both of the simple target race effects within object type were significant for each of the three samples, all $F_s = 15.00$, all $p_s < .001$. Pairwise comparisons for the simple effects among the three samples revealed no significant differences, all $F_s = 1.85$, all $p_s = .17$.

Summarizing the results thus far, we see that officers and community members differ in the criteria they employ for Black targets. Community members set a lower, more lenient criterion for shooting Black targets than either of the two officer samples. At the same time, officers and community members show similar levels of bias in terms of the speed with which they can correctly respond to targets. We have suggested that, by virtue of their training or expertise, officers may exert control over their behavior, possibly overriding the influence of racial stereotypes. Consistent with the possibility of enhanced control, officers also showed greater sensitivity than did community members to the presence of a weapon, regardless of target race. However, we do not suggest that officers are completely immune to stereotypes. To the extent that a Black target evokes the concept of danger, behavioral control should be difficult. Reactions to targets that violate stereotypic expectancies (i.e., unarmed Black targets and armed White targets) should be slower than reactions to stereotype-congruent targets. If officers' response latencies reflect the magnitude of racial stereotypes, we might expect greater latency bias for officers exposed to stronger environmental associations between Black people and crime. Community characteristics, such as crime rates and the proportion of minority residents, might predict the magnitude of bias among officers in the latencies. It is important to note, however, that if officers can exert control over their behavior, stereotypic associations should not produce greater bias in the SDT criteria they employ. We used the questionnaire data to explore this issue. Because there is very little variance among the Denver officers on these community characteristics (that is, the population of the city and county served by all officers in Denver is the same, and racial makeup across communities varies minimally), the national officer sample affords a more effective test of these possibilities.

Correlational analyses. We computed indices of racial bias on the basis of both response times ([RT unarmed Black target - RT unarmed White target] / [RT armed White target - RT armed Black target]), and criteria (c_{White}

cBlack). Higher numbers indicate greater racial bias. We also calculated the effect of target race on discriminability ($d_{\text{White}} - d_{\text{Black}}$), with higher numbers representing greater sensitivity for White targets than for Black targets.

We then conducted exploratory analyses of the relationships between each of these indices and the questionnaire measures obtained. We report correlations for all three samples (see Table1), but again, because the national sample offers greater variability in terms of community demographics, we focus our discussion on that sample. Bias in the response times was positively related to the size (i.e., population) of the city, $r(97) = .31, p = .003$, and county, $r(103) = .31, p = .002$, in which the officer served (population variables were log transformed to normalize their distributions). This effect suggests that officers in larger communities showed greater bias in the latency measure. In addition, that increases in violent crime were associated with greater racial bias. Officers rated violent crime levels with respect to FBI statistics for the average national violent crime rate (500 offenses per 100,000 persons) on a 5-point scale with the endpoints anchored at *much lower than average* and *much higher than average*. Officers were also asked to estimate the ethnic makeup of the communities in which they served. The estimated percentage of both African Americans, $r(108) = .21, p = .03$, and ethnic minorities more generally, $r(108) = .22, p = .03$, living in the community positively predicted racial bias in the latencies. None of the remaining correlations for the national sample of officers was significant.

Officers serving in districts characterized by a large population, a high rate of violent crime, and a greater concentration of Black people and other minorities showed increased bias in their reaction times. We tentatively suggest that these environments may reinforce cultural stereotypes, linking Black people to the concept of violence. The fact that officers from these urban, violent areas show more pronounced bias in their latencies suggests that stereotypic associations may indeed influence police on some level. But if training enables officers to effectively control their behavior, such stereotypes should not influence their final shoot/don't-shoot decisions. It is interesting that these community demographics, which systematically predicted latency bias, were completely unrelated to bias in the SDT estimates of decision criteria (r s ranged from $-.14$ to $-.13$, smallest p value $-.19$). In other words, environmental variables that increased bias in officers' latencies had no effect on the degree of bias in their ultimate decisions.

We also asked participants (community members and officers alike) to complete several measures of stereotyping and prejudice. In the past, we have obtained relationships between bias in response times and an individual's awareness of cultural stereotypes about Black people (Correll et al., 2002, Study 3; Correll, et al., 2007). In the present study, measures of personally endorsed stereotypes did correlate with latency bias for the community members, $r(123) = .21, p = .05$, but cultural stereotypes did not. Moreover, in the officers' data, neither of these relationships emerged. It is possible that this difference reflects something special about the relationship between stereotypes and bias among officers, but we suspect that the reason has more to do with the officers' concerns about going "on the record" with regard to their attitudes about race. Despite our assurances of anonymity, several officers were unwilling to complete the measures, and others told us, rather bluntly, that they would not respond honestly to these sensitive questions. We therefore view these items with suspicion, at least for the officer samples.

The effects of target race on the SDT estimates were not related to any of the demographic variables. As null effects, these results are difficult to interpret. They may reflect a true lack of correspondence between demographics and performance, but they may also stem from the relatively low error rates in this task (which likely reduce the reliability of the SDT estimates).⁴ Although Black–White differences were unrelated to the questionnaire measures, we did find that the *average* values of both d' and c (independent of target race) were correlated with training in simulated building searches. In this type of training, officers interact with actors, some of whom attack the trainee using weapons officers' reports of the level of violent crime in their districts predicted bias in response latencies, $r(111) = .20, p = .03$, such as We thank an anonymous reviewer for this insight. Equipped with nonlethal ammunition. Police with more extensive training in these encounters were better able to discriminate between armed and unarmed targets, regardless of the race of the target, $r(113) = .20, p = .04$, and they tended to set a higher overall criterion in the task, $r(113) = .17, p = .07$, reflecting greater reluctance to shoot. It is interesting that no other type of training (e.g., classroom training, firing range, interactive video training) predicted performance in the game. Future researchers should attempt to replicate these correlations, but the results tentatively suggest that live, interactive training provides officers with a chance to hone their skills in a manner that improves performance.

Discussion

Analyses of the behavioral data showed that the officers' overall performance on the video game simulation exceeded that of the civilians in several ways. First, their response times were faster. On average, officers were simply quicker to make correct shoot/ don't-shoot decisions than were civilians. Second, they were better able to differentiate armed targets from unarmed targets. On average (i.e., across White and Black targets), d' was greater for the officers than for the community sample. Third, whereas the criterion c for the community was significantly below zero (reflecting a tendency to favor the "shoot" response), officers adopted a more balanced criterion. In fact, not only was the officers' criterion significantly higher than the community's, but the officers' threshold also did not differ significantly from zero. This placement suggests equal use of the "shoot" and "don't shoot" responses.

In terms of bias, the SDT results suggest that officers may show less bias than civilians in their final decisions. Among the community sample, these data revealed a clear tendency to set a lower (i.e., more lenient or "trigger-happy") criterion for Black, rather than White, targets. But this bias was weaker, or even nonexistent, for the officers. The reduction in bias seemed to reflect the fact that, compared with the community members, officers set a higher, more stringent threshold for the decision to shoot Black targets. Placement of the criterion for White targets varied minimally across the three samples.

The response-time data show clear evidence of racial bias for all samples in this study, the 237 police officers and the community members alike. Like college students in previous studies, these individuals seemed to have greater difficulty (indexed by longer latencies) responding to stereotype-incongruent targets (unarmed Black targets and armed White targets), rather than to stereotype-congruent targets. The magnitude of this bias did not differ across the three samples. It is interesting to note that this equivalence emerged in spite of the fact that the civilian sample contained many more ethnic minority members than did the predominantly White police samples. Although any

evidence of racial bias among police may be cause for concern, there is certainly nothing in the present data to suggest that officers show greater bias than the people who live in the communities they serve.

We used correlational analyses to examine officers in the national sample, and, of all the variables examined, three predicted bias in reaction times (no variables related to bias in the decision criteria). Each of the relevant variables reflected some aspect of the community the officer served. Bias increased as a function of the community's size, crime rate, and the proportion of Black residents and other ethnic minority residents. Police in larger, more dangerous and more racially diverse environments are presumably much more likely to encounter Black criminals, reinforcing the stereotypic association between race and crime. By contrast, officers with little exposure to Black people may be less likely to rehearse this association. As a consequence, these officers may experience less stereotypic interference during the video game task.

The results from the signal-detection analysis are particularly provocative. Although police may have difficulty processing stereotype-inconsistent targets (as evidenced by bias in their response times), the SDT results suggest that police do not show bias in their ultimate decisions. That is, the expertise that police bring to a shoot/don't-shoot situation may not eliminate the difficulty of interpreting a stereotype-inconsistent target, but it does seem to minimize the otherwise robust impact of target race on the decision to shoot. Inasmuch as it is the actual decision to shoot (and not the delay in making that decision) that carries life-and-death consequences for the suspect, bias in the criterion may be considered the variable of greatest interest to both the police and the community. However, because of the profound implications of these conclusions, we felt it necessary to replicate these effects. The video game used in Study 1 imposed an 850-ms timeout window. Although this restriction certainly exerts some pressure on participants, it offers them sufficient time to respond correctly on the vast majority of trials. In Study 1, errors and timeouts, together, accounted for only 9.5% of trials. When the total number of errors is so low, idiosyncratic responses to particular targets may dramatically affect the SDT estimates. In Study 2, therefore, we reduced the time window in an effort to increase errors and obtain more stable SDT estimates.

Study 2

Method

Participants. We returned to one police district in Denver and recruited an additional 33 officers, as well as 52 community members from a nearby DMV, each of whom completed a version of the video game simulation with a more restrictive time window. Several participants experienced great difficulty responding within this limit, producing few errors and a very high number of time-outs. Two officers and 7 civilians had an excessive ratio of timeouts to incorrect trials (more than four timeouts for every error) and were excluded from the analyses. The results do not change substantially if they are included. The final sample included 31 officers (3 female, 26 male, 2 missing gender; 16 White,

6 Black, 4 Latina/o, 3 other, 2 missing ethnicity; mean age 35.6 years) and 45 community members (20 female, 23 male, 2 missing gender; 14 White, 18 Black, 10 Latina/o, 3 other; mean age 36.8 years). Officers completed the study while off duty and were paid \$50 in compensation. Community members were paid \$20.

Video game simulation and procedure. The video game was identical to that in Study 1, with the exception that the timeout window was set to 630 ms. Participants were instructed to respond as quickly and as accurately as possible, and response latencies longer than 630 ms were penalized with a loss of 20 points. Otherwise, the procedures were identical to those in Study 1.

Results

Our goal in reducing the timeout window was to induce a greater number of errors. Our analysis therefore focused on the parameters derived from the signal-detection analysis. Errors were substantially greater in this version of the simulation. Overall, participants made incorrect responses on 16% of the 100 trials and timed out on 17%. We computed sensitivity (d') and the decision criterion (c) as in Study 1, using only the correct and incorrect trials (i.e., excluding timeouts). The estimates were analyzed in a Sample (officer vs. civilian) $\times$ Target Race (Black vs. White) 2

2 mixed-model ANOVA, with repeated measures on the latter factor (see Table 2 for means and standard deviations; see also Figure 3).

Signal-detection analyses. With respect to the criteria or estimates of c , we observed that the average criterion was significantly below zero, $F(1, 74) = 27.06, p < .001$. In fact, the criteria in Study 2 were lower than those in the first study. Presumably because of the increase in time pressure, participants showed a greater propensity to shoot (compare Figures 1 and 3). More interesting, the location of the criterion depended on sample, $F(1, 74) = 4.95, p = .03$ (i.e., there was a main effect of sample). Although the mean value of c was significantly below zero for both the officers, $F(1, 30) = 4.84, p = .04$ ($M = -.10$), and the community, $F(1, 44) = 29.38, p < .001$, ($M = -.24$), it was significantly lower for the latter. Unlike in previous work, the main effect of target race in c was not

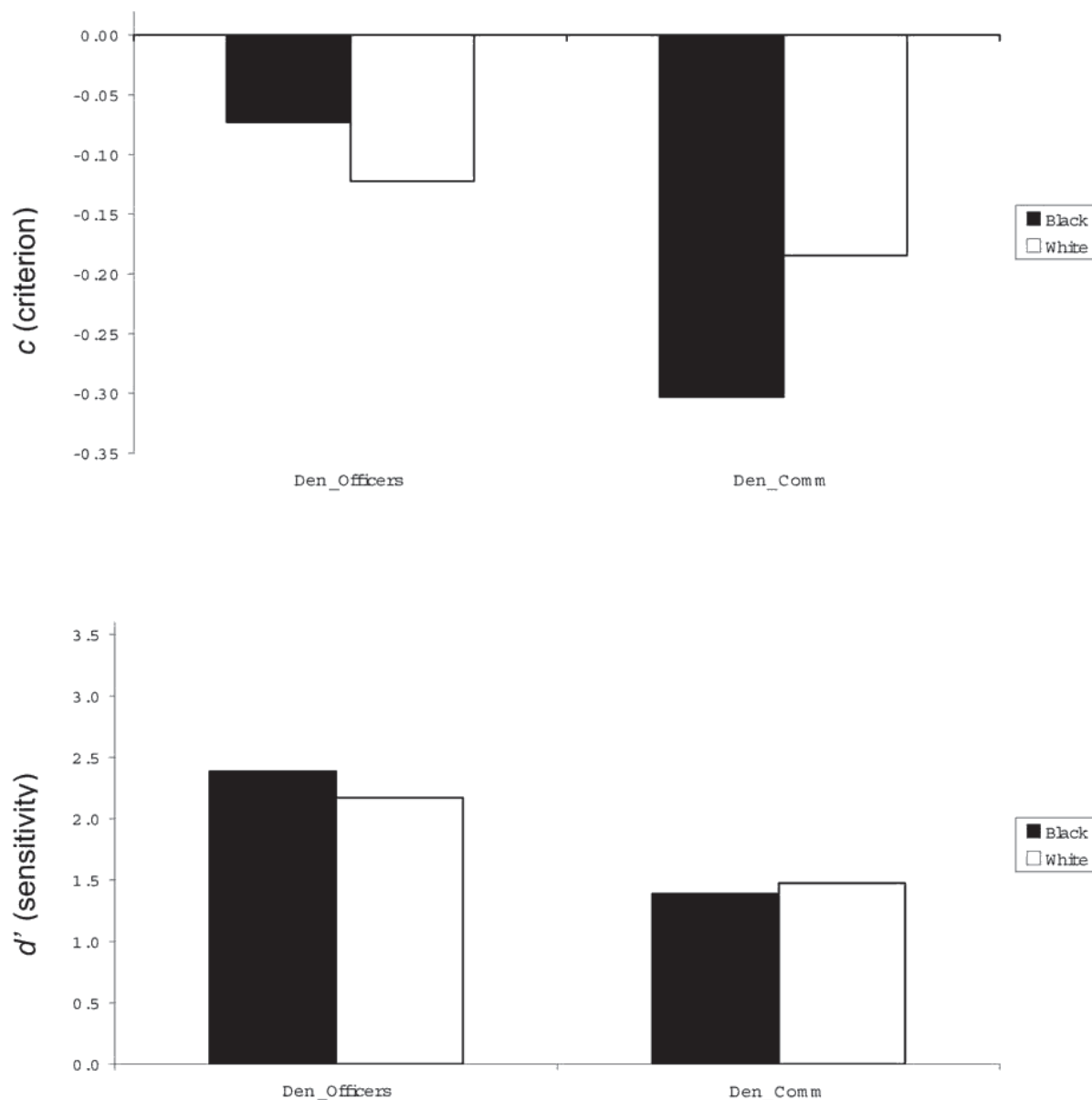


Figure 3. Decision criterion placement (c) and sensitivity (d') for Black and White targets as a function of sample (Study 2). significant, $F = 1$, but the Sample $\times$ Target Race interaction was, $F(1, 74) = 3.69, p = .059$ (see Figure 3). As in Study 1, the community sample set a lower threshold to shoot Black targets than to shoot White targets, $F(1, 44) = 4.24, p = .05$. Officers, on the other hand, demonstrated no racial bias, $F = 1$. Again replicating Study 1, this interaction seems to reflect the fact that the community set a lower threshold for Black targets than did the officers, $F(1, 74) = 9.74, p = .003$. The two samples did not differ in the placement of their criteria for White targets, $F = 1$. It is also interesting to note that all four of the mean c values in Figure 3 were significantly below zero, all t s $> 2.17, p$ s $< .04$, with the exception of the officers' criterion for Black targets, $t(30) = 1.36, p = .18$.

Turning to sensitivity, we found that d was generally lower in Study 2 than in Study 1, particularly for the community members, suggesting that time pressure impaired discriminability (see Payne,

2001). The main effect of sample was significant, $F(1, 74) = 21.59, p = .001$. As in Study 1, police officers more effectively discriminated between armed and unarmed targets ($M = 2.27$) than did the community members ($M = 1.43$). The police advantage was evident both for Black targets, $F(1, 74) = 26.93, p = .001$, and for White targets, $F(1, 74) = 10.54, p = .002$. There was no overall effect of target race on d , $F = 1$, suggesting that participants, in general, were equally able to discriminate White and Black targets. However, target race did interact marginally with sample, $F(1, 74) = 2.81, p = .10$. Community members were equally sensitive to both White and Black targets, $F = 1$, but officers showed marginally greater sensitivity for Black, rather than White, targets, $F(1, 31) = 3.53, p = .07$ (see Figure 3). The results from Study 1 similarly indicated better sensitivity among officers than civilians, particularly for the Black targets.

Reaction-time analyses. Previous work has consistently found that reducing the time window eliminates the race-bias effect in response times, presumably because it reduces variance in the latencies (see Correll et al., 2002). Consistent with those findings, bias in response times was not significant on average in Study 2, $F = 1$, nor did the magnitude of bias depend on sample, $F = 1$.

Discussion

Like Study 1, Study 2 revealed critical differences between the performance of police officers and that of civilians. These differences emerged both in the participants' ability to discriminate armed from unarmed targets and in the criterion for the decision to shoot. Civilians consistently set a lower threshold for the decision to shoot (c) than did the officers, and this difference was particularly evident for Black targets. In both studies, officers showed greater sensitivity (d), and again this tended to be particularly true with Black targets. In sum, then, Study 2 replicated the signal-detection findings of Study 1, and it did so using a paradigm that forced participants to respond very quickly, resulting in a greater number of errors and, so, more stable SDT estimates.

Taken together, the response-time results from Study 1 and the signal-detection results from both Studies 1 and 2 reveal intriguing differences between trained police officers and civilians who live in the communities those officers serve. The latencies suggest that officers and community members both experienced difficulty processing stereotype-incongruent targets. Like community members, police were slower to make correct decisions when faced with an unarmed Black man or an armed White man. It is important to note, however, that the officers differed dramatically from the civilians in terms of the decisions they ultimately made. Community members showed a clear tendency to favor the *shoot* response for Black targets (relative to both White targets and relative to a neutral or balanced criterion of zero). Police, however, showed no bias in their criteria. Moreover, they showed greater discriminability and a less trigger-happy orientation in general (i.e., for both Black and White targets). These results seem to suggest that expertise improves the outcome of the decision process (increasing sensitivity and reducing the unwarranted tendency to shoot, particularly for Black targets), even though it may not eliminate processing difficulties associated with stereotype-inconsistent targets.

We have suggested that this reduction in bias may reflect the impact of training. In Study 3 we attempted to examine this possibility more systematically by providing practice on the video game task to a sample of undergraduates. On the basis of the results of Studies 1 and 2, we expected that repeated play would improve sensitivity (facilitating discrimination between armed and unarmed targets) and reduce racial bias in the placement of the decision criterion (Plant et al., 2005). But we expected that practice would not reduce bias in response times. Like the officers, participants with more practice on the task should demonstrate improvements in their ultimate decisions in spite of persistent difficulty with the processing of stereotype-incongruent targets.

Study 3

Method

Participants. Fifty-eight students (29 female, 22 male, 7 missing gender; 40 White, 1 Black, 3 Asian, 3 Latina/o, 1 Native American, 2 Other, 8 missing ethnicity) participated in Study 3 either in partial completion of a course requirement or for \$15 pay. Four additional students were included in the original sample but failed to return for Day 2 and thus are excluded from all analyses. *Video game simulation and procedure.* In Study 3, participants played the video game twice on each of 2 days separated by 48 hr. At each round of play, they completed an 80-trial shoot/ don't-shoot video game, which was essentially the same as the task performed in Study 1. This game again used a timeout window of 850 ms. Thus, the design included four factors: 2 (Day) $\times$ 2 (Round of Play) $\times$ 2 (Race) $\times$ 2 (Object), with repeated measures on all four variables. This design allowed us to examine the effects of repeated play within a day and also to assess whether any improvement in performance would carry over from Day 1 to Day 2.

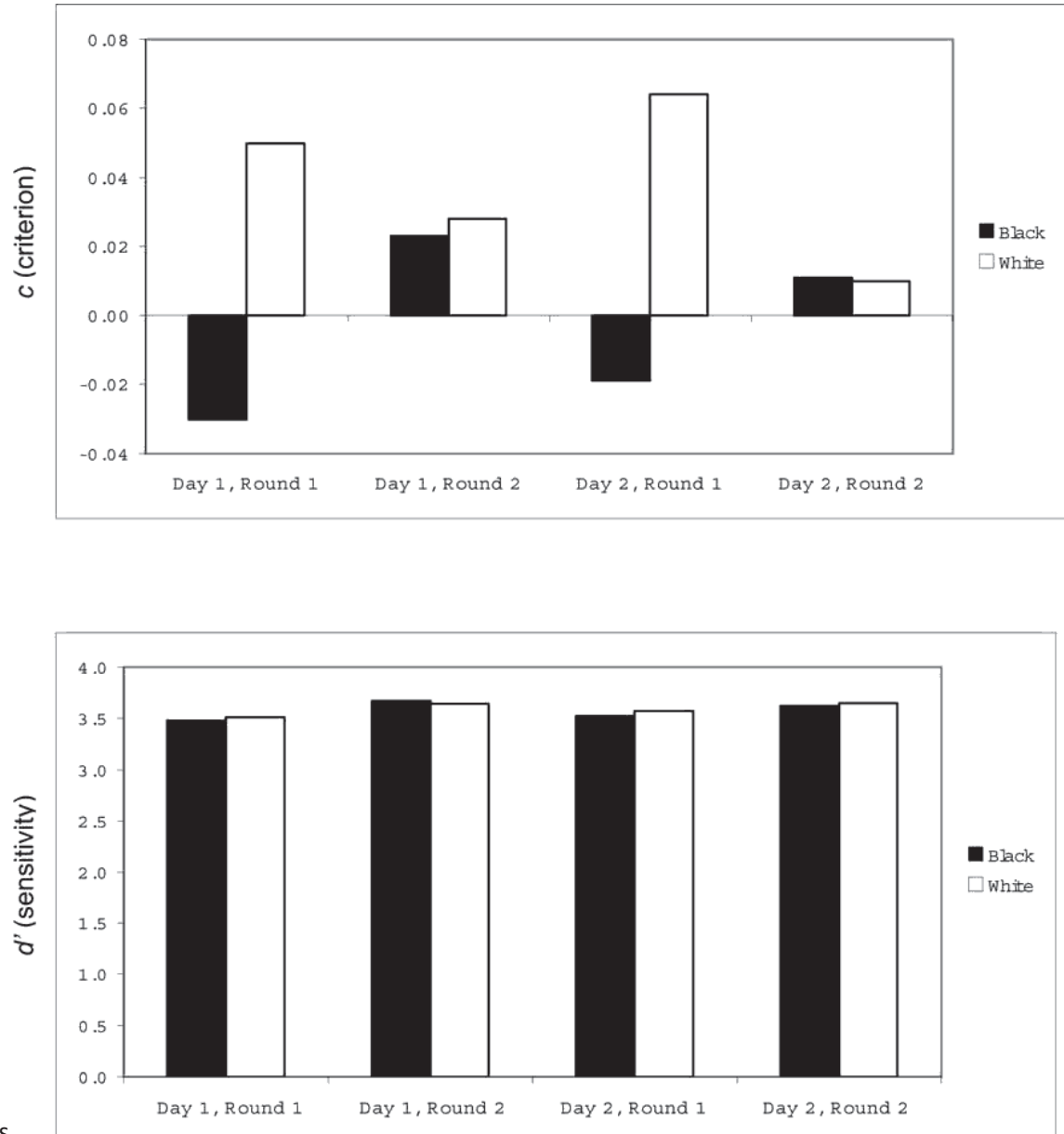
Results

We computed SDT estimates and average reaction times for correct responses as in Studies 1 and 2.

Signal-detection analyses. We analyzed the SDT estimates as a function of day (1 vs. 2), round of play (1 vs. 2), and target race (Black vs. White) using 2 $\times$ 2 $\times$ 2 repeated-measures ANOVAs for both c and d' . Analyses of c revealed that, on average, participants set a lower criterion to shoot for Black targets than to shoot White targets, $F(1, 57) = 10.76, p = .002$. It is critical, however, that the effect of race depended on round, $F(1, 57) = 5.08, p = .03$, such that bias decreased in the latter round each day. That is, the race difference in the criterion (i.e., bias) was significant at Round 1 on both Day 1, $t(57) = 2.41, p = .02$, and on Day 2, $t(57) = 2.53, p = .02$. But bias fell to no significant levels at Round 2 on both days: for Day 1, $t(57) = 0.17, p = .86$; for Day 2, $t(55) = 0.06, p = .95$ (see Figure 4). Moreover, the Round $\times$ Race interaction did not depend on day, $F(1, 57) = 0.04, p = .84$. No other effects in this analysis were statistically significant, all $F_s(1, 57) \leq 1.04, p_s \geq .31$. As predicted then, practice reduced bias in the decision to shoot, and it did so on each of the two days. It is interesting that there appeared to be no carry over in bias reduction from Day 1 to Day 2. We return to this issue in the Discussion section. The analysis of sensitivity, or d' , revealed only a main effect of round, $F(1, 57) = 7.09, p = .01$, reflecting greater discriminability during the second game each day. No other effects in this analysis were statistically significant, all $F_s(1, 57) \leq 1.06, p_s \geq .30$ (see Figure 4). As predicted, practice enhanced sensitivity and seemed to have equivalent effects for both

Black and White targets. Moreover, the increase in sensitivity occurred each day, and there was no evidence that the increase carried over from Day 1 to Day 2. *Reaction-time analyses.* Latencies were analyzed as a function

of day (1 vs. 2), round of play (1 vs. 2), target race (Black vs. White), and object type (gun vs. nongun) using a 2 × 2 × 2 repeated-measures ANOVA. As usual, we observed a main effect of object, $F(1, 57) = 409.19, p < .001$, such



that participants

Figure 4. Decision criterion placement (c) and sensitivity (d') for Black and White targets as a function of day and round of play (Study 3).

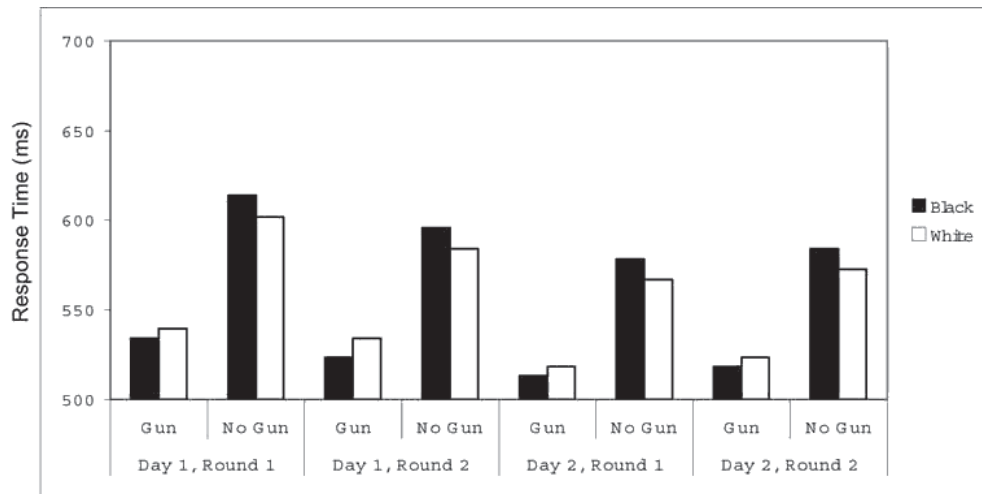


Figure 5. Response times to Black and White armed and unarmed targets as a function of day and round of play (Study 3). Responded more quickly on gun trials than on non gun trials. This effect was qualified by an interaction between target race and object type, $F(1, 57) = 95.65, p < .001$, representing significant racial bias. Our primary concern, however, involved the degree to which this pattern changed as participants gained experience with the task. Most interesting, from our perspective, was the question of whether repeated play altered the magnitude of racial bias in the speed with which participants could make shoot/don't-shoot decisions. In stark contrast to the SDT results, bias in reaction times did not change as a function of round: The three-way interaction was not significant, $F(1, 57) = 0.01, p = .93$. Similarly, neither the Day $\times$ Race $\times$ Object three-way interaction, $F(1, 57) = 0.01, p = .92$, nor the Round $\times$ Day $\times$ Race $\times$ Object four-way interaction was significant, $F(1, 57) = 0.00, p = .95$. In essence, the magnitude of this bias did not change over the course of the study. Further, latency bias was significant in both Round 1, $F(1, 57) = 33.76, p < .001$, and Round 2, $F(1, 57) = 28.52, p < .001$,

On Day 1, as well as Round 1, $F(1, 57) = 27.04, p < .001$, and Round 2, $F(1, 57) = 17.14, p < .001$, on Day 2 (see Figure 5).⁵ So although practice decreased racial bias in the decision criteria and improved overall discriminability (as shown by the SDT analyses), practice did not attenuate racial bias in reaction times.

Discussion

Participants in Study 3 showed a number of changes as a function of practice. Most important, practice with the task reduced SDT bias and increased sensitivity to the presence or absence of a weapon. Practice did not, however, affect the magnitude of racial bias in latencies. Across repeated plays of the video game simulation, these developing “experts” continued to struggle with the stereotype-incongruent targets, responding more slowly on incongruent (compared with congruent) trials.

The effects of training observed in this study with a sample of undergraduates largely replicate the differences observed between police officers and civilians in Studies 1 and 2. Undergraduates in the initial round of Study 3, like members of the Denver community, showed bias both in latencies and in their criteria for the decision to shoot. These effects were evident on both Day 1 and Day 2. After receiving practice on the shoot/don't-shoot simulation task, however, bias in the placement of the criterion diminished, but bias in reaction times did not change. As a consequence of this shift, our "expert" participants began to look less like community members and more like police officers.

However, a single round of practice with our video game task (which takes roughly 12 min–15 min) differs dramatically from the training that police receive. As noted above, Denver police recruits spend approximately 72 hr in weapons training during their time at the academy. This extended in-depth practice likely results in much greater consolidation of the skills necessary to exert control over their behavior than did the minimal practice afforded to participants in Study 3. Consistent with this, participants in Study 3 showed pronounced within-day improvements (reductions in bias and increases in discriminability), but they showed no evidence that this training carried over from Day 1 to Day 2. Upon entering the lab on Day 2 (48 hr after the Day 1 session), participants showed a number of less theoretically interesting effects that did not involve race and object were present in this analysis. Overall, participants were faster on Day 2 than Day 1, $F(1, 57) = 46.94, p < .001$, marginally faster at Round 2 than Round 1, $F(1, 57) = 3.40, p = .07$, and the Day $\times$ Round interaction was significant, $F(1, 57) = 11.76, p = .002$, such that the Round 1 to Round 2 decrease in mean latencies was really only present on Day 1. (It is interesting that this increase in speed again mirrors sample differences between the police and community participants in Studies 1 and 2.) The object main effect (faster times to gun trials) was qualified by a number of interactions. The difference in gun versus no-gun trials was greater on Day 1 than Day 2, $F(1, 57) = 15.69, p < .001$, for the Day $\times$ Object interaction, greater at Round 1 than Round 2, $F(1, 57) = 6.64, p = .02$, for the Round $\times$ Object interaction, and the shift from Round 1 to Round 2 was really only present on Day 1, $F(1, 57) = 4.16, p = .05$, for the Day $\times$ Round $\times$ Object interaction. All of these effects reflect accelerations in classification speed (for all responses or for the particularly slow no-gun responses). This acceleration is most pronounced at early stages of the study and weakens over time, presumably because of a floor effect. Participants behaved like novices. On Round 1 of their second day, they demonstrated racial bias in both response times and SDT criteria. With additional training on Day 2, this bias dropped once again. But the reemergence of bias in Round 1 of Day 2 suggests more extensive training is necessary if participants are to more permanently overcome bias in behavioral responses. The fact that police officers in Studies 1 and 2 showed no SDT bias during their initial performance on the video game task may be a testament to their training and expertise.

General Discussion

We began this research with two primary goals: examining police officers in a first-person shoot/don't-shoot task and comparing their performance with that of a community sample. This investigation assessed overall proficiency and the role that a target's race plays in the decision-making process. Police differed from the community members in terms of several critical variables. On average (ignoring target race), the officers clearly outperformed the community sample. They were faster to make correct responses; they were better able to detect the presence of a

weapon (as measured by d); and they set a significantly higher criterion (c) for the decision to shoot, indicating a less “trigger-happy” orientation.

Most important for our hypothesis, the officers also differed from the community sample in the role that a target’s race played in the placement of SDT criteria for the decision to shoot. This difference primarily affected Black targets. When the target was White, all of the samples (Denver community, Denver police, and national police) set a relatively high criterion, and none of the samples differed from one another. But when the target was Black, the community set a significantly lower (more trigger-happy) criterion than the officers. This was true both in Study 1, which used a relatively long timeout window, and in Study 2, in which the timeout window was substantially reduced (yielding much higher error rates).

In spite of the fact that police showed minimal bias in the SDT analysis, the officers were similar to the community sample (and to literally hundreds of past participants in this paradigm) in the manifestation of robust racial bias in the speed with which they made shoot/don’t-shoot decisions. Accurate responses to targets congruent with culturally prevalent stereotypes (i.e., armed Black targets and unarmed White targets) required less time than did responses to stereotype-incongruent targets (i.e., unarmed Black targets and armed White targets). Evidence of bias in response latencies was consistent and robust across all of the samples examined in Study 1: the national sample and the Denver sample of police officers, as well as the Denver community sample, drawn from the neighborhoods that the Denver officers serve.

The results from Study 3, in which we trained novice college students on the task, revealed similar effects. Across two rounds of play, student participants showed a significant decrease in racial bias, as measured by the decision criterion, accompanied by an increase in sensitivity. But they showed no change in the magnitude of bias as measured by response latencies. An identical pattern was obtained when students returned for a second day, during which they again completed two rounds of the video game task. In the first round of play, student performance mirrored that of the community; By Round 2, it mirrored that of the police officers.

The performance of the officers and the expert students in these studies raises an important set of questions about the processes that differentiate bias in response times from bias in the threshold to shoot. Typically, errors and latencies follow a similar pattern, such that greater difficulty on a given trial increases both response time and the likelihood of a mistake, as observed in the performance of community members and novice college students. The officers and experts, by contrast, showed clear bias in latencies, but target race had no impact on their ultimate decisions.

To the extent that longer latencies reflect difficulty, the persistent bias in reaction times suggests that even experts have some trouble processing stereotype-incongruent targets. The visual complexity of the stimuli may essentially require participants to engage in an effortful, serial search for relevant information about the object (Shiffrin & Schneider, 1977). At the same time, the salience and automaticity that generally characterize psychological processing of racial cues (Cunningham et al., 2004; Ito & Urland, 2003) suggest that—during the course of that search—participants are likely to encode target race. In combination with tenacious racial stereotypes (e.g., Devine & Elliot, 1995), race-based processing may impede responses to counter stereotypic targets. In line with this

possibility, Study 1 showed that officers from urban, high-crime, predominantly minority districts (environments likely to reinforce stereotypes about Black people) showed greater racial bias in their latencies.

For officers (and, temporarily, for trained undergraduates), however, the stereotypic interference ended with reaction times. The bias evident in their latencies did not translate to the decisions they ultimately made. This separation of effects may reflect the officers' ability to override automatic associations (Kunda & Spencer, 2003), perhaps as a function of their training and expertise. Police (with extensive training) and "expert" undergraduates (with minimal training) were able to reduce bias in the SDT criteria for Black and White targets. Were these individuals able to avoid snap judgments on ambiguous trials, such as those posed by counter-stereotypic targets, and wait for a more complete understanding? Such a delay when responding to difficult-to-process counter-stereotypic targets would presumably yield bias in reaction times (consistent with the data). At the same time, it would minimize bias in the decision criteria and increase overall accuracy. Anecdotally, this explanation matches officers' intuitions about the process. In a conversation about the effects reported here, one officer stated that the findings "make sense" because police are trained to hold their fire if they are uncertain – to wait for greater clarity.

The possibility that expertise and practice enhance control resonates with research beyond the realm of racial stereotyping. Green and Bavelier (2003) have shown that practice with visually complex video games enhances visual attention (but practice with visually simple games does not). And, although practice on a simple decision task generally promotes automaticity (Bush et al.,

1998; Shiffrin & Schneider, 1977), practice on more complicated interference tasks or on challenging working-memory tasks can actually increase control (Olesen et al., 2004; Weissman et al., 2002). On the basis of functional magnetic resonance imaging, these studies show that extended practice on difficult tasks leads to increased activation of the medial and middle frontal gyri—areas associated with control-based conflict resolution and top-down, rule-based processing. We suggest, then, that police training and on-the-job experience in complex encounters may allow officers to more effectively exert executive control in the shoot/don't-shoot task, essentially overriding response tendencies that stem from racial stereotypes. As noted above, the correlational analyses from Study 1 identified several environmental factors that were associated with increases in *latency* bias for the officers (i.e., serving in urban, high-crime, and predominantly minority districts). It is interesting to note that these same variables had no impact on the SDT criteria the officers used.

We do not want to suggest that the minimal training provided in Study 3 parallels the sort of training that police officers receive. However, the possibility that police function as highly trained subjects is intriguing. In the current research, evidence for this possibility relies on cross-sectional comparisons (Studies 1 and 2) and on parallels between samples that differ in numerous ways (i.e., the "expert" students in Study 3 and the police officers). It would be informative to follow police recruits as they enter the academy, as they receive training, and as they cope with their first years of patrol duty. We have begun data collection on such a project. At present, we have data from 39 recruits in the first weeks of training at the police academy (prior to any weapons training). It is striking that these recruits show statistically significant racial bias in both reaction times and in the decision criteria. Upon entering the academy, then, recruits behave very much like the community samples (Studies 1 and 2) and the novice student sample (Study 3): They set a lower criterion for Black targets than for White targets. These data are

entirely consistent with the possibility that the reduction in SDT bias among police officers represents an expertise effect. These data also argue against the suggestion that police academies or departments indoctrinate their members into a culture of anti-Black sentiment (Teahan, 1975a), at least with respect to the sort of judgments studied here.

We must note that our results are only partially consistent with prior work. Consistent with Eberhardt et al. (2004), we found that officers orient more quickly to Black people when processing danger-related stimuli. With respect to reaction times, our results (like theirs) suggest a bias in attentional focus and processing. But our data are not consistent with those of Plant and Peruche (2005), who found that officers showed racial bias in the SDT criteria for the decision to shoot. Although these officers learned to eliminate bias over the course of the study, the presence of the initial bias is inconsistent with our results. Officers in the current studies never showed significant evidence of bias.⁶

This partial correspondence may stem from a variety of factors. We explore two. First, Plant and Peruche (2005) sampled 50 officers from Florida; in Study 1, we sampled 237 officers from Colorado and 14 other states. It is possible that the differences between our findings reflect regional differences between Florida and other areas of the country. Second, it is possible that the results reflect differences between the paradigms employed. Plant and Peruche's stimuli are, arguably, further removed from the training and experience of police officers than are the stimuli presented in our simulation. Plant and Peruche presented Black and White male faces on which objects (e.g., a gun or wallet) had been superimposed. Our stimuli involve full-body images of men holding guns and other objects. These images are embedded in scenes, such as parks or cityscapes. To the extent that our stimuli more closely mirror police training (e.g., Firearms Training System or firing range encounters) and on-the-job experiences, an officer's expertise should be more likely to generalize to our task. To the extent that Plant and Peruche's paradigm is less similar to the officers' previous experiences, their participants may have had to learn what was, in essence, a novel task.

As we discussed in the introduction, sociologists have studied the question of racial bias in police shootings for many years. The sociological literature provides a rich, if complicated, context in which to view the results of the current studies. One account that has received substantial attention is that police shoot Black suspects more often than White suspects, per capita, because Black people are disproportionately likely to be involved in crime (particularly violent crime). The Department of Justice (2001) report shows that, just as Black suspects are five times more likely than White suspects to die at the hands of police, police officers are five times more likely to die at the hands of a Black suspect than a White suspect. In a similar vein, Reisig et al. (2004) found that the use of nonlethal force (which seems to depend on suspect race) may actually reflect race-based differences in the suspect's propensity to resist arrest or engage in belligerent behavior toward officers. It is the suspect's hostility, they argue—not race—that prompts a hostile response from the officer. And Inn et al. (1977) report that the number of Black suspects shot by police is proportionate to the number of Black suspects arrested. They tentatively conclude that it is the prevalence of criminal activity among Black people that drives the differential shooting rates. (The authors note, however, that arrest rates themselves may reflect biases held by the police and thus do not provide a perfect standard of comparison.) In line with this reasoning, in Study 1, officers from the national sample

who reported working in communities with (a) high levels of violent crime and (b) high proportions of minority residents showed particularly strong patterns of bias in their latencies. Did their experiences with minority suspects foster associations that made counter stereotypic trials particularly difficult to process?

The situation is almost certainly more complex. It is clear from the analysis of Study 1 that officers serving in heavily (more densely) populated communities also showed greater anti-Black bias in their reaction times. In combination, these variables seem to suggest that racial bias in the decision to shoot may reflect the disproportionate representation of Black people (and perhaps other ethnic minority groups) in low-income, poverty-stricken, and high-crime areas. Geller (1982) and Smith (2004) presented evidence that a greater number of police shootings occur in disadvantaged neighborhoods and that members of ethnic minorities are more likely to be killed in these incidents. Using regression models to predict officer-involved shootings, Terrill and Reisig (2003) showed that, once neighborhood risk is taken into account, the 6 In light of Plant and Peruche's (2005) findings, we explored the possibility that police officers in the current studies showed a decrease in bias over the course of the shooter task. To examine this possibility, we reanalyzed the data from Studies 1 and 2, separating the 100 trials into two

50-trial blocks and analyzing SDT estimates (both c and d) as a function of sample, target race, and block (first half vs. second half). Neither three-way interaction was significant, nor controlling for block did not alter the findings reported in the text. These data provide no evidence that police showed less bias than community members because they were better able to improve their performance over the course of the task. The effect of suspect race or ethnicity is no longer statistically reliable. This research builds on the *ecological contamination hypothesis*, first advanced by Werthman and Piliavin (1967), which suggests that the reputation of a neighborhood distorts perceptions of its inhabitants. To the extent that a community is seen as a "bad area," police may perceive the individuals who live there (or anyone they happen to encounter there) as a potential threat. If members of minorities are more likely to live and spend time in disadvantaged neighborhoods (Sidanius & Pratto, 1999), they may also be more likely to fall victim to this context-based contamination. As a consequence, police may be more likely to shoot a Black suspect because of the context in which the encounter occurs, not because of racial bias, *per se* (Fyfe, 1981). In an interesting wrinkle of this argument, Sampson and Raudenbush (2004) conducted an extensive investigation of the factors that predict perceived community disorder—the causal variable proposed by ecological contamination. They found that the mere presence of Black people in a community is sufficient to evoke the perception of disadvantage. That is, controlling for objective factors (e.g., prevalence of graffiti, broken windows, and abandoned buildings), the greater the number of Black people living in an area, the greater the disorder perceived by both Black and non-Black citizens. If Black people evoke the perception of neighborhood disadvantage, they may experience harsher treatment by police—not because the police are biased to treat Black people in a hostile fashion, but because Black neighborhoods seem more threatening.

The data presented here suggest that, although police officers may be affected by culturally shared racial stereotypes (i.e., showing bias in their response times), they are no more liable to this bias than are the people who live and work in their communities. Further, at least on the simulation used here, the officers' ultimate decisions about whether or not to shoot are less susceptible to racial bias than are the decisions of community members. The data suggest that the officers' training and/or expertise may improve their overall performance (yielding faster

responses, greater sensitivity and reduced tendencies to shoot) and decrease racial bias in decision outcomes. We feel that this research represents a valuable melding of basic social psychological processes with an issue of great importance to our society. By examining the influence of race in the automatic processing of danger-related stimuli, and the capacity of expertise to moderate this effect, these findings touch on a topic of great interest to social psychologists, sociologists, police, and community groups, alike. The investigation of racial bias in police use of force presents a unique opportunity to apply experimental social psychological methods to an issue that is vital to the members of increasingly diverse neighborhoods and communities.

References

- Amodio, D. M., Harmon-Jones, E., Devine, P. G., Curtin, J. J., Hartley, S. L., & Covert, A. E. (2004). Neural signals for the detection of race bias. *Psychological Science*, *15*, 88–93.
- Birnboim, S. (2003). The automatic and controlled information-processing dissociation: Is it still relevant? *Neuropsychology Review*, *13*, 19–31. Bush, G., Whalen, P. J., Rosen, B. R., Jenike, M. A., McInerney, S. C.,
- Rauch, S. L. (1998). The counting Stroop: An interference task specialized for functional neuroimaging—Validation study with functional MRI. *Human Brain Mapping*, *6*, 270–282.
- Christopher, W. (1998). *Report of the Independent Commission on the Los Angeles Police Department*. Darby, PA: DIANE Publishing.
- Cohen, J. D., MacWhinney, B., Flatt, M., & Provost, J. (1993). PsyScope: An interactive graphic system for designing and controlling experiments in the psychology laboratory using Macintosh computers. *Behavior Research Methods, Instruments, & Computers*, *25*, 257–271.
- Correll, J., Park, B., Judd, C. M., & Wittenbrink, B. (2002). The police officer's dilemma: Using ethnicity to disambiguate potentially threatening individuals. *Journal of Personality and Social Psychology*, *83*, 1314–1329.
- Correll, J., Park, B., Judd, C. M., & Wittenbrink, B. (2007). *Stereotypes and racial bias in the decision to shoot*. Manuscript submitted for publication.
- Correll, J., Urland, G. L., & Ito, T. A. (2006). Event-related potentials and the decision to shoot: The role of threat perception and cognitive control. *Journal of Experimental Social Psychology*, *42*, 120–128.
- Cunningham, W. A., Johnson, M. K., Raye, C. L., Gatenby, J. C., Gore, J. C., & Banaji, M. R. (2004). Separable neural components in the processing of Black and White faces. *Psychological Science*, *15*, 806–813.

Department of Justice. (2001). *Policing and homicide, 1976–98: Justifiable homicide by police, police officers murdered by felons* (NCJ

180987). Washington, DC: Bureau of Justice Statistics.

Devine, P. G., & Elliot, A. J. (1995). Are racial stereotypes really fading? The Princeton trilogy revisited. *Personality and Social Psychology Bulletin*, 21, 1139–1150.

Eberhardt, J. L., Goff, P. A., Purdie, V. J., & Davies, P. G. (2004). Seeing black: Race, crime, and visual processing. *Journal of Personality and Social Psychology*, 87, 876–893.

Fyfe, J. J. (1981). Who shoots? A look at officer race and police shooting.

Journal of Police Science and Administration, 9, 367–382.

Geller, W. A. (1982). Deadly force: What we know. *Journal of Police*

Science and Administration, 10, 151–177.

Green, C. S., & Bavelier, D. (2003, May 29). Action video game modifies visual selective attention. *Nature*, 423, 534–537.

Greenwald, A. G., Oakes, M. A., & Hoffman, H. G. (2003). Targets of discrimination: Effects of race on responses to weapons holders. *Journal of Experimental and Social Psychology*, 39, 399–405.

Hamilton, D. L., & Trier, T. K. (1986). Stereotypes and stereotyping: An overview of the cognitive approach. In J. F. Dovidio, & S. L. Gaertner (Eds.), *Prejudice, discrimination, and racism* (pp. 127–163). San Diego, CA: Academic Press.

Inn, A., Wheeler, A. C., & Sparling, C. L. (1977). The effects of suspect race and situation hazard on police officer shooting behavior. *Journal of Applied Social Psychology*, 7, 27–37.

Ito, T. A., & Urland, G. R. (2003). Race and gender on the brain: Electrocortical measures of attention to the race and gender of multiply categorizable individuals. *Journal of Personality and Social Psychology*,

85, 616–626.

Jansma, J. M., Ramsey, N. F., Slagter, H. A., & Kahn, R. S. (2001). Functional anatomical correlates of controlled and automatic processing. *Journal of Cognitive Neuroscience*, 13, 730–743.

Kelly, A. M. C., & Garavan, H. (2004). Human functional neuroimaging of brain changes associated with practice. *Cerebral Cortex*, 15, 1089–

1102.

- Kunda, Z., & Spencer, S. J. (2003). When do stereotypes come to mind and when do they color judgment? A goal-based theory of stereotype activation and application. *Psychological Bulletin*, 129, 522–544.
- MacLeod, C. M. (1998). Training on integrated versus separated Stroop tasks: The progression of interference and facilitation. *Memory & Cognition*, 26, 201–211.
- MacLeod, C. M., & Dunbar, K. (1988). Training and Stroop-like interference: Evidence for a continuum of automaticity. *Journal of Experimental Psychology: Learning, Memory, and Cognition*, 14, 126–135.
- Olesen, P. J., Westerberg, H., & Klingberg, T. (2004). Increased prefrontal and parietal activity after training of working memory. *Nature Neuroscience*, 7, 75–79.
- Payne, B. K. (2001). Prejudice and perception: The role of automatic and controlled processes in misperceiving a weapon. *Journal of Personality and Social Psychology*, 81, 181–192.
- Payne, B. K., Lambert, A. J., & Jacoby, L. L. (2002). Best laid plans: Effects of goals on accessibility bias and cognitive control in race-based misperceptions of weapons. *Journal of Experimental and Social Psychology*, 38, 384–396.
- Plant, E. A., & Peruche, B. M. (2005). The consequences of race for police officers' responses to criminal suspects. *Psychological Science*, 16, 180–183.
- Plant, E. A., Peruche, B. M., & Butz, D. A. (2005). Eliminating automatic racial bias: Making race non-diagnostic for responses to criminal suspects. *Journal of Experimental and Social Psychology*, 41, 141–156.
- Reisig, M. D., McCluskey, J. D., Mastrofski, S. D., & Terrill, W. (2004). Suspect disrespect toward the police. *Justice Quarterly*, 21, 241–268. Sampson, R. J., & Raudenbush, S. W. (2004). Seeing disorder: Neighborhood stigma and the social construction of "broken windows." *Social Psychology Quarterly*, 67, 319–342.
- Shiffrin, R., & Schneider, W. (1977). Controlled and automatic human information processing: II. Perceptual learning, automatic attending, and a general theory. *Psychological Review*, 84, 127–190.
- Sidanius, J., & Pratto, F. (1999). *Social dominance: An intergroup theory of social hierarchy and oppression*. New York: Cambridge University Press.
- Smith, B. W. (2004). Structural and organizational predictors of homicide by police. *Policing: An International Journal of Police Strategies and Management*, 27, 539–557.

Sorenson, J. R., Marquart, J. W., & Brock, D. E. (1993). Factors related to killings of felons by police officers: A test of the community violence and conflict hypotheses. *Justice Quarterly*, 10, 417–440.

Stroop, J. R. (1935). Studies of interference in serial verbal reaction.

Journal of Experimental Psychology, 18, 643–662.

Sunshine, J., & Tyler, T. R. (2003). The role of procedural justice and legitimacy in shaping public support for policing. *Law & Society Review*, 37, 513–548.

Teahan, J. E. (1975a). A longitudinal study of attitude shifts among black and white police officers. *Journal of Social Issues*, 31, 47–56.

Teahan, J. E. (1975b). Role playing and group experience to facilitate attitude and value changes among Black and White police officers. *Journal of Social Issues*, 31, 35–45.

Terrill, W., & Reisig, M. D. (2003). Neighborhood context and police use of force. *Journal of Research in Crime & Delinquency*, 40, 291–321. Weissman, D. H., Woldorff, M. G., Hazlett, C. J., & Mangun, G. R. (2002).

Effects of practice on executive control investigated with fMRI. *Cognitive Brain Research*, 15, 47–60.

Weitzer, R., & Tuch, S. A. (2004). Race and perceptions of police misconduct. *Social Problems*, 51, 305–325.

Werthman, C., & Piliavin, I. (1967). Gang members and the police. In D. Bordua (Ed.), *The police: Six sociological essays*. New York: Wiley.

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EXHIBIT A

(part 3 of 3)

The World Is Not Black and White: Racial Bias in the Decision to Shoot in a Multiethnic Context

Melody S. Sadler, Joshua Correll, Bernadette Park, Charles M. Judd

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Melody S. Sadler, Department of Psychology, San Diego State University, San Diego, CA 92182 [e-mail: msadler@sciences.sdsu.edu].

Abstract

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We examined implicit race biases in the decision to shoot potentially hostile targets in a multiethnic

context. Results of two studies showed that college-aged participants and police officers showed anti-Black racial bias in their response times: they were quicker to correctly shoot armed Black targets and to

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indicate “don’t shoot” for unarmed Latino, Asian, and White targets. In addition, police officers showed racial biases in response times toward Latinos versus Asians or Whites, and surprisingly, toward Whites versus Asians. Results also showed that the accuracy of decisions to shoot was higher for Black and

Latino targets than for White and Asian targets. Finally, the degree of bias shown by police officers toward Blacks was related to contact, attitudes, and stereotypes. Overestimation of community violent crime correlated with greater bias toward Latinos but less toward Whites. Implications for police training to

ameliorate biases are discussed.

Enhanced Article Feedback

As the country becomes increasingly diverse, attempts to address overt and subtle forms of prejudice and discrimination based on race and/or ethnicity takes on a new importance. [The U.S. Census Bureau \(2008\)](#) projects that by 2050, racial and ethnic minorities combined will constitute 54% of the population, the

numerical majority. The largest changes to the racial/ethnic composition of the country are expected in the decrease of non-Latino, single-race Whites, and corresponding increase in Latinos and Asians. Whites are expected to decrease from 66% to 46% of the population. In contrast, Latinos are expected to increase from

15% to 30% and Asians are expected to increase from approximately 5–9% of the population. The representation of Blacks is expected to remain relatively stable, constituting about 15% of the population.

In understanding the racial and ethnic transition the country will face, two implications seem evident. First, research on stereotyping, prejudice, and discrimination should increase its attention to bias toward people of

Latino or Asian descent (Martinez, [2007](#); [Peterson & Krivo, 2005](#)). Second, researchers should anticipate that the shift of Whites from the numerical majority to a minority is likely to strain relations among racial/ethnic groups within the United States. In fitting with this special issue, the current research examined how implicit

racial biases toward Blacks, Latinos, and Asians may be evidenced in the decision to open fire on suspects in the United States.

From this point forward, we use “race” rather than “race/ethnicity” for simplicity because most available national sources record race or ethnicity, but not both (the census is an exception). Our choice of race is meant to represent physical attributes such as skin color, hair, etc., that facilitate categorization. It should be noted that it is possible that race and ethnicity each contributes independently to biases, or that the

differences attributed to race are at least in part due to ethnic differences.

Race and Law Enforcement

Data drawn from national sources such as the [U.S. Department of Justice \(DOJ; 2001\)](#) and [Bureau of Justice Statistics \(BJS; 2007\)](#) provide evidence that some minorities, especially young Black males, are incarcerated at disproportional rates. Compared to their proportion of the general population, Blacks are grossly

overrepresented and Whites are underrepresented as inmates. Latinos, in contrast, are incarcerated at rates approximately equal to their representation in the population.

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Equally disturbing is the fact that some minorities are overrepresented in the suspects shot and killed by police officers. The DOJ (2001) reports that Black suspects were killed by police at a rate about five times

greater than White suspects in the period from 1976 to 1998. Information on the rates of justifiable homicide for Asians and Latinos are less clear. Asians are designated simply as "other" (a category encompassing

multiple races) and at a maximum account for 2 or 3% of those shot. The prevalence rates for Latinos cannot be directly discerned from the DOJ data because Latinos are included in the racial category "White." Some

sources report, however, that Latinos are shot and killed more often by police than Whites but less than Blacks (for a review, see [Geller, 1982](#)).

The available national-level data clearly point to Blacks being killed by police more often, and Whites and Asians less often, than would be expected given the percent of the population they represent in the United

States. It should be noted that evidence for disparate treatment of ethnic minorities, immigrants, or "foreigners" by the criminal justice system has been found cross-culturally ([Albrecht, 1997](#); [Johnson, van](#)

[Wingerden, & Nieuwbeerta, 2010](#)). However, the focus of the current work is on implicit racial biases that may underlie differential treatment in the United States.

It is one thing to document the discrepancy in treatment of racial/ethnic minorities by police and/or the criminal justice system in the United States, and it is quite another to understand why it exists. A major debate in the criminology literature involves the degree to which this discrepancy reflects bias in the justice

system, the tendency for minorities to engage in more criminal activity, or both ([Cureton, 2001](#); [Goldkamp, 1976](#)). In other words, are minorities more likely than Whites to participate in criminal behavior (justifying the differences in incarceration) or is the law differentially enforced for suspects as a function of their race?

Evidence on this point is mixed. The subculture of violence ([Wolfgang & Ferracuti, 1967](#)) and danger perception ([MacDonald, Kaminski, Alpert, & Tennenbaum, 2001](#)) theories suggest that minorities are more likely than Whites to commit crime due to the history of each group in the United States, cultural variations in

response to minor affronts, and/or distrust in the justice system to resolve disputes. The overrepresentation of minorities in prison, especially Blacks, is often cited in support of this view. However, survey research has found no evidence that African Americans endorse violence as more acceptable than other races ([Parker,](#)

[1989](#); [Smith, 1992](#)). Further, [Hannon \(2004\)](#) reviewed 950 cases of nonjustifiable homicide and found no evidence that victim provocation patterns differed by offender race. Thus, African Americans perpetrators were no more or less likely than White perpetrators to react with lethal force to minor transgressions.

Perhaps, the most researched theory of law enforcement in the United States, conflict theory, proposes that the purpose of law is to sustain the position of the majority in society ([Turk, 1969](#)) building an inherent bias into the system. Historically, in the United States, this has meant buttressing the position of Whites against

the "threat" of minority groups based on race and socioeconomic and immigrant status ([Holmes, 2000](#)). This theory lends itself to two immediate corollaries: First, police officers may label or "criminalize" minorities unfairly and police them differently than Whites ([Cureton, 2001](#)) and second, as the ethnic composition of the

country changes, minorities should pose a greater threat to the majority and attempts to police and control them will intensify (this has been labeled the threat hypothesis, [MacDonald et al., 2001](#)). Given the current

climate of concern over racial bias, it seems unlikely that blatant, intentional discrimination of the sort proposed by conflict theory is responsible for differential outcomes experienced by racial groups in the criminal justice system at present. Instead, it is more likely that stereotypes insidiously influence behavior without awareness or intention. Nevertheless, as called for by Kang (2012), it will be the charge of law and law enforcement to adjust to the shifting basis of discrimination.

Whatever the “cause” of the overrepresentation of minorities in the criminal justice system at the national level, we propose that knowledge of this racial/ethnic discrepancy may impact perceptions and conduct of police officers in encounters with civilians. To be clear, the current research does not and cannot determine whether or not disproportionate minority involvement with law enforcement is justified. But regardless of its cause, we suggest that the mere association between minorities (particularly Black and Latino groups) and crime at the societal level may have consequences for police behavior at the individual level.

In some encounters, police officers must make life-or-death decisions quickly. In these moments, prior expectations—be they fact or fiction, personally endorsed or simply prevalent in the culture—may influence how information is processed. Knowledge that racial minorities, and Blacks in particular, are overrepresented in prison and jail (BJS, 2007) and are more likely to use a firearm in commission of a crime (DOJ, 2001) may contribute to an increased perception of minorities as threats. Also relevant are characteristics of the neighborhood served. Violent crime rates and the proportion of non-White people in an area have been associated with increased perception of threat (Cureton, 2001). Taken in sum, these factors may influence the level of threat officers expect in interactions with minorities. Couple with this, the distrust racial/ethnic minorities report toward police (Locke, 1996), and fodder for a self-fulfilling prophecy of aggressive encounters is laid. Awareness of a societal-level phenomenon, whatever its underlying cause, may thus be associated with implicit biases that impact cognitive processing or behavior (Fisher & Borgida, 2012). Applied to the context of race and law enforcement, the mere association of race and criminality at the societal level may impact, for example, the speed with which stimuli are processed and the likelihood of a decision to open fire.

Race and the Decision to Shoot

It is difficult to determine whether or not race influences the course of encounters between police officers and suspects. In the real world, minority status is (on average) associated with a number of factors such as poverty, living in disadvantaged neighborhoods, and living within disorganized family structures (Sampson & Lauritsen, 1997), making a clear attribution difficult (e.g., were the officers responding to the suspect's race or to the threatening neighborhood?). However, experimental research that isolates the effect of race on shoot/don't shoot decisions demonstrates that race alone can influence responses to threatening objects. Correll, Park, Judd, and Wittenbrink (2002) asked college-aged participants to perform a first-person-shooter (FPS) task, so-called because the participants take the first-person perspective of an officer who must make rapid judgments about whether or not to shoot Black and White male suspects (targets) who appear on the screen holding either a gun or a nonthreatening object (such as a wallet or cell phone). Participants were faster to shoot armed Black targets than armed White targets, and they were faster to decide not to shoot

unarmed White targets than unarmed Blacks. Further, this effect transferred into mistaken decisions or behaviors when participants were forced to respond extremely quickly. Importantly, the degree of racial bias against Black targets did not differ between White and Black participants.

In these simulations, target race is not diagnostic of the presence or absence of a weapon. This is important because it allows the investigators to conduct a direct examination of the impact of racial cues, per se, on the tendency to shoot. Given the time pressure and complexity of stimuli employed, the ability to exert control

over responses was diminished, making it likely that observed racial biases in behavior were implicit or operating outside of conscious control. Although compelling, demonstrations of implicit racial bias among college students in the laboratory lack external validity. Examining the phenomenon among police officers

provides a better gauge of the extent to which implicit racial bias may impact the decision to open fire and thus contribute to the disparity in rates of minorities versus Whites shot and killed by police.

Two groups of researchers have investigated the effect of race on decisions to shoot with police officers (Correll et al., 2007; Peruche & Plant, 2006; Plant & Peruche, 2005). Correll et al. (2007) found that police officers and community members both showed bias in the speed of their responses (responding more quickly

to stereotypic targets). Consistent with prior work, the extent of racial bias in response times did not differ between White and non-White officers. But in spite of this bias in reaction time, police officers were no more likely to shoot an unarmed Black target than they were to shoot an unarmed White. In other words, despite

the influence of race on the time taken to make correct decisions, police officers were able to overcome the impact of race and choose whether or not to "open fire" as a function of the weapon held, not the race of the person holding it. Using a different paradigm, Plant and Peruche (2005) found that although police officers

initially exhibited racial bias in the decision to shoot, bias decreased with practice. Thus, college students, community members, and police officers all evidenced an implicit racial bias in the time taken to make a decision to shoot; however, police officers were able to overcome this bias when instigating a behavioral

response.

The Current Research

No prior research has investigated bias toward Latinos and Asians in a shoot/don't shoot scenario. In light of differential minority contact with law enforcement and the profound demographic changes taking place in the

United States, such an investigation is both timely and important. The current research examined implicit racial bias in the decision to shoot White, Black, Latino, and Asian male targets in a FPS task in two studies. In the first study, we investigated the performance of college students on two primary outcomes. First, we

examined the average response times needed to correctly determine if targets of each race were armed or unarmed. Racial bias in reaction times is indicated by faster responses to stereotypic combinations (e.g., armed Black target) than counter-stereotypic combinations (e.g., unarmed Black target). Second, we

examined whether target race influenced the pattern of correct versus incorrect responses. Both racial bias measures are assumed to reflect the influence of cultural stereotypes; however, our previous work suggests that they may reflect different components of cognitive processing (Correll et al., 2007). Although stereotypes

may impact the speed with which correct responses are made, whether or not they affect the ultimate

decision to shoot may depend on the extent to which perceivers can exert control over their behavioral response.

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In the second study, we examined implicit racial bias in reaction times and errors among police officers, and whether these biases varied as a function of community characteristics and personal or cultural beliefs. For example, one might expect that officers who serve areas in which the predominant criminal element is Latino

should show a greater bias toward Latinos than they do toward Blacks. To allow for sufficient variability in types of communities and personal beliefs, we recruited police officers from the Southeast, Southwest, and Northwest regions of the United States.

The present research thus exemplifies “full-cycle social psychology” (Cialdini, 1980; Dasgupta & Stout, 2012) wherein the phenomenon of interest was borne of real-life events (i.e., mistaken shootings of unarmed minority suspects by police officers) and examined both in the laboratory and with experts from the field. Inclusion of both samples allows for an investigation of whether or not implicit racial bias findings from the lab

converge with those of officers who are accountable for decisions to use deadly force on the job. Another benefit of an investigation of police officers may be that “...implicit bias in decision-making from these studies can be directly connected to societal-level disparities” (Dasgupta & Stout, 2012).

Study 1: Overview

To examine the effect of different race/ethnic groups on the decision to shoot, we created a multiethnic environment in a computer task. We employed a four-group FPS task with target race randomly varying from trial to trial between Black, White, Latino, and Asian males.

Participants

Sixty-nine undergraduate students from the University of Colorado at Boulder participated in exchange for partial credit toward a course requirement. Participants were approximately equally divided on gender (34 males, 30 females, and 5 missing) and predominantly White (75% White, 2% Black, 5% Asian, 3% Latino, 3% Native American, and 8% other). Although there were too few Black participants in Study 1 to examine if

Black and White participants performed differently on the FPS task, previous work found no evidence that bias varied between these groups (Correll et al., 2002).

Video Game Simulation

The original FPS task, developed by Correll and colleagues (see Correll et al., 2002), focused on bias in the decision to shoot Black compared to White males. To make a multiethnic version of the task, Latino and

Asian American male targets were added. Latino and Asian college-aged males, recruited from three college campuses in the Denver metropolitan area, were paid \$8 to be photographed holding four plastic guns (silver and black revolvers and automatic handguns) and four nonthreatening objects (black wallet, black cell phone,

silver cell phone, and silver soda can) in each of five poses (e.g., standing with hand holding object positioned near the shoulder). Consent was obtained from all men to use their photographs in future

research.

We chose new targets to be included in the shooter task based on a pilot study in which their race was correctly identified by a majority of police officers and community members.

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Design

The multiethnic FPS task was based on the 4 (Target Race: Black vs. Latino vs. Asian vs. White) $\times$ 2 (Object: Gun vs. No Gun) within-participant design. During each trial, one to three preceding empty background scenes (e.g., a bus terminal or a city park) was presented for 200 to 500 ms each. The number of preceding

backgrounds and the duration of the backgrounds were randomly determined per trial. Next, the target background appeared for 500–800 ms before the target photo appeared on the background. From stimulus onset, participants were required to respond within an 850 ms time window. Participants were instructed to

“shoot” targets holding guns and to indicate “don’t shoot” for targets holding innocuous objects. Responses were made on button boxes with the leftmost button labeled “don’t shoot” and the rightmost button labeled “shoot” (the button box orientation was reversed for left-handed participants in order to have all participants

“shoot” with their dominant hand). Participants were instructed to leave their thumbs or forefingers over the buttons in between trials.

A point structure for trial-by-trial performance was used to make the game and its potential consequences, personally relevant for participants. Mirroring real life, the cost of mistakes was greater than the reward of

accurate responses, especially the error of failing to shoot a threatening target. Correct responses earned five points (not shooting an unarmed target) or 10 points (shooting an armed target). Incorrect responses were more heavily weighted and cost 20 points (mistakenly shooting an unarmed target) or 40 points (failing

to shoot an armed target). A time-out, or failing to respond within the 850 ms window, resulted in a 10-point deduction. At the end of each trial, participants received auditory and on-screen feedback regarding the points earned or lost during the trial and a cumulative point total.

The multiethnic FPS task included 20 targets for each racial group, each presented once armed and once unarmed. Thus, there were 40 test trials per race group and 160 test trials overall. Twenty-four practice trials

were also included. The sequence of trials was randomly determined within practice and test trials. Reaction time and whether or not the decision was correct were recorded per trial.

Procedure

An experimenter met participants and guided them to individual cubicles for the duration of the study. The experimenter explained that participants were to quickly and accurately respond to photographs of males on-

screen based on the type of object they held. Detailed instructions and the FPS task were presented using Psyscope software (Cohen, MacWhinney, Flatt, & Provost, 1993) on iMac desktop computers. Participants wore headphones to receive auditory feedback and reduce interference from participants in neighboring

rooms. Finally, the experimenter instructed participants to fill out a questionnaire packet that was left in a manila envelope in the room after they finished the video game. Participants were thanked and debriefed at the end of the session.

Results and Discussion

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Reaction Time

Reaction times for trials on which participants responded correctly (94.8% of trials across participants) were log-transformed. An average log-transformed reaction time was then computed for each participant for each type of target (e.g., Black with gun and White with no gun). Log-transformed reaction times were analyzed by

a Target Race (Black or Latino or White or Asian) $\times$ Object (Gun or No Gun) repeated measures ANOVA. Means backtransformed to the millisecond metric are presented in [Table 1](#) and [Figure 1](#). Reported effect sizes are PREs that reflect the proportional reduction in error due to a predictor or planned contrast (Judd,

[McClelland, & Ryan, 2008](#)). In the analyses we report, PRE is equivalent to a partial eta-squared.

Table 1. Reaction Time and Sensitivity as a Function of Object and Target Race (Study 1)

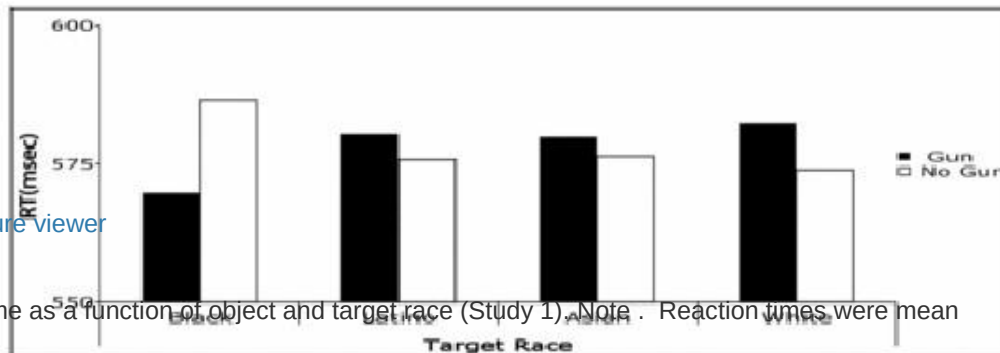
Variable	Target race					
	Black		Latino		Asian	
	M	SD	M	SD	M	SD
Reaction time (ms)						
Gun	543 ^a	43	537 ^b	38	558 ^c	37
No gun	623 ^a	38	593 ^b	41	617 ^a	40
Average	583 ^a	36	565 ^b	36	588 ^c	35
Sensitivity (d')	3.55 ^a	.51	3.61 ^a	.52	3.39 ^b	.51

Note . Differing subscripts within a row indicate significant differences, $p < .05$, except for the comparison between Black/unarmed and $< .06$. All sensitivity means significantly differed from zero, $p < .05$. $N = 69$.

Figure 1.

[Open in figure viewer](#)

Reaction time as a function of object and target race (Study 1). Note . Reaction times were mean polished.



There was a significant main effect of object, $F(1, 68) = 299.00$, $p < .001$, $PRE = .81$. Participants correctly responded more quickly, on average, to gun ($M = 548$) than no gun trials ($M = 610$). There was also a significant main effect of race, $F(3, 204) = 51.24$, $p < .001$. We tested all possible pairwise comparisons among target groups. On average, across the object held by targets, participants responded more quickly

when making the correct decision for Latino targets ($M = 565$) than Black targets ($M = 583$), $F(1, 68) = 108.16$, $PRE = .61$, $p < .001$; White targets ($M = 579$), $F(1, 68) = 54.91$, $PRE = .447$, $p < .001$; and Asian targets ($M = 588$), $F(1, 68) = 17.22$, $PRE = .20$, $p < .001$. Participants responded more slowly overall

when making the correct decision to Asian targets than White targets, $F(1, 68) = 17.22$, $PRE = .20$, $p < .001$, or Black targets, $F(1, 68) = 7.67$, $PRE = .10$, $p = .007$. As in our previous work, the comparison in mean reaction times for Black versus White targets was not significant, $F(1, 68) = 2.72$, $PRE = .035$, n.s.

Of primary interest were the Race $\times$ Object interactions that gauge racial bias in the decision to shoot. The omnibus Race $\times$ Object interaction was significant, $F(3, 204) = 16.81$, $p < .001$. We tested all pairwise

“simple” Race $\times$ Object interactions to examine the patterns of bias as a function of specific pairwise race comparisons. For example, we tested if responses to gun versus no-gun trials differed when the objects were held by Black versus Latino targets. Further, to interpret the Race $\times$ Object interactions, we applied a mean

polish transformation to the reaction time data within each pairwise comparison. [Rosnow and Rosenthal \(1989\)](#) noted that researchers often misinterpret interactions by looking at simple effect tests among original cell means. This approach is problematic because differences in the original cell means also reflect lower

order effects (e.g., main effects) thereby obscuring the nature of the higher order interaction. The advantage of using the mean polish transformation is that it expresses the mean reaction time for each cell of the Race $\times$ Object design as a residual from the average reaction time to that particular race and that particular object.

For example, in the Latino/gun cell, the mean polished Latino/gun average is computed per participant as:

where values are averages calculated per participant and per cell of the design. The mean polished cell value yields the difference in how a participant responds to Latinos who are armed removing both the main effect to respond faster overall to gun trials, and faster overall to Latino targets. We chose the mean polish

transformation to aid in interpretation of racial bias effects because for the first time in this line of research, we found differences in how quickly participants responded to different races, across the type of object held (i.e., main effect of race).

Black targets versus all others groups.

All Race $\times$ Object interactions involving Black targets were significant: Black versus White interaction, $F(1, 68) = 45.83$, $PRE = .40$, $p < .001$, Black versus Latino interaction, $F(1, 68) = 22.18$, $PRE = .25$, $p < .001$,

and Black versus Asian interaction, $F(1, 68) = 32.14$, $PRE = .32$, $p < .001$. These effects demonstrate bias such that participants were especially likely to favor the “shoot” response over the “don’t shoot” response when the target was Black rather than any other race.

Latino targets versus Asians and Whites.

There were no significant Race $\times$ Object interactions comparing Latino and White targets or Latino and Asian targets, $F_s(1, 68) < 1$, $PRE_s < .01$, n.s.

Asian targets versus Whites.

The Race $\times$ Object interaction for Asians and Whites was not significant, $F(1, 68) = 1.40$, $PRE = .02$, n.s.

Thus, in Study 1, we found consistent evidence of the interactive influence of race and object on reaction times only toward Black targets compared to targets of other races. As shown in [Figure 1](#), we replicated the implicit racial bias found in previous research for Black versus White targets. Participants correctly responded more quickly on gun trials to Black than White targets but correctly responded more slowly on no-gun trials to

Black than White targets. A strikingly similar pattern of bias emerged for Black compared to Latino or Black compared to Asian targets.

Signal Detection Analyses

We next examined if race influenced the pattern of errors versus correct decisions made based on the object that targets held. On average, participants made incorrect responses on 3.3% of trials and time-outs on 2.5%. Overall, participants performed quite well on the task, a pattern consistent with previous work with the FPS

task that employed extended response windows (850 ms; [Correll et al., 2002](#)).

The number of correct and incorrect responses for a given target race was submitted to signal detection theory (SDT) analysis. SDT extrapolates two normal curves on a continuous judgment dimension from correct and incorrect responses to targets holding guns versus nonguns. For the FPS task, we conceive of

this dimension as the amount of threat posed by targets. Placed on the dimension is one curve that represents the distribution of responses on no-gun trials (low threat) and another curve that represents the distribution of responses on gun trials (high threat). Two statistics are computed. First, the d' statistic, or

sensitivity, assesses the degree of separation between the gun and no-gun curves. Higher d' values indicate that the curves do not overlap much, i.e., participants are able to discriminate between guns and no-gun trials and to make accurate responses in general (fire on armed targets, do not shoot unarmed targets). Lower d' values indicate that the curves overlap more and that participants mistakenly shoot when they should not (false alarm) or fail to shoot when they should (miss). The more overlapping the curves, the greater difficulty perceivers have in discerning weapons from nonthreatening objects. Second, the c statistic, or decision criterion, reflects the threshold at which targets are perceived as threatening enough to shoot.

Although racial bias in the placement of the criterion has previously been found with the FPS task (e.g., Correll et al., 2002; Correll et al., 2007), there was only one significant pairwise race comparison on the decision criterion across studies. However, in previous research, this result generally emerges when the response window for the task is 630 ms or less. Thus, the failure to find effects on the criterion in the current studies, which use an 850-ms time window, is not surprising. Analyses of this measure are not discussed further.

We computed d' values separately for each target group and found that the mean sensitivity (d') toward each group significantly differed from zero, all t s (68) > 48.84, p s < .001. The positive d' values in Table 2 indicate that participants distinguished guns from nonthreatening objects and, on average, were able to make appropriate decisions based on the object.

Table 2. Reaction Time and Sensitivity as a Function of Object and Target Race (Study 2)

Variable	Target race					
	Black		Latino		Asian	
	M	SD	M	SD	M	SD
Reaction time (ms)						
Gun	548 ^a	41	537 ^b	40	575 ^c	37
No gun	640 ^a	36	615 ^b	37	629 ^a	39
Average	595 ^a	35	577 ^b	34	607 ^c	34
Sensitivity (d')	3.53 ^a	.51	3.66 ^b	.55	3.44 ^c	.59

Note . Differing subscripts within a row indicate significant differences, p s < .001. Except average reaction difference between Black a < .10. All sensitivity means significantly differed from zero, p s < .05. N = 224.

ANOVA.

Sensitivity scores were submitted to a repeated measures ANOVA with Target Race (Black or Latino or White or Asian) as the within-participant factor. There was a main effect of target race, $F(3, 294) = 6.20$, $PRE = .03$, $p < .001$. More pertinent for our purposes were the pairwise comparisons of sensitivity between target

groups. Results showed that accuracy was significantly higher toward Blacks and Latinos than toward Whites and Asians (Blacks vs. Whites, $t(68) = 2.23$, $PRE = .07$, $p = .029$, Blacks vs. Asians, $t(68) = 2.73$, $PRE = .10$, $p = .008$, Latinos vs. Whites, $t(68) = 3.46$, $PRE = .15$, $p < .001$, and Latinos vs. Asians, $t(68) = 3.49$,

$PRE = .15$, $p < .001$). There was no evidence that participants were able to better discriminate guns from nonthreatening objects for Blacks than Latinos, $t(68) = 1.12$, n.s., nor was there a difference between Whites and Asians, $t < 1$.

Racial bias in the amount of time needed to correctly determine whether or not to shoot Blacks perseveres in a multiethnic context. Participants were faster to correctly "shoot" a Black armed target than a White, Latino, or Asian armed target but slower to correctly "not shoot" a Black unarmed target than a White, Latino, or Asian unarmed target. There was no evidence, however, of race impacting the time to respond to Latino

versus White or Asian targets, or White versus Asian targets regardless of the object held. Thus, the perceived threat Blacks pose appears to overwhelm any potential threat from other groups. In Study 2, we investigate the extent to which such bias is found among police officers, and if the degree of bias varies as a

function of community characteristics and individual differences in officer beliefs about the groups.

Study 2: Overview

Police officers are among a selected few whose job it is to make shoot/don't shoot decisions. Although guidelines exist to limit when deadly force may be used, there are nonetheless allowances for officer discretion to open fire. Chief among these is the perceived imminent threat posed by the suspect to innocent bystanders, fellow officers, or the officer himself/herself.

Factors that may be associated with threat, such as stereotypes about suspect race and aggression, may influence how a potentially deadly encounter unfolds. Prior work with the shooter task found that police officers were prone to the same bias in reaction times toward Black than White targets shown by college

students and community members, though, importantly, their ultimate decision of whether or not to shoot was not affected by target race (Correll *et al.*, 2007). One purpose of Study 2 was to investigate if the pattern of racial biases toward Blacks versus Latinos, Asians, and Whites found with college-aged participants in Study

1 would similarly be replicated among police officers.

The second purpose of Study 2 was to investigate if characteristics of the community and explicit personal beliefs and attitudes of officers might be affiliated with implicit multiethnic racial biases in the shooter task. Our prior work showed that the degree of racial bias in reaction times toward Black versus White targets in a

sample of police officers from a variety of cities was associated with several characteristics of the community served. In particular, bias was larger for officers from larger cities, those cities with higher minority and/or Black populations, and for officers who perceived greater violent crime in the community served (Correll *et*

al., 2007). Using a similar computer simulation, Peruche and Plant (2006) found that police officers with general negative expectations about Blacks tended to show more racial bias in reaction times on early task

trials. Thus, research has shown that differences in racial bias toward Blacks than Whites may be related to both community characteristics and individual officer beliefs. The present study will extend prior work by examining the factors related to multiethnic racial bias toward Latinos and Asians.

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To obtain variation in officers' experiences with Black, Latino, or Asian suspects, we recruited police officers from the Southeast, Southwest, and Northwest regions of the United States. Officers completed the four-group multiethnic FPS task and provided information about the community in which they served, their history of service in law enforcement, and their beliefs and attitudes toward each of the four racial groups.

Method

Participants and Design

Police officers attending a voluntary two-day training seminar in the Southeast, Southwest, and Northwest were recruited. Officers were compensated \$50 for their time. Two hundred and twenty-four officers

participated (41% from a seminar in Florida, 35% from a seminar in New Mexico, and 24% from a seminar in Washington). Although many officers were from the state in which the seminar was held, 11 states were represented across the seminars. Most participants were patrol officers (61%) and male (86%). The majority

of officers were Caucasian (53%) and Latino (31%). Fewer than 3% of the officers reported being African, Asian, or Native American (5% missing). Note that we found no evidence in Study 2 that officer race (minority versus White, or Latino versus White) was associated with differential racial bias in response times or

accuracy, $F_s(1, 214) < 1$, n.s.

Police officers completed the 160 trial multiethnic FPS task with Black, Latino, Asian, and White male targets. The study was a Race (4: Black or Latino or Asian or White) $\times$ Object (2: Gun or No gun) within-participants design.

Materials

Intergroup attitudes.

The discrimination scale (Wittenbrink, Judd, & Park, 1997) is an 11-item scale that gauges the extent to which people believe that discrimination toward African Americans is currently a problem. The scale was modified to address racial discrimination, in general, by substituting "ethnic minorities" for "Blacks." Example items included, "Members of ethnic minorities often exaggerate the extent to which they suffer from racial

inequality," and "In the United States, people are no longer judged by their skin color." Ratings were made on a 1 (strongly disagree) to 9 (strongly agree) response scale. The scale was found to be reliable ($\alpha = .86$).

Stereotypes.

The stereotype rating scale consisted of three items measuring the extent to which a group was viewed as aggressive, violent, or dangerous (Correll et al., 2002). For each item, participants marked an "X" on a 5-inch

line with 12 evenly spaced tick marks, including endpoints. The line was anchored with not having the trait

(e.g., not aggressive) to having the trait (e.g., aggressive). The percent estimate task also consisted of three items to assess the aggressiveness of a group, however, in this task, ratings were of the percent of people in

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the group who were believed to participate in specific behaviors. Participants rated what percent of the group commits violent crimes, owns a handgun, and dies at the hands of an in-group member. Participants completed these stereotype measures twice, once for their personal stereotypes and once for cultural

stereotypes. In the former case, they were asked to report their own personal beliefs. In the latter case, they were asked to rate how they believed "people in general in the United States would respond."

Intergroup contact was measured with three items for each group. Participants were asked the amount of contact they had with each racial/ethnic group in the neighborhood in which they spent the most time growing up, at the high school from which they graduated, and with childhood friends. Responses on each item could range from 1 (none) to 7 (many).

Community characteristics and demographics.

Officers were asked to provide information about their history in law enforcement and the community they served. Officers reported the total number of years on the police force and in the department in which they

were currently assigned. Officers estimated the rate of violent crime in their community relative to the FBI 2000–2002 rate of 500 offenses per 100,000 people. They chose between five options ranging from "much lower than average" to "much higher than average." In addition, we generated the extent to which officers

over- or underestimated the amount of violent crime in their community by comparing the self-report percentages to those we gathered from the [Uniform Crime Reports \(2007\)](#) per city (or county, if city information was not available). Both variables were standardized, and then a difference score was computed

$(Z_{\text{self-report}} - Z_{\text{UCR}})$.

The ethnic makeup of the community was also derived from two sources. Police officers estimated the percent of African, Asian, Latino, Native, and European Americans in the area. We also obtained [U.S. Census Bureau \(2000\)](#) information on the racial/ethnic makeup of the area served. Both variables were

standardized and a difference score $(Z_{\text{self-report}} - Z_{\text{Census}})$ reflecting the degree to which officers over- or underestimated the percentage of a group in the community.

Officers also provided demographic information including their gender, ethnicity, education, and political orientation.

Procedure

Police officers were recruited to participate through announcements made each day as the seminar reconvened from lunch break. Officers reported to a room in the hotel in which the seminar was held.

Participation took place in the evenings after the seminar concluded for the day. Although we could not isolate officers in individual cubicles, no more than two officers were seated at a table at a time and officers did not face each other during the study. To reduce disruption from other participants, officers wore

headphones. Officers completed the FPS task on Macintosh iBook laptop computers with 13-inch screens.

The button boxes were the same ones used to collect responses in the laboratory in Study 1. Following the

FPS task, officers completed the questionnaire packet and sealed it in a manila envelope. Officers were paid, thanked, and fully debriefed.

Results and Discussion

Reaction Time

Log-transformed reaction times for correct trials were analyzed by a Target Race (4: Black or Latino or White or Asian) × Object (2: Gun or No Gun) repeated measures ANOVA. All pairwise comparisons among target race groups (e.g., Black vs. Latino) and between target race pair and object (e.g., Black vs. Latino by Object interaction) were tested. Means backtransformed to the millisecond metric are presented in Table 2. There was a significant main effect of object, $F(1, 223) = 1970.62, p < .001, PRE = .90$. Participants were faster, on average, to gun ($M = 553$) than no gun trials ($M = 631$). There was also a significant main effect of race, $F(3, 669) = 256.41, p < .001, PRE = .53$. On average, across gun and no gun trials, participants were faster to correctly respond to Latino targets ($M = 575$) than Black targets ($M = 592$), $F(1, 223) = 250.27, PRE = .53, p < .001$, White targets ($M = 591$), $F(1, 223) = 221.12, PRE = .50, p < .001$, and Asian targets ($M = 605$), $F(1, 223) = 795.80, PRE = .78, p < .001$. Participants responded more slowly to Asian targets than White targets, $F(1, 223) = 163.33, PRE = .42, p < .001$, or Black targets, $F(1, 223) = 141.61, PRE = .39, p < .001$. There was no significant difference in mean reaction times for Black versus White targets, $F(1, 223) = 1.23, PRE = .01, n.s$. This pattern of results parallels that found in Study 1.

The omnibus Race × Object interaction was significant, $F(3, 669) = 52.35, p < .001$, as were all pairwise race × Object interactions (described below). As in Study 1, we used mean-polished values to aid in interpretation of the interactions.

Black targets versus all others groups.

As shown in Figure 2, implicit racial bias was found toward Black versus White targets, $F(1, 223) = 81.90, PRE = .27, p < .001$, Black versus Latino targets, $F(1, 223) = 22.47, PRE = .09, p < .001$, and Black versus Asian targets, $F(1, 223) = 189.06, PRE = .46, p < .001$. As in Study 1, police officers correctly responded more quickly to guns, but more slowly to nonguns, held by Black targets than by targets of any other race.

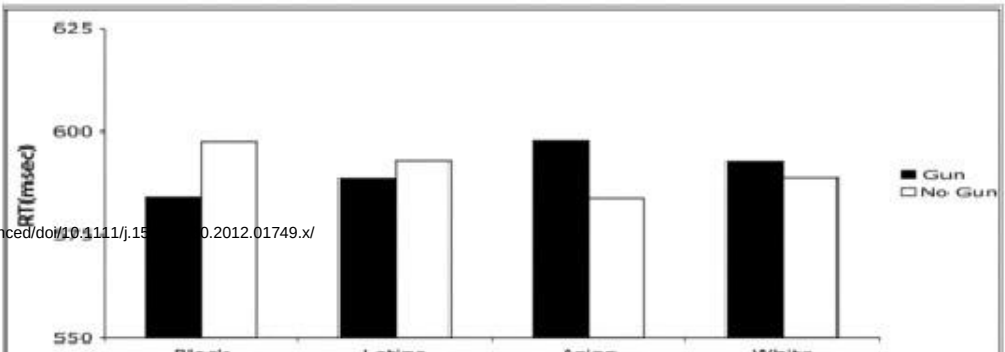


Figure 2.

[Open in figure viewer](#)

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Reaction time as a function of object and target race (Study 2). Note . Reaction times were mean polished.

Latino targets versus Asians and Whites.

In addition, the Latino versus White, $F(1, 223) = 16.00$, $PRE = .67$, $p < .001$, and Latino versus Asian interactions were significant, $F(1, 223) = 90.82$, $PRE = .29$, $p < .001$. Officers showed racial bias in the decision to shoot Latinos relative to Whites and Asians.

Asian targets versus Whites.

We also found a significant Asian versus White $\times$ Object interaction, $F(1, 223) = 24.90$, $PRE = .10$, $p < .001$. Opposite to the typical pattern of bias toward racial/ethnic minorities, police officers were faster to shoot White than Asian armed targets, but slower to decide not to shoot White than Asian unarmed targets. In other words, racial bias was shown as a bias in favor of shooting Whites rather than Asians.

Signal Detection Analysis

Police officers performed well on the four-group FPS task with incorrect responses on 2.9% of the trials and time-outs on 2.6% of the trials. Sensitivity (d') scores were submitted to a repeated-measures ANOVA with target race (Black or Latino or White or Asian) as a within-participant factor. The means appear in [Table 2](#). The main effect of target race was significant, $F(3, 669) = 18.48$, $p < .001$.

Black targets versus all others groups.

Pairwise comparisons revealed that police officers were better able to discriminate weapons from nonthreatening objects when they were held by Black than White targets, $F(1, 223) = 4.88$, $p = .028$, $PRE = .02$, or Asian targets, $F(1, 223) = 7.29$, $p = .007$, $PRE = .03$. These results suggest that if minorities are policed differently than nonminorities (as posited by conflict theory), such differences are not due to poorer sensitivity toward Blacks. Unlike the results in Study 1, there was also a significant difference in sensitivity toward Black versus Latino targets among police officers, $F(1, 223) = 24.40$, $p < .001$, $PRE = .10$. Police officers evidenced higher levels of accuracy based on object for Latinos than Blacks.

Latino targets versus Asians and Whites.

Similarly, sensitivity was higher to Latino than White targets, $F(1, 223) = 40.45$, $p < .001$, $PRE = .15$, or Asian targets, $F(1, 223) = 51.98$, $p < .001$, $PRE = .19$.

Asian targets versus Whites.

Overall accuracy to Asian and White targets was not found to differ, $F < 1$.

In sum, the pattern of sensitivity to objects as a function of target race found for police officers replicates the previous study reported herein, with one exception: police officers show higher accuracy to Latino than Black targets. Finally, it is interesting to note that reaction time bias and sensitivity bias were generally uncorrelated.

The only exception was a significant negative relationship for White targets, $r(223) = -.16$, $p < .05$. The more bias in reaction times to White targets is, the less accurately participants responded to the objects White targets held.

Racial Bias Correlates

We were interested in the extent to which characteristics of the community and officers' experiences with, and beliefs about, Blacks, Latinos, Whites, and Asians related to bias in the FPS task. We correlated the composite score for each questionnaire measure with two variables computed from the FPS task: racial bias

in reaction times and sensitivity in the task. Because we wanted to examine correlations separately for each target race, we calculated the simple effect of object type on the mean-polished reaction times per group (e.g., Object Effect Black = Black RT_{No Gun} – Black RT_{Gun}), which represents the tendency to respond correctly

to armed targets more quickly than to unarmed targets. This effect is important because it represents a predisposition to shoot: shooting armed targets quickly and choosing not to shoot an unarmed target slowly. The simple object effect was chosen because it can be examined for each group alone, rather than relative to

another group (e.g., differences in reaction times toward Blacks by type of object rather than racial bias in reactions to Blacks versus Whites). Mean-polished values were used to isolate the effect of object for a particular target race, once the main effects of object and race were removed.

The bivariate correlations of beliefs and community characteristics to reaction time and sensitivity per target race and FPS task outcome are presented in [Table 3](#). We also tested the partial relationships between individual beliefs and racial bias in reaction times and sensitivity controlling for community characteristics and vice versa. The pattern of effects was the same as with the bivariate correlations, indicating that the individual and community characteristics reported were uniquely related to bias.

Table 3. Correlations between Bias in Reaction Times, Accuracy, and Community Characteristics and Police Officer Beliefs

	Object effect (RT)				Sensitivity (RT)	
	Black	Latino	Asian	White	Black	Latino
Community characteristics						
Population of city officer serves	-.03	-.07	.04	.08	.04	.05
Census% of race group	-.02	.06	.02	.04	-.04	.02

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Self-reported violent crime	.05	.07	-.01	-.12 +	-.07	.01
UCR violent crime	-.02	.01	.04	-.02	.03	.01
Violent crime difference	-.05	.16*	.04	-.13 +	-.07	.03

Police officer beliefs

Personal stereotype rating	.06	.12 +	-.02	-.03	.02	.04
Personal stereotype percent estimate	.05	.13 +	.07	-.11	.05	-.12 +
Cultural stereotype rating	.01	-.05	.08	-.05	.17*	-.06
Cultural stereotype percent estimate	-.04	.04	.15*	-.10	.09	-.10
Contact with race group	.21*	-.04	-.01	-.01	.12 +	-.04
Discrimination scale	.14*	-.10	.04	-.05	.03	-.08

Note . The object effect ($RT_{no\ gun} - RT_{gun}$) per target race was mean polished. Due to missing data, correlations are based on .05, + $p < .10$.

Reaction Time Correlates

Community characteristics.

We examined the reaction time bias to shoot as a function of community characteristics including measures

of city population, the percentage of a target race in the community, and violent crime. Across target races, violent crime indices were often related to the bias to shoot. There was a tendency for the object effect (the bias to shoot) to decrease as perceptions of violent crime in an area increased, $r(206) = -.12$, $p = .083$. The

violent crime difference was significantly positively related to the degree of bias to shoot Latino targets, $r(194) = .16$, $p = .025$, and marginally negatively related to the bias to shoot White targets, $r(194) = -.13$, $p = .063$. These correlations indicate that the more officers overestimated the amount of violent crime in their

area compared to the [Uniform Crime Reports \(2007\)](#), the more bias shown toward Latinos, but the less bias shown toward Whites. There were no significant correlations regarding the overall size of the city or the number of members of a target race in the area, all r 's $< .10$.

Officer beliefs.

The officer beliefs we examined included personal and cultural stereotypes, attitudes toward racial/ethnic minorities in general, and the amount of contact with a target race. Reaction time bias to shoot Black targets

increased as a function of both reported contact with Blacks, $r(206) = .21$, $p = .002$, and prejudice reported

on the discrimination scale, $r(206) = .14$, $p = .042$. Bias to shoot Latino targets was marginally associated with personal stereotypes as reported on the rating scale, $r(205) = .12$, $p = .079$, and the percent estimate

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task, $r(204) = .13$, $p = .068$. The more officers endorsed stereotypes of Latinos as violent and dangerous, the faster they tended to respond to armed than unarmed Latino targets. Racial bias toward Asian targets as a function of object was significantly higher, the more officers rated the cultural stereotype of Asians to be

aggressive on the percent estimate task, $r(205) = .15$, $p = .033$. We found no significant relationships between beliefs about Whites and reaction time bias to shoot.

In summary, racial bias in reaction time across target races was associated with the extent to which officers overestimated the amount of violent crime in a community. As violent crime increased, bias to shoot Latino targets increased, but bias to shoot White targets decreased. Further, for Black targets, contact and discrimination predicted racial bias, whereas personal stereotypes were related to bias toward Latinos and

cultural stereotypes were related to bias toward Asians. Though not wholly consistent, these observed relationships suggest that attitudes and/or stereotypes can affect bias in latencies among officers.

Sensitivity Correlates

Community characteristics.

We also examined the relationships between racial bias in sensitivity and community characteristics. The amount of violent crime in an area was related to the ability to correctly distinguish a gun from a

nonthreatening object. The more violent crime according to the Uniform Crime Reports (2007), the less able officers were to distinguish objects held by White targets, $r(206) = -.14$, $p = .041$. New in the accuracy data was a significant correlation between the proportion of Asians according to census data and discriminability

for Asian targets, $r(206) = -.18$, $p = .008$. As the number of Asians increases in an area, accuracy in determining the object an Asian target held during the shooter task decreases.

Officer beliefs.

Across target races, the pattern of significant relationships between officer beliefs and sensitivity was similar to that found for reaction times. For Black targets, the correlation between sensitivity and contact was marginally significant, $r(213) = .12$, $p = .068$. Officers who reported more contact with Blacks showed a

tendency toward higher accuracy in distinguishing guns from nonthreatening objects. Although general discrimination was not related to the accuracy of responses to Black targets, there was a significant association between sensitivity and cultural stereotypes of Blacks, $r(212) = .17$, $p = .013$. The more violent

and aggressive police officers perceived the cultural stereotype of Blacks to be, the more accurate they were in decisions of whether or not a Black target was armed. For Latino targets, personal stereotypes on the percent estimate task were marginally related to sensitivity, $r(211) = -.12$, $p = .073$. The more aggressive

their personal stereotype of Latinos, the less able officers were to accurately distinguish objects. For Asian targets, accuracy was marginally related to cultural stereotypes on the rating task, $r(213) = .11$, $p = .093$. As cultural stereotypes of Asians as aggressive increase, accuracy increases. None of the officer beliefs

correlated significantly with accuracy toward White targets.

In summary, the community characteristics and officer beliefs associated with accuracy are similar to that found for reaction time bias, although the relationships are not always in the same direction and tended to be smaller in magnitude. Violent crime in an area was related to the ability to discriminate objects held by white

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targets. Greater sensitivity for Black targets was associated with more contact and sensitivity for Asian targets with higher cultural stereotypes, whereas sensitivity for Latino targets decreased for officers who more highly endorsed personal stereotypes.

General Discussion

We examined implicit racial bias in the decision to shoot Blacks, Latinos, Asians, and Whites. Replicating prior research, racial bias in response times to decide whether or not to shoot Black targets was pervasive. Interestingly, this was the only reaction time bias to emerge among college-aged participants. However,

police officers showed additional racial biases in reaction times, on average, toward Latinos relative to Asians and Whites, and toward Whites relative to Asians, suggesting racial bias in the decision to shoot is not simply an anti-Black phenomenon.

To our knowledge, the current research is the first to find a differential pattern of racial bias in reaction times between participant samples, which highlights the importance of substantiating evidence garnered from convenience samples with field samples (Dasgupta & Stout, 2012). The multiethnic shooter task posed a

greater challenge to participants, given that there were more irrelevant racial cues present in the task, and no predictability about which racial cue would occur from trial to trial. The difficulty of the task for college participants may have resulted in a tendency to default to the stereotype of Blacks as most aggressive. On

the other hand, cultural stereotypes and local norms germane to the likelihood that groups will aggress may be more available and practiced among police officers. After all, police officers must constantly evaluate the potential threat posed by people. Several officers across conferences we attended spoke of searching for the

“wolves” among the “sheep.”

The second outcome considered was the accuracy of the decision to shoot. In contrast to the differential pattern of bias found for reaction times, both college participants and police officers were better able to

distinguish weapons from nonthreatening objects when held by Black and Latino targets than by Asian and White targets, an unexpected effect given our previous work (Correll, et al., 2002; Correll et al., 2007). We suspect that in the more challenging multiethnic shooter task, both participant samples may have shifted

attention to Blacks and Latinos, the groups potentially more associated with threat. This result is consistent with recent evidence that suggests that threat-based attentional biases may serve as a mechanism for the impact of race on such decisions (Donders, Correll, & Wittenbrink, 2008; Trawalter, Todd, Baird, & Richeson,

2009). The P200, an event related potential (ERP) that reflects orientation to threatening stimuli in the environment, is greater in response to Black than White faces (Ito & Urland, 2005). Further, Correll, Urland, and Ito (2006) found that the more threatening Blacks were than Whites (as indexed by the P200), the

greater the impact of race on the decision to shoot. If perceived threat differences can be inferred from racial bias in the FPS task (Correll et al., 2007), our results suggest that Blacks and Latinos may be more stereotypically associated with violence than Whites and Asians.

Finally, we examined if the degree of racial bias in reaction time and accuracy in the decision to shoot was related to community characteristics and personal beliefs reported by police officers. There was evidence that individual beliefs were related to the extent of bias, though the specific individual differences that correlated

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with beliefs depended on target groups. Officers who overestimated the amount of violent crime in a community showed a greater bias toward Latinos and less toward Whites. The personal beliefs most associated with racial bias varied with the target group, but were generally strongest for Blacks. Contact,

discriminatory attitudes, and cultural stereotypes of aggressiveness and danger were related to bias toward Blacks. There was a trend for relationships between racial bias toward Latinos and personal stereotypes of Latino aggressiveness, and between bias toward Asians and cultural stereotypes about Asians. There was

no evidence that bias toward Whites was related to personal beliefs.

Training

Although we cannot speak definitively to the genesis of the stereotypic association between violence and certain minority groups, such as Blacks and Latinos, our results suggest that even when race is not diagnostic for the task at hand, expectations regarding the danger posed by some groups, and further,

individual variation in such beliefs, can affect response time. Stated differently, Black, Latino, Asian, and White targets were equally likely to appear armed or unarmed in the shooter task but the association of Blacks and Latinos with danger in U.S. culture may have led to faster correct responses to armed than

unarmed targets from these groups compared to Whites and Asians, who are not associated with danger to the same degree. It is interesting to note that biases in reaction times toward Blacks and Latinos were overcome by the time a decision was made, and in fact, there was no evidence that target race biased a

police officer's ability to correctly shoot armed targets and to not shoot unarmed targets.

Our accuracy results seemingly bode well for police officers in that implicit racial biases affected the speed of responses but not behavior, but there is reason to temper the optimism in generalizing the results to officers

in the field. First, a relatively long response window was used, possibly allowing both college students and police officers sufficient time to enact control over their decisions of whether or not to shoot. It is possible that participants were able to enact distraction-inhibiting goals to avoid basing decisions on race or response-

facilitating goals to shoot only if they see a gun (Mendoza, Gollwitzer, & Amodio, 2010). In the field, however, the luxury of time and ability to focus on implementation intentions is far from guaranteed. Second, the environmental conditions under which police officers complete the FPS task may foster relatively high levels

of accuracy. Officers are seated comfortably, distractions are reduced, and there is no possibility of imminent physical threat. In contrast, conditions vary greatly in the field that may compromise the performance. For instance, the average accuracy rate with which shots fired at suspects find their target is only about 20%

(Geller, 1982). Factors that amplify the perceived threat in an encounter result in even lower accuracy such as a suspect with a firearm (Schade, Bruns, & Morrision, 1989). Presumably, the average threat level is significantly higher on the job than in the lab. If so, the controlled processes needed to compensate for racial

bias may not be implemented as easily. It is conceivable that race-based perceptions of threat (which seem to affect reaction times in the lab) may, in the real world, translate into the decision to open fire. If this is the case, racial biases may, in fact, play a role in encounters between police officers and suspects.

It may prove useful to broaden training considerations from how police officers react to suspect behavior

(“passive” role of officers) to how they themselves behave as a situation unfolds (proactive role of officers). Mere expectation that a suspect will be violent may engender a self-fulfilling prophecy: the officer may behave in such a way to elicit aggressive behavior from the suspect resulting in an escalation of the situation.

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[Binder and Scharf \(1980\)](#) suggested that decisions made in early stages of an encounter predict whether an officer is likely to open fire as the encounter unfolds. [Fridell and Binder \(1992\)](#) found that a crucial stage leading to a decision to open fire is that of information exchange between officer and suspect. Situations in

which an officer was unable to ascertain pertinent information, or when suspects were agitated or noncompliant, were more likely to end with use of deadly force.

We argue that it is precisely in the early stages of an encounter that expectations police officers hold based on race, neighborhood, gender, etc., may unintentionally influence officer behavior and contribute to an escalation of the situation. A poignant anecdote comes from a conversation the first author had with a young Black male officer. He relayed a conflict between the Black culture in which he was raised and the police

training he received regarding how to interact with a suspect. In his neighborhood, making eye contact with someone, particularly in a tense situation, was a sign of aggression. Compliance, on the other hand, was accomplished by avoiding eye contact. In dramatic contrast, as a police officer he was trained that lack of

direct eye contact by a suspect was suspicious and associated with noncompliance. Such differences in the interpretation of nonverbal cues are likely to have marked effects on the progression of an encounter. To reduce the influence of such factors in escalation of police-community encounters, it may be beneficial for

police departments to assign officers to districts in which they grew up whenever possible. We do not intend to suggest that it is necessary for officers to be of the same race as the community they serve, only that officers from the district are likely to be familiar with the neighborhood norms for verbal and nonverbal cues to

aggression. It should be noted that our data cannot speak directly to this issue, but nonetheless, it may be fruitful for future research to pursue.

Another avenue for police departments to pursue is simulation training. Research has shown that those officers trained with a combination of video and “live fire” simulation training took more preventive actions to avoid escalation in subsequent encounters ([Helsen & Starkes, 1999](#)). It is possible that implementing such training would reduce the impact of suspect race on how an encounter progresses (cf. [Reisig, McCluskey,](#)

[Mastrofski, & Terrill, 2004](#)).

Limitations and Extensions

A key strength of implementing a set of background tasks that address the study of race and the decision to shoot is the ability to manipulate race independently of other factors that may covary with race in the real world. Targets

they stood or knelt in select stances. Because race was not diagnostic of weapon held, we could determine if prior expectations on the part of perceivers were associated with bias in the FPS task. However, the control was achieved at the cost of external validity. We are currently conducting research using a video

simulation method that police departments across the country use to provide interactive training to officers. This research brings us one step closer to emulating the psychological and physiological stress officers experience in encounters with suspects, and thus, to an examination of the impact of suspect race in the

field.

Our investigation of racial bias provided an extension to prior work through inclusion of three distinct minority groups as targets rather than solely African Americans. We demonstrated that the extent to which bias was

present depended on the subject population. College students were biased against African –Americans, whereas police officers evidenced bias toward Latinos in addition to African Americans, and to a differential degree depending on individual differences, such as level of contact or stereotype endorsement. A limitation

of this work, however, derives from the fact that it was conducted with U.S. participants. Although our intuition is that treatment of specific minority groups would depend both on the cultural context, i.e., on the stereotypes regarding dangerousness of particular groups in a culture, and variations in belief in the beliefs

propagated within that context, it will be the charge of future studies to determine what factors contribute to racial bias cross-culturally (Sampson & Lauritsen, 1997).

Conclusion

Most social psychological work on racial biases in the United States has focused on African Americans and how they are discriminated against in the context of a society dominated by Whites. Our own previous reports

of implicit racial bias are very much in this tradition. The present work is based on the premise that an increasingly diverse American society demands that we assess patterns of bias toward multiple ethnic and racial target groups. Doing so highlights the ubiquity of bias in the FPS paradigm against African Americans

relative to Whites. But it also brings to light some evidence of bias against Latinos, and bias in favor of Asians (again, relative to Whites). Given that the United States continues to evolve into an increasingly multiethnic nation, research that speaks to such complexity becomes ever more important.

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ROLE PLAY
EXERCISES

CASE
SCEN
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Role Play: Woman/Man with a Gun¹

Set Up

The instructor will need:

- Four trainees from the class (preferably two males and two females) to engage in the role play.
- Two female and two male role players.
- Two fake guns, chair and newspaper

The purpose of this scenario is to show that recruits/officers' biases about gender and weapons could impact their own safety. Often recruits/officers do not react to the "Woman with a Gun" call the same way they react to the "Man with a Gun" call that follows.

The two female and two male role players should be trained ahead of time and have the opportunity to practice the role play before presenting it to the trainees.

Instructors will set up to run this role play twice: (1) "Woman with a Gun," and then (2) "Man with a Gun." BOTH role plays should be completed before the instructor engages the class in discussion/debrief. Otherwise, the debriefing on "Woman with a Gun" will negate the potential impact of "Man with a Gun." Instructors should conduct the "Woman with a Gun" role play first.

To prepare for two role plays, select two male trainees and two female trainees to form two male-female teams. The instructor should send both teams of "responders" out of the classroom.

Have one of the female role players conceal the gun and take a seat in a chair in the front of the classroom. Place the second female either outside the classroom or a far end of the classroom-to give her ample room to run toward the seated female.

After verifying that role players are in place, the instructor should bring the first pair of officers to the classroom door. Have them clear.

The Scenario

Call: Instructors should create a call, using code and district/sector assignments reflective of their city/county: "Respond to [provide location]. A nearby store owner thinks he saw a concealed weapon on this woman. He's been robbed several times recently. He reports that the woman is now sitting on the bench at the bus stop."

¹ This scenario was developed by the Chicago (IL) Police Department (CPD) as part of their academy training. We are grateful to Curriculum Design Team member, James Ramos, CPD for permission to use this scenario.

Woman is dressed in black" (or whatever the role-player is wearing at the time)."

Instructors may change the nature of the call; however, the information provided by "dispatch" must be such that the officers *would be authorized to legally detain the woman and conduct a frisk*. It should not, however, provide information that would authorize an immediate arrest.

The officers enter the classroom, which is supposed to be the cross streets identified in the "call." The woman matching the description in the dispatch is sitting in the chair reading a newspaper. She has the concealed weapon.

After the officers interact with the seated woman for a few seconds, the second female role player comes into the room behind the officers (or through another door). The second woman is very animated/agitated; she tells the woman reading the newspaper, that a car that looks similar to the one belonging to the first woman's husband has been involved in a serious accident on the Interstate Highway. She is insistent that they must go to the scene of the accident immediately. This woman should not seem threatening to the officers; her purpose is to be a distracter. The objective of this second role player is to get the first woman away from the location and police.

After the scenario plays out, instructors should stop the role play and immediately implement "Man with a Gun."

For "Man with a Gun" the set up and scenario are the same as with "Woman with a gun," except that the two role players are men, instead of women. The instructor gives the second team of trainees the same "call," except that the suspicious person is a male.

After the "Man with a Gun" scenario is completed, stop the role play and have the female and male role players with concealed weapons pull out and show their guns if they were not found by the trainee teams.

Discussion/Debrief

A key to the discussion is whether/how the gender of the subject impacted the officers' response. It is important for the trainer to avoid comments pertaining to general tactics. (These could be covered, as necessary, *after the discussion* that is linked to the main points of this training.)

Start by asking the trainee role play teams to discuss what they did and why. "Start with the "Woman with a Gun" team(s), followed by the "Man with a Gun" team(s).

It may also be effective during the discussions to have the role players provide their own perspective. For instance, the women role players might observe, if it is the case, that the recruits seemed reticent to touch them in any way, much less frisk them. (Note that the reason for the male/female trainee teams is to try to circumvent any issues regarding a male frisking a female.)

[The questions below for the debrief are also contained in the curriculum.]

(**If the recruit team(s) responding to the women were less vigilant than the recruit team(s) that responded to the men:**

Quite often with this scenario, the recruits do not frisk the woman in "Woman with a Gun" and therefore do not find the gun; in contrast, the "Man with a Gun" team might be more vigilant-conducting the search or otherwise being more aggressive with the men. This may be due to the officers' implicit bias that men are more dangerous than women-more likely to carry a concealed weapon. Discussion questions might include:

- » Why do you think the recruit teams acted differently with the female versus the male subjects?
- » With what societal stereotypes is this behavior consistent?
- » What is the potential ramification to the officers of stereotyping women as not dangerous?

(**If the recruit teams responded with similar vigilance to the women and men:**

This role play can produce a successful discussion even if the teams do not respond differently to the "woman with a gun" and "man with a gun" calls. If there is no difference in response, the discussion can take the form of how these officers did not succumb to a stereotypical "blink response," but that "some officers" might respond differently to women than men. Discussion questions might include:

- » Do you think some officers might have responded differently to the females than to the males?
- » With what societal stereotypes would that behavior be consistent?
- » What danger would they put themselves in?

*As directed above, the instructor needs to have the "woman/man with a gun" role players produce the concealed weapons (if the police recruits did not find them during the scene) to show the danger associated with their lack of vigilance.

Note to Instructors: While tactics are an inevitable aspect of the discussion, instructors should refrain from letting the discussion of tactics overwhelm the "blink" take-away lesson. Separate any discussion of tactics from the "blink" discussion.

"Pantomime"

The purpose of this scenario is to demonstrate how individuals may interpret the same stimuli very differently. It reinforces the skill "challenge what you think you see."

Set Up

This scenario is designed as a live tableau or a still-scene pantomime. The key to the tableau is to create a still scenario that implies action and can be depicted in such a way as to evoke multiple, varying interpretations of what is happening in the scenario. These interpretations become the foundation of the discussion/debrief which follows the tableau.

Four or five non-white and one white male role players produce a still scenario that shows the white male on the ground and the four non-white males around him. The scene is produced such that the four standing males could either be attacking the male on the ground, or assisting him in a medical emergency. Where possible set this scene up in a room other than the classroom used for instruction.

Instructor Directions to Prepare the Role Players/Actors³

We strongly suggest that this scenario be rehearsed before the actual training session in order to ensure that all the role player/actors are able to perform the pantomime effectively. In particular, the key to the pantomime is the ability of role players/actors to create both body stances and facial expressions that denote an "ambiguous" connotation. Thus, instructors will need to coach/direct role players/actors as follows.

- ~ Facial expressions for all role players: Look like you are either "very concerned" (either because the "victim" is having a heart attack or because you must execute this robbery/crime quickly before you are seen by passers-by). The individual portraying the "victim" should look like he is in pain either from a beating or a heart attack.
- ~ Body Stances:
 - o Person #1 "Victim": Lie (comfortably) on your side with one arm/hand extended up above your head (as though in a defensive mode or in a surprising fall); with the other arm/hand, clutch your chest at the level of your heart/lungs

² This scenario has been adapted from the original developed by the Chicago (IL) Police Department. We acknowledge James Ramos, CPD Trainer for permission to use this scenario.

³ Role players, from the law enforcement agency or academy, should be instructed to dress in casual attire, such as jeans and sweatshirts. Select officers who are NOT members of the recruit class for the pantomime. The instructor might identify "actors" from a local college drama program to serve as the role players.

- o **Person #2 "Assailant/srriend":** Kneel behind the "victim's" head and place your hands around his throat as though you were either attempting to choke him or turn his head around to administer CPR. Get as close as you can to the "victim's" face.
- o **Person #3 "Assailant/Friend"**Stand at the "victim's" feet and grab his ankles with your hands as if to either be pulling him or attempting to stabilize him.
- o **Person #4 "Assailant/Friend"**Stand behind the "victim" and place your right foot under his buttocks as though you were either kicking him or attempting to turn him over on his back. Simultaneously, grab the "victim's" chest and arm as though you were either attempting to hit him/steal his watch or help him turn on his back.
- o **Person #5 "Assailant/Friend"**Stand behind the victim and place your hand in his pocket as though you were either attempting to steal his wallet or trying to turn him on his back.

Instructors should rehearse this pose several times in order for the role players to perfect both the requisite facial expressions and body stances. Role players should also rehearse the "back story" entrance. In this "back story" they are friends returning from an athletic event and having a conversation about the game when suddenly the "victim" has a heart attack and falls to the ground.

The Scenario

Once the role players/actors have been properly positioned, in an adjoining room to the classroom, bring the recruits into the room and ask them to take a close look at the still scene or "tableau." They may walk around the tableau and carefully study the faces and body positions of the "characters" in the tableau but they may not talk to the "characters."

Discussion/Debrief

After several minutes, ask the trainees, what they see going on in the tableau.

- What do you see happening in this scenario? (Probe for as many responses from as many trainees as possible.)

Generally, about half of the group will see a crime taking place (robbery; gang initiation) and the rest see a medical emergency.

When the discussion is completed, ask the role players to portray what happened prior to the moment that produced the "still shot." They enter the room talking about an athletic event they just attended; they will clearly all be friends. The white male will have a heart attack and fall to the ground. The friends will react and then they will

freeze as they resume their positions from the earlier "still shot" that the recruits found when they entered the room. (

The point of the exercise is to show that officers can, and will, interpret the same stimuli differently and our interpretations can be impacted by biases (as well as other things, such as experiences).

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Role Play: The Domestic Violence Call

Set Up

Instructors will need three chairs and three role players: two females (race not relevant) and one male (race not relevant). The instructor will select a pair of trainees from the class to respond to the call. The instructor will play the role of the dispatcher.

Review the scenario with the role players/actors prior to the role play. (See "Scenario" below.) Instruct the "victim" that she should NOT verbally respond to any questions that the "responding officers" ask her. She is to cry throughout, shake periodically and remain unresponsive to any questions posed to her by "responding officers" or to comments made by the other role players. She is to appear frightened and confused. The other two role players' behaviors and comments are similar to each other and provide no clues as to which one abused the victim.

The Scenario

Dispatcher: "Any car, Victor Sector. Female caller at approximately 12:15 a.m., crying/screaming and incoherent; appears to be victim of domestic violence. She is requesting police assistance to get to a hospital for medical assistance. Offender is still on-scene."

When recruits arrive at the scene, they find the three role players in chairs that are side-by-side. The victim, in the center, is hunched over and sobbing. There is a female on one side of her and a male on the other. The female is hovering over the victim with her hands placed gently on the "victim's" shoulders. She says, "I am so sorry, I am so sorry. This will never happen to you again." The male is on the other side acting the same way and saying the same thing.

Note to Instructors: In this scene, the male is not the abuser; instead, the abuser is the second female role player, who is the "live-in partner" of the "victim. Observe how the "responding officers" respond to the scene, attending to whether or not they assume that the offender is the male role player. Refer to the discussion questions to debrief the scenario. First be sure to advise the class as to which is the "real offender."

Discussion/Debrief

If the recruits seemed to originally assume the man was the abuser:

-):- Who did the responding team initially think was the abuser?
-):- On what did they base that assumption?
-):- What are the risks or other consequences associated with assuming one person, not the other, is the perpetrator?
-):- What skills do officers need to have to identify the right offender?

*If the recruits did **not** assume the man was the abuser:*

- ~ Our team did not assume the man was the abuser? Do you think some police might make that assumption?
- ~ On what basis might they make that assumption?
- ~ What are the risks or other consequences associated with initially assuming one person, not the other, is the perpetrator?
- ~ What skills do officers need to have to identify the right offender?

SCENARIOS: INSTRUCTOR VERSION

Note: For most of the questions associated with these scenarios, there are no right or wrong answers. (We indicate in instructor notes when that is not the case.) The key is to get the trainees to reflect on how biases might manifest and how biased behavior can be avoided.

Scenario #1: Men at the Door

You and your partner are newly assigned to the Dawn Oak neighborhood. This is an affluent, mostly Caucasian, community of large, newly constructed homes. The neighborhood is relatively safe from violent crime, although property crimes, especially burglaries and car thefts, over the past six months have been on a steady rise.

While on routine patrol, you and your partner observe two late model cars parked in front of 3342 Lester Drive—one of the newer homes on the block that is for sale. Two dark-skinned men are on the porch of the house; one man is standing in front of the other and he appears to be struggling to open the front door.

Discussion:

1. List any biases that might impact you.
2. What do you do? Would you be responding this way but for the fact that these are two dark-skinned men? What circumstances (e.g., added facts), if any, might justify enhanced scrutiny on the basis of race?
3. The men accuse you of racial bias. How do you respond?
4. Would you respond any differently to this situation if the people on the porch were white women?

Note to Instructors: The final question under #2 is an opportunity to apply the agency's biased policing policy to the situation. In an agency with a suspect-specific policy, police interventions based in part on race would be within policy if these individuals fit specific suspect descriptions (relevant to crimes in *this area* that might encompass *this activity*) that included reference to race or "dark skinned" individuals. In an agency that has a PERF model policy, the police intervention could be based *in part* on race if credible, locally relevant information links a person or people who are "dark skinned" to unlawful incidents, criminal patterns, or schemes that, again, could reasonably be linked to the current situation (e.g., burglaries in this particular area).

Scenario #2: Photographers

Three 9-1-1 calls at approximately 12:10 p.m., describe three scraggly teenage males with long hair and low rider pants, taking pictures of a residence at 2233 Smith Street• the home of the police chief. Callers all report that one of the subjects has been taking numerous pictures of the home over the past 15 to 20 minutes.

Callers identify themselves as neighbors and they report that the chief and his family are out of town.

Discussion:

1. List at least three explanations for what might be going on.
2. List any biases that could have impacted the callers and might impact you.
3. You and your partner respond to 2233 Smith Street and see the three young males. What do you do? Would you be responding this way but for the fact that these are three scraggly teenage males? What circumstances (e.g., added facts), if any, might justify the enhanced scrutiny of them on the basis of youthfulness, gender and/or dress?
4. The boys accuse you of picking on them because of the way they are dressed. How do you respond? (
5. Do you think you would have gotten the call if the photographers were three adult women in tailored pant suits? Would you respond any differently if you had gotten such a call?

Note to Instructors: This scenario is based on an actual incident from Seattle (WA). The photographers turned out to be architect students who were studying the Craftsman style homes, which are abundant in many Seattle neighborhoods. Again, the last question in #2 is an opportunity to apply the agency's biased policing policy to the situation.

Scenario #3: Partner's Tickets

Your partner is in the lead on this day and decides to ticket stop sign violators at a particular intersection. During the course of 4 hours at this location you determine that he is pulling over and ticketing all of the Hispanic drivers that run the stop sign, but is not pulling over the Caucasian drivers who do so-even though the nature of the violations are not different across the groups.

Discussion:

1. Is this racially biased policing? Can a person be a subject of biased policing even if/he did commit a crime or traffic violation?
2. List three different ways you might respond to this observation. List the pros and cons of each option.
3. Which option do you think is best?

Note to Instructors For #1, there ARE right answers: Yes and yes.

Scenario #4: Woman Looking over a Fence

You are driving through a mixed race, middle class neighborhood and see a Caucasian woman dressed in a sundress looking over a fence. She appears to be looking around as if not wanting to be seen. She is holding a Macy's shopping bag.

Discussion:

1. List at least three explanations for what might be going on.
2. List any biases that might impact on how you perceive this situation and how you might respond.
3. Will you and you partner approach the woman? Why or why not? If you do approach her, what will you do and say?
4. You did not get a call about this woman. What dress and demographics of this person might have produced a call from the neighbors? Would you respond any differently than outlined above if you had gotten such a call? How and why?

Scenario #5: The BOLO

While on patrol, dispatch announces a BOLO for a suspect in a robbery that took place 30 minutes ago in your area. You see a young Asian male standing at a bus stop. His physical characteristics and dress are consistent with the BOLO, except that he does not have on the black coat described in the BOLO.

Discussion:

1. Will you approach and communicate with the man at the bus stop? Why or why not?
2. Let's say that you **do** approach the man and ask him questions. His answers dispel your concerns that he might be the suspect. He is angry and accuses you of bias against Asians because of recent publicity given to Asian gang activity. How will you respond to these accusations and what are your goals in designing this response?

Scenario #6: Victim Report

You are assigned to desk duty at the District Office. Several hours into your shift, what looks like a woman, enters the doors of the office. As she gets closer, you notice she is a transgendered individual wearing a fanny pack. She has long flowing brown hair, a short skirt, and silver, thigh high boots. You notice the long tear in the fishnet stockings. She tells you she was sexually assaulted earlier in the evening.

1. List any biases that might impact how you perceive and respond to this situation.
2. What might a biased response look like? What are the potential consequences of a biased response?
3. What would a bias free response look like? What are the advantages associated with implementing a bias-free response?

Note to Instructors: The responses to 2 and 3 about the disadvantages and advantages of a biased response and a bias-free response, respectively, should reflect on the fact that policing based on biases/stereotypes is ineffective and unjust. For instance, if this victim's report is not given the same serious attention as other assault victims, a criminal may go free and assault other women (ineffective policing). Also, not giving her story serious attention is unjust.

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**SCENARIO VERSIONS THAT FOLLOW
ARE FOR PRODUCING HANDOUTS FOR TRAINEES**

Scenario #1: Men at the Door

You and your partner are newly assigned to the Dawn Oak neighborhood. This is an affluent, mostly Caucasian, community of large, newly constructed homes. The neighborhood is relatively safe from violent crime, although property crimes, especially burglaries and car thefts, over the past six months have been on a steady rise.

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Discussion:

1. List any biases that might impact you.

2. What do you do? Would you be responding this way but for the fact that these are two dark-skinned men? What circumstances (e.g., added facts), if any, might justify enhanced scrutiny on the basis of race?

3. The men accuse you of racial bias. How do you respond?

4. Would you respond any differently to this situation if the people on the porch were white women?

Scenario #2: Photographers

Three 9-1-1 calls at approximately 12:10 p.m., describe three scraggly teenage males with long hair and low rider pants, taking pictures of a residence at 2233 Smith Street• the home of the police chief. Callers all report that one of the subjects has been taking numerous pictures of the home over the past 15 to 20 minutes.

Callers identify themselves as neighbors and they report that the chief and his family are out of town.

Discussion:

1. List at least three explanations for what might be going on.
2. List any biases that could have impacted the callers and might impact you.
3. You and your partner respond to 2233 Smith Street and see the three young males. What do you do? Would you be responding this way but for the fact that these are three scraggly teenage males? What circumstances (e.g., added facts), if any, might justify the enhanced scrutiny of them on the basis of youthfulness, gender and/or dress?
4. The boys accuse you of picking on them because of the way they are dressed. How do you respond?
5. Do you think you would have gotten the call if the photographers were three adult women in tailored pant suits? Would you respond any differently if you had gotten such a call?

Scenario #3: Partner's Tickets

Your partner is in the lead on this day and decides to ticket stop sign violators at a particular intersection. During the course of 4 hours at this location you determine that he is pulling over and ticketing all of the Hispanic drivers that run the stop sign, but is not pulling over the Caucasian drivers who do so-even though the nature of the violations are not different across the groups.

Discussion:

1. Is this racially biased policing? Can a person be a subject of biased policing even if/he did commit a crime or traffic violation?
2. List three different ways you might respond to this observation. List the pros and cons of each option.

3. Which option do you think is best?

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Scenario #4: Woman Looking over a Fence

You are driving through a mixed race, middle class neighborhood and see a Caucasian woman dressed in a sundress looking over a fence. She appears to be looking around as if not wanting to be seen. She is holding a Macy's shopping bag.

Discussion:

1. List at least three explanations for what might be going on.
2. List any biases that might impact on how you perceive this situation and how you might respond.
3. Will you and you partner approach the woman? Why or why not? If you do approach her, what will you do and say?
4. You did not get a call about this woman. What dress and demographics of this person might have produced a call from the neighbors? Would you respond any differently than outlined above if you had gotten such a call? How and why?

Scenario #5: The B O L O

While on patrol, dispatch announces a BOLO for a suspect in a robbery that took place 30 minutes ago in your area. You see a young Asian male standing at a bus stop. His physical characteristics and dress are consistent with the BOLO, except that he does not have on the black coat described in the BOLO.

Discussion:

1. Will you approach and communicate with the man at the bus stop? Why or why not?

2. Let's say that you **do** approach the man and ask him questions. His answers dispel your concerns that he might be the suspect. He is angry and accuses you of bias against Asians because of recent publicity given to Asian gang activity. How will you respond to these accusations and what are your goals in designing this response?

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Scenario #6: Victim Report

You are assigned to desk duty at the District Office. Several hours into your shift, what looks like a woman, enters the doors of the office. As she gets closer, you notice she is a transgendered individual wearing a fanny pack. She has long flowing brown hair, a short skirt, and silver, thigh high boots. You notice the long tear in the fishnet stockings. She tells you she was sexually assaulted earlier in the evening.

1. List any biases that might impact how you perceive and respond to this situation.

2. What might a biased response look like? What are the potential consequences of a biased response?

3. What would a bias free response look like? What are the advantages associated with implementing a bias-free response?

Man on the Porch, Instructor Notes

This case study exercise is intended to engage recruits in a series of decisions in responding to the facts in a real-life case that produced a tragic outcome. The recruits will have adequate time to think through various options and their consequences. Following their reporting, the actual result of this real-life case will be shared. The intent of this lesson is to convey how the real-life situation might have produced a less tragic outcome if the officers had "slowed down" to produce more thoughtful, deliberate decisions. Do not disclose, at the outset, that this is based on the case of the NYPD shooting of Amadou Diallo.

Instructors, if they choose, may adapt the case study to reflect an actual neighborhood in the local jurisdiction (and its associated crime problems) or sufficiently describe a neighborhood to which the recruits can relate.

Setup

Make the three handouts that follow these instructor notes; consider different color paper for each. The first handout is two sided. On one side is the description of the neighborhood and officers; on the second side is Segment 1. The second handout is Segment 2; the third handout is Segment 3.

Divide the class into small groups of five or six recruits. Ask each group to select a recorder (who should record the outcome of the discussions of the group) and a reporter (who will provide the group's feedback to the entire class).

The incident is presented in segments. Instructors will distribute each segment of the incident sequentially, allowing the incident to "unfold." Each segment contains a series of decision-making questions, such as: What do you think is going on here and why? What options do you have? What are the consequences of each option? What do you do and why?

Give each group a copy of the first handout. Have a trainee read through the first page and Segment 1. Tell the groups to answer the questions and then have the groups share their answers. (Note it would be tedious to have each group answer each question.) After you finish Segment 1, hand out and read Segment 2. Tell the groups to answer the questions. Have them share their responses. Then hand out and read Segment 3; have the groups work through Segment 3 and share their responses. (See instructions below for what to do after Segment 3.)

Case Study

The Neighborhood. The 1100 block of Holbart Street in Seattle's Rainer Valley, is a narrow street of small, modest homes. The neighborhood, along with most of Seattle, was developed in the early 1900's and now boasts a vibrant commercial avenue, parks, and growing redevelopment, including a newly developed light rail system that links the once isolated neighborhood with downtown. The neighborhood is comprised of predominantly poor and working class residents who represent African American, Asian-Pacific Islander, and immigrant communities from East Africa and the Caribbean.

The South Precinct is one of the busiest within the Seattle Police Department (SPD). The neighborhood continues to experience the city's highest rates of both violent and property crimes. Drug and gang-related shootings, homicide, sexual assault and domestic violence are among the most common calls for service. Within the last few weeks a number of strong-arm robberies, allegedly committed by a group of young white males in their twenties, have been reported. Suspects from these robberies as well as two sexual assaults and a drive-by shooting have eluded arrest.

The Officers. In an effort to address the criminal activity in the neighborhood, the SPD has formed a special Street Crimes Unit (SCU), dedicated to patrolling crime "hot spots." Four white officers in plainclothes and between the ages of 26 and 35 years are assigned to the Rainer Valley. They are usually dressed in jeans, sweatshirts, and bullet-proof vests; they carry 9-millimeter semiautomatic handguns. They drive unmarked vehicles.

Segment 1: Just before midnight, the officers of the SCU, in an unmarked car, turn down Holbart Street and see a 5'6" black man standing alone on a porch looking up and down the street. "Hold up," one officer says to the other officers in the car. "What's that guy doing there? He is looking up and down the street, peeking his head out and then stepping on and off the porch."

Discussion:

- ~ What do you think is going on here and why? What is another explanation?
- ~ What are the various options that the officers have? What are the consequences for each option?
- ~ What would you do and why? That is, what option do you choose?

Have the class share their answers. If any of the small groups report "leaving the scene," instructors can continue the case study with only the small groups that "remain on the scene." The other group(s) can either assume the role of "observers" or change their response and "remain on the scene."

Segment 2: Officers stop the car in front of 1157 Holbart Street. The black man sees the car come to a stop but does not move. All four of the officers get out of the car. There is no radio communication before the officers approach the man. Officer Scott holds up his police badge and calls out "police, can we have a word?" Officer Scott and Officer Dovidio begin moving toward the porch steps. The man does not respond but moves onto the porch.

Discussion:

- ~ Discuss and evaluate the decision of the four officers to all get out of the car and approach the man? What are the possible consequences of this action?
- ~ What other options do the officers have?
- ~ What are possible explanations for why the man on the porch does not respond to the officers?
- ~ What would you do and why?

Have the class share their answers.

Segment 3: Officers Scott and Dovidio accelerate their move up the stairs and toward the porch. The black man grabs the doorknob with his left hand and attempts to push the door in (the door is apparently stuck). He turns his body sideways and begins digging in his pocket with his right hand. Officer Scott yells, "Show me your hands-• NOW!" Officer Dovidio yells, "Get your hands out of your pockets...don't make me f-----ing kill you." The man is agitated and shaking. He continues to hold the doorknob with his left hand and starts removing a black object from his pocket with his right hand.

Discussion:

- ~ What do Scott and Dovidio think is happening that would lead them to accelerate up the stairs?
- ~ What are other interpretations of what was happening?
- ~ Do they have other options? What are they?

Have the class share their answers.

What Really Happened

The instructor reports that this was a real event with a horrific outcome.

The Outcome: Officers Scott and Dovidio fired 16 rounds each; the two backup officers fired a total of nine shots killing Mr. Akpan. When they approached his body, he was holding a black wallet in his right hand. During the trial, Officer Scott testified that when it was all over, he sat down on the porch steps, next to Mr. Akpan's bullet-ridden body and started to cry. Officer Dovidio later stated that when the ambulances arrived, he was so distraught, he couldn't speak.

Let's back up and see what happened.

During trial testimony, "Officer Scott" noted that he had two impressions as he assessed the situation. One, he thought that the subject (Mr. Akpan) might be serving as a look-out for an ongoing robbery; and two, that the subject may have fit the description of a suspect of the recent sexual assaults.

Again, what were the various other interpretations that your groups came up with?

[The key here is to highlight how the groups-with the luxury of time and deliberation• produced alternative interpretations and different actions.)

Is there any evidence that the officers acted with conscious racial bias? ["No" is an appropriate answer.)

Could they have been impacted by their implicit biases? [Yes.]

During trial testimony, we learned that the subject had a stutter and his English was not perfect. He may have attempted to communicate with the officers. It was also rumored that an acquaintance of the subject had recently been robbed by a group of men. The subject may have thought he was about to be robbed.

Discussion:

- ~ How might the officers have acted differently if they had known about or considered the possibility that there were communications issues?
- ~ How might they have acted if they had considered the possibility that the man was fearful of local robbers?

During trial, Officer Scott testified that his prior experience and training led him to believe that Mr. Akpan was reaching into his pocket to pull out a gun. He fires his weapon. Simultaneously, Officer Dovidio instinctively jumps backwards, firing his weapon as he falls. Officer Scott believes that Officer Dovidio has been hit by rounds from Mr. Akpan's gun.

(**Final Key Point**(as contained in curriculum): The interaction between the police and Mr. Akpan lasted just 7 seconds. This rapid interaction produced bad decisions and a tragic outcome. The key lesson from this exercise is that you should, when you can, show down your response and make ambiguous circumstances UNambiguous.

When your groups worked deliberately through the segments, you came up with very different police actions than the ones in the real incident. Gathering more information before you act can reduce the possibility that you make poor decisions - maybe even tragic ones.

It can also reduce the possibility that you make biased decisions.

Man on the Porch, Participant Handout

The Neighborhood. The 1100 block of Holbart Street in Seattle's Rainer Valley, is a narrow street of small, modest homes. The neighborhood, along with most of Seattle, was developed in the early 1900's and now boasts a vibrant commercial avenue, parks, and growing redevelopment, including a newly developed light rail system that links the once isolated neighborhood with downtown. The neighborhood is comprised of predominantly poor and working class residents who represent African American, Asian-Pacific Islander, and immigrant communities from East Africa and the Caribbean.

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The Officers. In an effort to address the criminal activity in the neighborhood, the SPD has formed a special Street Crimes Unit (SCU), dedicated to patrolling crime "hot spots." Four white officers in plainclothes and between the ages of 26 and 35 years are assigned to the Rainer Valley. They are usually dressed in jeans, sweatshirts, and bullet-proof vests; they carry 9-millimeter semiautomatic handguns. They drive unmarked vehicles.

Segment 1

(Just before midnight, the officers of the SCU, in an unmarked car, turn down Holbart Street and see a 5'6" black man standing alone on a porch looking up and down the street. "Hold up," one officer says to the other officers in the car. "What's that guy doing there? He is looking up and down the street, peeking his head out and then stepping on and off the porch."

- >- What do you think is going on here and why? What is another explanation?

- >- What are the various options that the responding officers have? What are the consequences for the various options?

- >- What would you do and why? That is, what option do you choose?

Segment2

Officers stop the car in front of 1157 Holbart Street. The black man sees the car come to a stop but does not move. All four of the officers get out of the car. There is no radio communication before the officers approach the man. Officer Scott holds up his police badge and calls out "police, can we have a word?" Officer Scott and Officer Dovidio begin moving toward the porch steps. The man does not respond but moves onto the porch.

- > Discuss and evaluate the decision of the four officers to all get out of the car and approach the man. What are the possible consequences of this action?

- > What other options do the officers have? What are the possible consequences of these options?

- > What are possible explanations for why the man on the porch does not respond to the officers?

- > What would you do and why?

Segment 3

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Officers Scott and Dovidio accelerate their move up the stairs and toward the porch. The black man grabs the doorknob with his left hand and attempts to push the door in (the door is apparently stuck). He turns his body sideways and begins digging in his pocket with his right hand. Officer Scott yells, "Show me your hands--NOW!" Officer Dovidio yells, "Get your hands out of your pockets...don't make me f-----ing kill you." The man is agitated and shaking. He continues to hold the doorknob with his left hand and starts removing a black object from his pocket with his right hand.

>- What do Scott and Dovidio think is happening that would lead them to accelerate up the stairs?

>- What are other interpretations of what was happening?

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>- Do they have other options? What are they?

Recruit/Patrol Officer Curriculum

Module 1: Introduction and Understanding Human Bias

Instructor: Name of Instructor/Trainer

Time: 2.5 Hours

Summary and Rationale:

The purpose of this module is to lay the foundations of this curriculum. It introduces recruits and line officers to the training program's fundamental principles:

- ,i All people, even well-intentioned people, have biases
- "~ Having biases is normal to human functioning
- "* Biases are often unconscious or "implicit," thus influencing choices and actions without conscious thinking or decision-making
- ,~ Policing based on biases can be unsafe, ineffective and unjust.

The module introduces the concept of implicit bias and demonstrates how implicit biases can impact the perception and behavior of officers. The module, through a series of interactive exercises, allows officers to experience how implicit bias works and to discuss how implicit bias can impact on their own perceptions and actions.

Performance/Learning Objectives:

At the completion of this module, officers will be able to:

- ~ Understand biases are normal and that all people, even well-intentioned people, have biases
- ~ Understand how unconscious or implicit bias works in the human mind
- ~ Describe the impact of bias on officers' perceptions and behavior

Equipment:

- ~ Laptop with internal DVD drive
- ~ Projector and screen
-)> 3 x 5 cards for homeless exercise
- ~ 2 fake guns and newspaper for man/woman with a gun role play

Materials:

- }- Participants' Manuals, comprised of
 - o Cover sheet
 - o PowerPoints printed 3 to a page
- }- Trainers' Resource Materials
- }- Susan Boyle video [at www.fairandimpartialpolicing.com]
- }- "Money Train" video
- }- "Mad World" video [at FIP.com]
- }- "Crash" video

Role Players: Two women and two men of any race.

Room Setup: The optimal setup is a "U" shaped configuration or a large semi-circle configuration to allow training participants to see each other throughout the training session. However, if the class is large, a standard classroom configuration may be used.

Comments: The information presented in this module will likely be new to the trainees and the instructor should take time to explain that this training session has been designed to incorporate the current research on implicit bias. This training is not the usual or expected cultural diversity or racially-biased policing training that they may expect. In addition, this training is highly interactive-using perhaps unexpected training methods and tools. Participants should be told to leave their pre-conceived notions at the door, relax and be prepared for active participation.

Introduction and Understanding Human Bias

CONTENT	INSTRUCTORNOTES/REFERENCE
Introduction	<i>Note to Instructors:</i><i>If two or three instructors are delivering this training session, all the instructors should open the training session, introducing themselves and introducing the training program.</i> <i>Have the trainees introduce themselves. Ask them to tell the class something about themselves that others may not know (e.g., family, hobbies).</i> <i>The lesson plans note recommended "transitions" between instructors. However, these transitions are discretionary; instructors should plan appropriate transitions during their preparation for delivery of the curriculum.</i> <i>DisplaySlide #1: Fair and Impartial Policing:RecruitAcademyandPatrol OfficersTraining</i>

Welcome to this training session on fair and impartial policing, designed to ensure that you conduct your police work fairly, impartially, and effectively.

Recruit Academy and Patrol Officers 'Training

This slide should be displayed as recruits are entering the room.

The Premise and "Roadmap" to the Training Session

This training program is most likely unlike any other training you have received on the topic of biased policing.

We begin with the premise-based on scientific research-that all people, even well-intentioned people, have biases. That is, our starting assumption is that you are well-intentioned people who want to be fair and impartial in your work as police officers.

We will discuss various biases, such as those based on race, gender, socio-economic status, and sexual orientation.

We will explore what social psychology has taught us about how human biases affect our perceptions and behavior and impedes the ability of officers to practice fair, impartial, and effective policing.

Understanding the modern science of bias allows us to recognize our own *unconscious biases-that are referred to as* "implicit" biases-and to make conscious efforts to implement bias-free behaviors.

It is important to understand that implicit biases are different from "explicit biases." A person with explicit biases, such as a racist, has conscious animus towards groups, is unconcerned about their bias, and, indeed, will tell you about it.

This training is fundamentally about helping you to be the fair, impartial and effective professionals you want to be.

Fair and impartial officers are more likely to:

- * Be effective at solving crimes and handling disorder problems
- * Stay safe and go home at the end of the shift.
- * Enhance/promote trust on the part of the people they serve
- * Enhance the legitimacy of the police.

Display Slide #2: Fair and impartial Police Officers are More Likely to...

Fair and Impartial Police Officers are More Likely To...

- Be effective at solving crimes and handling disorder problems
- Stay safe and go home at the end of the shift they serve
- Enhance the legitimacy of the police.

(The goal of this training is to ensure that you will police-not based on your human biases-but rather based on relevant facts and circumstances.

You need to *review* facts and evidence impartially and fairly in order to be effective at solving crimes, handling disorder problems, and assessing whether you and others are in danger.

We also know that fairness and impartiality allows officers to build and sustain public trust. When you do your job well, the community sees the police as the legitimate authority. Thus fairness and impartiality not only produce effective police practices, but are essential for maintaining our legitimacy and living up to the values of the profession.

Display Slide #3: Goals of the Training

(The goals of this training session are to have you:

- ~ Recognize your own human/implicit biases
- ~ Understand how implicit biases can affect your perceptions and behavior
- ~ Understand how biased policing negatively impacts community members and the department
- ~ Understand how FIP supports procedural justice and thus police legitimacy.
- ~ Develop skills and tactics to reduce the influence of biases on police practice and allow you to be effective and safe police professionals.

Goals of the Training

- Recognize your own human biases
- Understand how implicit biases can affect your perceptions and behavior
- Understand how biased policing impacts community members and the department
- Understand how FIP supports procedural justice and thus police legitimacy
- Develop skills and tactics to reduce the influence of bias on police practice and allow you to be effective and safe police professionals

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What to Expect from this Training Session

Any discussion focusing on bias and policing is difficult, raising sensitive yet critically important issues that will affect our ability to be effective police professionals. This training program has been designed to examine these difficult issues from a new perspective-a perspective based on the science of human bias.

Through this training, we will explore our own conscious and implicit biases, examine how those biases can impact our perceptions and behavior.

Today, as we explore the science of human bias and its implications for policing, we are going to ask you to:

- ~ Leave your preconceived notions about "bias" training at the door-our approach is very different from traditional training in this arena.
- ~ Think and reflect about what it means to be an effective police officer.
- ~ Recognize the life experiences and expertise that you bring to this room. Sharing your knowledge and experiences will help all of us learn.
- ~ Participate in the discussions, case studies and exercises. Your participation will enhance both your learning and that of your colleagues here today.

Display Slides #4: During this Training

During this training:

- Leave your preconceived notions about "bias" training at the door.
- Think and reflect about what it means to be an effective police officer.
- Recognize the life experiences and expertise that you bring to this room.
- Participate.

The Basics of Human Bias

Let's take a look at this video. As you watch this, think about the judges' and audience's reactions to Susan Boyle; think about your reaction when you first saw it. We are going to show the entire segment including the judges' comments at the end.

Discussion/Debrief:

- ~ Why were people surprised when she began to sing? That is, what was it about her that led us, the judges, and the audience to think that she was not going to be a good performer?
- ~ Was the immediate reaction of the audience and the judges' justified?

Display Slide #5: Understanding Human Bias

Instructor plays the video of Susan Boyle's first performance on "Britain's Got Talent." Find it at www.youtube.com or at www.fairandimpartialpolicing.com under "Training Programs," "Train-the-Trainer," and "Resources for Trainers." (See the Fair Use Provision: Brief Summary of Recommendations in Trainer Resources and the Instructors' Guide). Show the video starting where she walks onto the stage (about 36 seconds in) and through the end to include the comments by the judges' panel. Follow with a discussion/debrief.

Display Slide #6: Susan Boyle

Susan Boyle - Britain's Got Talent

Let's explore what Susan Boyle's video tells us about human bias. It demonstrates the fundamental concepts of human bias and some of the fundamental lessons of this training:

- ~ Bias is a normal human attribute; everyone, even well-intentioned people, are biased
- ~ Biases are often unconscious or "implicit"
- ~ Implicit biases manifest even in individuals who, at the conscious level, reject prejudices and stereotyping.
- ~ Implicit biases can influence our actions
- ~ Understanding how implicit bias can affect perception and behavior is the first step toward developing our skills to "override" our implicit biases.

Display Slide #7: Fundamental Concepts of Human Bias

Fundamental Concepts of Human Bias

- Bias is a normal human attribute-even *well-intentioned* people have biases
- Biases are often unconscious or "implicit"
- Implicit biases manifest even in individuals who, at the conscious level, reject prejudices and stereotyping
- Implicit biases can influence our actions
- Understanding how implicit bias can affect our perceptions and behavior is the first step to "override" implicit bias

So let's take a deeper look at what we just experienced with Susan Boyle and what it says about the thinking process and implicit bias. In particular, let's explore these three questions:

- ~ Whom are we most likely to pre-judge?
- ~ What determines the characteristics we attribute to them?
- ~ Do we know when we are pre-judging people?

Humans tend to prejudge other people on sight. We attribute characteristics to them based on appearance and behavior.

We prejudged Susan Boyle on sight - made conclusions about her ability to sing based on her appearance/behaviors on stage.

Instructors: Note that this next slide just provides a quick preview of the questions to be asked and answered below. [Just state the questions, don't start to answer them.]

Display Slide #8: Understanding Implicit Bias

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Understanding Implicit Bias (Preview of questions to ask/answer)

- Whom we are most likely to pre-judge?
- What determines the characteristics we assign to them?
- Do we know when we are prejudging people?

Whom are we most likely to pre-judge in this manner? We are more likely to prejudge the people we don't know.

Because we don't know the person, because this person is what scientists call an "ambiguous stimuli"-we are inclined to "fill in" what we don't know about the person.

What determines the characteristics we assign to them? What do we use to "fill in" this person?

We fill in this person's blank slate with group stereotypes.

Stereotypes are generalizations about groups-often based at least in part on facts. Stereotyping is one of the many ways we organize all the information that we must process every day.

What stereotypes might people attribute to these people?

Note to instructors: The first two bullets on the next slide will come up with separate clicks as the trainer asks/answers the questions.

Display Slide #9: Understanding Implicit Bias-Answers

To Understand Implicit Bias• Answers

- Whom do we pre judge?
' „We prejudge ..ambiguous stimuli'
- What determines the characteristics we attribute to them?
;;Group ~Mreotypesfbtases

Instructors will click through the pictures of individuals and ask the question at left.

Display Slides #10-12: Pictures of individuals that may prompt stereotypes

We will return to the important point about stereotypes being based, at least in part, on facts.

The downside of stereotyping is that it does not recognize individuality, and policing MUST recognize individuality in order to be effective, safe, and just.

Do we know when we are prejudging and stereotyping people? The short answer is "not always." Prejudging is one of the mental processes that **can and does** occur outside of our conscious awareness.

DisplaySlide #13: To Understand Implicit Bias:

To Understand Implicit Bias:

- Whom do we pre judge?
 owe prejudice "ambiguous stimuli"
- What determines the characteristics we attribute to them?
 uGroup stereotypes/biases
- Do we know when we are doing this?
 nNot always.

(**Bases on Which People May be Stereotyped and Treated Differentially**

When talking about bias in policing, many refer only to biases or stereotypes based on race, ethnicity or nationality. But these are not the only bases on which people stereotype. They comprise just one subset.

What are *other* bases on which people are stereotyped that could lead to differential behavior on the part of police as well as others in our society?

There are bases-other than race/ethnicity-on which people are stereotyped that could lead to differential behavior on the part of society members, including police. You listed a number of these including:

- ~ Income
- ~ English language abilities
- ~ Gender
- ~ Age
- ~ Religious affiliation
- ~ Profession
- ~ Sexual orientation, identity

Click once to produce the heading at the top of the slide and ask the question. Have students generate answers and then click again to produce the list on the slide.

Display Slide #14: Bases on Which People May Be Stereotyped and Treated Differentially

Bases on Which People May Be Stereotyped and Treated Differentially

- Income
- English language abilities
- Gender
- Age
- Religious affiliation
- Profession
- Sexual orientation, identity
- etc.

Note to Instructors: *This may be an appropriate time to take a 15 minute break to set up the role play.*

Now we are going to conduct a role play exercise.

Role Play: Woman/Man with a Gun

Discussion/Debrief:

If the recruit team(s) responding to the women were less vigilant than the recruit team(s) that responded to the men:

- ~ Why do you think the recruit teams acted differently with the female versus the male subjects?
- ~ With what societal stereotypes is this behavior consistent?
- ~ What is the potential ramification to the officers of stereotyping women as not dangerous?

If the recruit teams responded with similar vigilance to the women and men:

- ~ Do you think some officers might have responded differently to the females than to the males?
- ~ With what societal stereotypes would that behavior be consistent?
- ~ What danger would they put themselves in?

This scenario, should make us consider:

- ~ What types of judgments we make based on a person's demographics and other factors.
- ~ How, when we fill in the blank slate of an "ambiguous stimuli" with "stereotypes," we can make wrong decisions.

This role play exercise brings home the point that policing based on stereotypes is unsafe.

Instructor implements "Woman/Man with a Gun" role plays. Refer to instructions and then debrief with the appropriate set of questions at left.

Display Slide #15: Role Play

Role Play

Display Slide #16: Key Point

Key Point of Role Play

Policing based on stereotypes is unsafe.

(The "Blink" Response

Malcolm Gladwell in his bestselling book "Blink" is basically talking about implicit biases. He refers to our snap judgments about people and other things as "thinking without thinking." In his book, he gives many examples of how the blink response• our "thinking without thinking"-can be helpful to humans, but it also can be fallible. Our "thinking without thinking" is not a reliable source of information to guide policing decisions.

Not frisking a female when we have information that she is armed, is an example of how relying on our blink responses can make us unsafe as police professionals.

A key lesson of this training is to recognize the "blink response" in us and replace it with objective judgments based on the particular facts we face.

Let's take a look at this scene from the film, "Money Train." You'll see Woody Harrelson who is playing an undercover officer.

Note to Instructors: Instructors may want to review Malcolm Gladwell's text prior to referencing it. Also, instructors might become familiar with other documents that describe the "thinking without thinking" concepts. See the "Psychology of Bias" tab at www.fairandimpartialpolicing.com

Display Slide #17: Key Points of the "Blink" Response

, ""f, i"

11~% .?if: f' ~: ;ff- < /J> . . .

Key Points of the "Blink" Response

- Recognize the "blink" response"
- Replace it with objective (bias free) judgments

Display Slide #18: Money Train

The instructor shows the clip from "Money Train" that portrays a scene on a subway where an officer witnesses a man being pick-pocketed by another man. (Scene

This scene demonstrates what we have learned about implicit bias. *We prejudge people we don't know.* The officer did not know the elderly woman, so he prejudged her.

We assign a group characteristic to them. The officer assigned a group characteristic to her-he decided that, as an old woman, she was not a criminal, she was not a risk.

Like the officer, *we don't always know when this is happening?* Often our biases are impacting us outside of conscious awareness. These are "implicit" biases.

The key point of this scene is that policing based on stereotypes is ineffective.

Selection #14, ftDipped".) The officer intercedes and points out to the victim that he has just been victimized. During the conversation, the officer realizes that he has been victimized as well-by the elderly woman who bumped into him in the train. While he saw her, he did not think that she was devious.

Display Slide #19: Stereotyping and Human Bias

Stereotyping and Human Bias

- We prejudge people we don't know
- We assign a group characteristic to them.
- We do not always know when this is happening.

(

Display Slide #20: Key Point

Key Point

Policing based on stereotypes is ineffective.

(You will deal, day in and day out, with an array of crime and disorder problems and interact with a wide range of community members from many cultures and circumstances.

Let's take a look at all-too-familiar images that we find on the streets of our nation's cities.

As you watch the following video, write down the various stereotypes that you or others associate with these individuals.

Note to Instructors Instructors should pass out an index card to each of the trainees.

The video is posted on YouTube: *Mad World Video-Gary Jules Homeless People* (by Fender 1990).

www.youtube.com/watch?v=CrPDVtxyiBk

This video is also available at www.fairandimpartialpolicing.com at "Training Programs," "Train-the-Trainer," and "Resources for Trainers." Play approximately 60 seconds of photos.

Alternatively, instructors can create a video with still photos of homeless individuals. Play without sound.

DisplaySlide #21: Mad World Video• Gary Jules

Mad World Video - Gary Jules

(What you just experienced is like a study conducted by Princeton University Professor Susan Fiske.

She used an MRI scanner to observe the brain activity in subjects when they saw pictures.

She reports that, generally, when people see pictures of humans, a certain part of the brain lights up. She has shown many subjects varied pictures of human beings and almost always that certain part of the brain lights up in the picture. It is the "this is a human being like me" MRI picture. Clearly this is not consciously activated; it occurs automatically.

At the conclusion of the video, instructor collects the cards. Read some of the responses on the index cards.

Common/relevant descriptors: lazy, drunk, disgusting, mentally ill.

The goal of this exercise is to elicit a discussion about biases **not based on race/ethnicity**. A video of homeless people is used here to highlight biases based on socio-economic status.

There is one exception. When the pictures are of the homeless, this part of the brain does not light up. That is, the brain does not register that these are human beings; instead the brain sees these people as "non human." The brain shows activity consistent with reactions of disgust and avoidance. This response occurs automatically.

Discussion Questions:

How do people in our society react to homeless people?

How might some officers-impacted by these same biases-treat the homeless person versus the person who is not homeless?

This exercise also helps us to think about how we, as officers, and society, in general, may treat people of low socio-economic status; or more broadly, how our biases may impact our behaviors toward people who are not "like us."

Our profession affords us the opportunity to deal with a wide range of groups of people. As police officers, we need to be aware how our implicit biases can lead to unfair, unjust, and ineffective policing.

We will return to these points later in this training. However, the key point we want to make here is that policing based on stereotypes can be UNJUST.

Possible Answers:

- ~ Avoidance of the homeless person
- }> Not making eye contact or looking away from the homeless person

Possible answers:

- }> Treat them with less respect
- }> Deal with them harshly
- }> Assume they are criminals
- }> Find their concerns or complaints less credible or worthy of attention

Display Slide #22: Key Point

Key Point:

Policing based on stereotypes (biases) is unjust.

The Race-Crime Association

We have discussed some of the basics of implicit bias. Humans fill in "ambiguous stimuli" with group stereotypes. Often we don't know this is happening and yet it can impact on our perceptions and behavior.

Display Slide #23: The Race-Crime Association Studies

Research has documented implicit biases based on ethnicity/race, gender, sexual orientation, body shape, and age, to name a few.

Display Slide #24: Research documenting implicit biases

Research has documented implicit biases ("blink responses") linked to

- Ethnicity and race (e.g., Nosek, Banaji and Greenwald, 2002)
- Gender (e.g., Banaji and Hardin, 1996)
- Sexual orientation (e.g., Dasgupta and Rivera, 2008)
- Body shape (e.g., Bessenoff and Sherman, 2000)
- Age (e.g., Perdue and Gurtman, 1990), etc. etc.

And there are studies focusing on specific professions, such as doctors, nurses, prosecutors, judges, teachers, and law enforcement.

Display Slide #25: Implicit biases related to all professions

Relevant to Humans in gJJ professions

Relevant to Humans in gJJ professions

- Current studies focusing on
 - o Doctors, nurses (e.g., VanRyn & Saha, 2011)
 - Biases on the basis of race, class, weight
 - o Lawyers, prosecutors and judges
 - Gender (e.g., Levinson & Young, 2010)
 - Race/ethnicity (e.g., Smith & Levinson, 2012)
 - o School teachers (e.g., Van den Bergh et al. 2010)
 - o Law Enforcement (e.g., Correll et al., 2007; Peruche & Plant, 2007)
 - o Etc. etc.

We will turn now to a specific subset of implicit biases that has particular relevance for the police profession: the Black-crime implicit bias. We will look at how we link Blacks to crime.

There are a number of scientific studies that have documented this implicit bias.

Display Slide #26: Turning to black-crime implicit bias

Turn now to research on an implicit bias with particular relevance to policing.

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(or 'Impilcil As5l)oi-tion'>

The "Shove" Study

First, let's take a look at a study in which the subjects watched a video of two people interacting. The discussion of the two individuals being observed in the video became heated and one of the two gave the other an "ambiguous shove." By ambiguous, I mean that the shove wasn't clearly aggressive and yet wasn't clearly "playing around" either. The subjects were then asked to rate the observed individuals' behaviors in terms of their level of aggressiveness and violence.

Some of the subjects saw a Black individual give the shove; others saw a White individual give the shove. Importantly, the Black and White actors had practiced many times to ensure that their shoves were identical. The researchers also made sure that other aspects of the individuals were the same, including dress, expression, and so forth.

How do you think the subjects interpreted the shove by the Black person versus the shove by the White person?

Note to Instructors: The "Study," "Results," and "Replicated" bullets will appear with separate clicks.

Click once to show the "Study" bullet.

Display Slide #27: The "Shove" Study

The "Shove" Study

- Study: How did people interpret the shove by Black vs. White subjects?
- Result: The "shove" was perceived as more threatening when performed by a Black
- Replicated and showed that this was true for both White and Black subjects.

Click again to produce the "Results" bullet.

The researchers found that the subjects were likely to label the shove as more aggressive, more violent, when it was performed by a Black person than when the same act was performed by a Caucasian.

This was shown to be true for both White and Black subjects. We'll return to this point that even people who hold *conscious* non-prejudiced attitudes can be impacted by implicit biases.

This study provides support for what researchers call the Black-crime association.

The "Shove" study indicated that people are inclined to think Blacks are more aggressive.

Click a third time to show the {<Replicated" bullet.

Note to Instructor: *If asked, the instructor would report that this study used college students as research subjects. This fact should not reduce the credibility of the findings, however, as (1) many other studies, including some that use police officers as research subjects, affirm the findings found here; and (2) recruits and patrol officers are similar to college students.*

The Visual Perception Study

Another study, conducted by Jennifer Eberhardt of Stanford University and her colleagues, also tested the existence of the Black-crime implicit bias.

During the first phase of the study, the subjects sat passively in front of a computer screen. They were "primed" with Black male faces, White male faces or no faces. That is, one-third of the subjects saw flashing Black male faces, one-third saw flashing White male faces, and one-third• the control group-saw no faces (they saw only flashing lines).

In the second phase, the subjects were again in front of computer screens. They were shown a series of blurry objects that would become more and more clear with each frame advance. This happened very quickly and they were instructed to hit a certain computer key as soon as they could discern what the object was. They would then be asked to name the object.

Display Slide #28: The Visual Perception Study

The Visual Perception Study

- Subjects were "primed" with Black male faces, White male faces, or *no* faces
- Completed object recognition task

(Eberhardt, Goff, Purdie, & Davies, 2004).

For instance, here is frame 1, frame 25 and frame 41.

Note to Instructor: Instructor clicks three times on the gun slide to show how the object becomes more and more clear. [These slides are used with the permission of Dr. Eberhardt.]

Display Slide #29: Levels of degradation

Levels of Degradation

Half of the objects were related to crime.

Display Slides #30 - 31: Crime relevant objects

Crime Relevant Object

Crime Relevant Object

*Display Slide #32: Crime
neutral/irrelevant objects*

Other objects were crime neutral/irrelevant.

**Crime Neutral
Irrelevant
Objects**

The researchers measured how quickly the subjects were able to discern the object.

They wanted to see if thinking about Black faces (from the first phase of the study) made the crime objects more "accessible" to subjects.

Before we look at their hypotheses, let's consider some relevant background science. If two concepts are linked in our heads, psychological researchers have determined that, if we bring one to the fore, the other one is close behind. It is readily accessible.

So, for instance, if spent a few minutes speaking to you about doctors and medicine and then asked you to name a profession associated with females you would say *[Let the students fill in the blank with "nurses."*¹ You wouldn't say

school teachers or nannies. Having you think about doctors and medicine made "nurses" accessible. That helps us understand the hypothesis for this study.

The key hypothesis was that, if the Black crime implicit bias exists, then participants primed with Black male faces should be faster to identify crime-relevant objects than those primed with White male faces.

They further hypothesized that there should be no effect of the "priming" for how quickly the subjects could discern crime-irrelevant objects.

Let's look at the results.

At the bottom of this graph, we see our three groups-the groups that saw White faces, no faces and Black faces during the first part of the study.

At the left it says "frame number." The bars that will appear will indicate how quickly the groups of objects were identified. A low bar indicates "faster" responses (detecting the object in an early frame) than a high bar.

First I'm going to show you how quickly subjects in the three groups saw the non-crime objects.

The hypothesis is that there will be no differences in how quickly subjects in the three groups see non-crime objects. There is no reason to believe that people who looked at, say, Black faces, will see an umbrella more quickly than someone who looked at White faces or no faces.

These results confirm the hypothesis. Even though those bars look a little different in terms of their heights, those differences are not statistically significant. These bars

DisplaySlide #33: Hypotheses

•ff ;~\$g~))1i):il:?!<.

Hypotheses

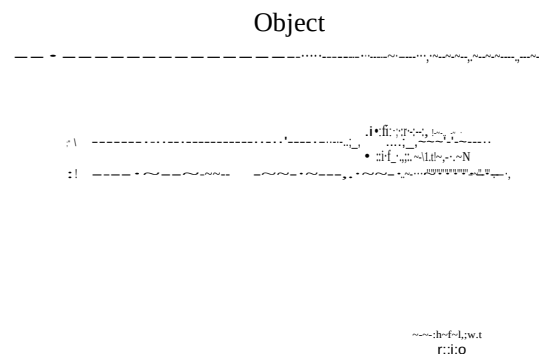
If the Black-crime association impacts our visual perception, then:

Participants primed with Black male faces should be faster to identify crime-relevant objects than those primed with White male faces.

There should be no effect of prime for crime-irrelevant objects.

Note to Instructors: The slide will first appear as shown below; then instructors should click six times, as directed, to produce results.

DisplaySlide #34: Study Results



Click three times to produce the three blue bars.

(show "no difference" in how quickly the three groups saw non-crime objects.

Next let's see what happened when the control group saw crime objects. Again, the hypothesis is that the speed at which they detect crime and non-crime objects should not be different because they did not see White or Black faces.

This confirms what we would expect. There is no reason to expect that people who looked at lines on a screen would detect blurry pictures of crime and non-crime objects differently.

But, if there is a Black-crime implicit bias, we would see it in the next two bars I will show.

Did the subjects who saw the Black faces in part 1 of the study see the crime objects more quickly than they saw non-crime objects and more quickly than the control group?

Yes, the subjects who saw the Black faces in part 1 of the study discerned the crime objects significantly more quickly than they did the non-crime objects and more quickly than the control group.

This shows: Exposure to Black male faces facilitated the identification of crime-relevant objects. This indicates a link in people's heads between Black faces and crime.

But importantly, we need to see if exposure to White faces impacted on how quickly subjects saw crime related objects. Again, the hypothesis is that seeing White faces will NOT facilitate recognition of crime objects.

Click once to show the green crime-relevant "No Prime" group.

Click once to show the green crime-relevant bar for the "Black Prime" group.

Click one last time to show the green crime-relevant bar for the "White Prime" group.

This is striking and is consistent with the hypothesis. This very high bar-higher than all others-actually indicates that seeing White faces HINDERS the recognition of crime objects. This implies we do not connect White faces and crime.

Object

The Findings: The results of Eberhardt and her colleagues affirmed a black-crime implicit bias:

- ~ Exposure to Black male faces facilitated the identification of crime-relevant objects.
- ~ Exposure to White male faces inhibited the identification of crime-relevant objects.

Display Slide #35: Results affirmed a black-crime implicit bias

Results: Affirmed a Black-Crime Implicit Bias

- Exposure to Black male faces facilitated the identification of crime-relevant objects.
- Exposure to White male faces inhibited the identification of crime-relevant objects.

Note to Instructors: Instructors may wish to switch here.

Be a Research Participant

Now, let's look at a study that shows how an implicit race-crime bias can impact on behavior.

A look at the work of Josh Correll, a professor of Psychology at the University of Chicago, and his colleagues will demonstrate the dangers of allowing stereotypes/biases to influence your actions.

Josh Correll and his colleagues conducted a study to assess whether the race of the person made a difference-using images on a computer screen of people holding a gun or harmless object. The participants were told if they saw someone holding a gun to press a computer keyboard key labeled "shoot." But if they saw a harmless object, they were to press a key labeled "don't shoot." They were directed to act as quickly as possible. Again, the people in the photos varied by race and whether they were holding a gun.

We will attempt to give you a flavor of this study from the subject point of view. I'm going to show you images of people and if you see a person holding a gun, shout 'THREAT.' If you see a person holding a harmless object, say nothing. Like the research subjects, you must respond as quickly as possible.

Ready? Here we go.

Display Slide #36: Be a Research Participant

Be a Research Participant!

- We will see slides of backgrounds and then a person will appear-very quickly• with something in his hands.
- Shout "Threat" if you see a threat
- [Silent if no threat]

Note to Instructors: Flash through the following slides very quickly. The trainees should have no more than a split-second to respond.

These slides are used with the permission of Dr. Josh Correll.

Display Slides #37 - 56.

Correll and his colleagues measured:

- }- **Speed:** How fast people made the decision to "shoot" or "not to shoot"
- }- **Errors:** Whether or not the "shoot, don't Shoot" decision was the right decision

Results and Implications for Law Enforcement

The findings have critical implications for all of us in policing.

- }- Race did make a difference• affirming the implicit Black-crime bias.
- }- In terms of speed: Participants shot a White armed man slower than a Black armed man. The implication: An officer may react too slowly and be at risk of injury or death.
- }- With respect to errors: Participants were more likely to "shoot" an unarmed Black man than an unarmed White man.

Again, the Black-crime implicit bias is just one example of an implicit bias related to police.

Another example is a study looking at how we link Muslims with danger.

The Turban Effect Study

For example, a study published in 2008 by Australian researchers replicated Correll's methods but included Muslim-looking people in the computerized exercise.

Volunteers played a computer game that showed apartment balconies on which different figures appeared, some holding guns, others not; some were wearing Muslim-style turbans and others were bare-headed.

Display Slide #57: Correll Results: Race Made a Difference

Correll Results: Race Made a Difference

Speed: Participants shot a White armed man slower than a Black armed man.

Errors: Participants were more likely to shoot an *unarmed* Black man than an unarmed White man.

(Correll, 2002)

Note to Instructor: *The speed measure reflects that fact that individuals are slower to process "stereotype incongruent targets." As an example, since we link Blacks to weapons, it takes us longer to process the "stereotype incongruent" picture that has an unarmed Black (incongruent) than it would to process an armed Black (congruent).*

Display Slides #58: The Turban Effect Study

The Turban Effect Study

- Research volunteers played a computer game that showed apartment balconies on which different figures appeared, some wearing Muslim-style turbans or hijabs and others bare-headed.
- They were told to shoot at the targets carrying guns and spare those who were unarmed.

The subjects were told to shoot at the people carrying guns and spare those who were unarmed.

The researchers found that subjects were more likely to "shoot" at Muslim-looking (with Islamic headdress) people.

They also found a gender effect. Subjects were more likely to shoot men than women (even when the men were harmless).

Thus, these findings indicate that the race-crime bias applies to other minority groups. Implications: Implicit Bias Linked to Officer Safety and Effectiveness

What these studies show is that implicit biases may lead officers to see danger when it is not there and act aggressively with someone who is not actually a real threat; this is *over-vigilance*.

Conversely, officers may place themselves in danger by not reacting to a real threat; this is *under-vigilance*.

We saw under-vigilance with the "woman/man with a gun" role play. We saw this in the "Money Train" scene, as well. Officers who are under-vigilant because they are policing based on group stereotypes can put themselves in danger or be ineffective in preventing/solving crime.

Because of the race-crime implicit bias, officers:

- ~ May increase scrutiny of people of color
- ~ May interpret ambiguous behavior on the part of people of color as more threatening
- ~ May respond to people of color more aggressively

Display Slide #59: Turban Effect Results

The Turban Effect Results

- People were much more likely to shoot Muslim-looking characters even if they were carrying an 'innocent item' instead of a weapon.
- They also found a gender effect: Subjects were more likely to shoot men than women even when the men were harmless.

(Unj., elbach, Forgas & Demmon. 2008)

Display Slide #60: The Race-Crime Implicit Bias Linked to Officer Safety and Effectiveness

The Race-Crime Implicit Bias Linked to Officer Safety and Effectiveness

- Officers may:
 - o Increase their scrutiny of people of color
 - o Interpret ambiguous behavior on the part of people of color as more threatening
 - o Respond to people of color more aggressively, as criminals
 - o Under-respond to Whites, Asians, etc.
 - o etc.

- > May under-respond to people who are not of color-for instance, Whites, Asians.
- > And so forth

There is a second study by Josh Correll that used police as subjects in a series of shoot/don't shoot simulations. We will talk about that study a little later in this training session.

Let's continue our review of what we know about biases and stereotypes.

Biases and Stereotypes are Often Based, at Least in Part, on Fact

Earlier today we talked about how stereotypes/biases are often based, at least in part on fact.

***Note to Instructor:** Instructors may wish to add an example or two from their own experience which further demonstrates the point that our implicit biases may lead to misjudgments. A good example might be when you were under-vigilant with a person because of his/her demographics, dress, or other factor.*

Display Slide #61: Biases are Based, at Least in Part, on Fact

This is true for the race-crime stereotype.

Numerous studies have shown a strong link between economic status and street crime. That is, poor people are disproportionately involved in street crime; conversely, people with means/money are under-represented among people who commit street crime. (They are more likely to commit white collar crime, not street crimes.)

In our country, as well as many other countries, there is disproportionate representation of people of color among lower income individuals.

***Note to Instructors:** After stating that stereotypes/biases are often based in part on fact, the instructor might provide an example from his/her own life. The instructor should be careful in selecting the example. The wrong selection will offend some in the room and/or otherwise present the instructor as a poor role model for the messages in this curriculum. The safest examples will use the instructor as the object of his/her own humor (e.g., you are a male who spent 45 minutes looking for a location because you would not ask for directions) or will link another individual to a positive group stereotype (e.g., the gay friend with fabulous taste in clothes and decor). A humorous example is best.*

Note to instructors: Many studies support the points made on the next slide. The Topical Bibliography lists a number of references for these points.

Note: The term "Street Crimes" is merely used to distinguish between crimes like burglary, prostitution, and robbery and "crimes of the powerful," that include tax evasion, fraud, and so forth.

Instructors should click three times to separately display the three bullets. Use the exact wording at left and on the slide.

Display Slide #62: Economic Status, Race and Crime

• Lower income people are disproportionately represented among people who commit street crimes

Economic Status, Race and Crime

- A= Lower income people are disproportionately represented among people who commit street crimes
- B = People of color are disproportionately represented in lower income levels
- A+B=C People of color are disproportionately represented among people who commit street crimes

So the result of those two facts-(A) lower income people are disproportionately represented among people who commit street crimes; (B) people of color are disproportionately represented among lower income levels-produces this outcome: A+B=C confirmed by criminologists: "People of color are disproportionately represented among people who commit street crimes."

This is an example of our statement that stereotypes are based, in part, on fact.

But, as we'll continue to show in this training, that stereotypes are based in part on fact does not justify you making policing decisions based on those stereotypes.

Where we err is when we automatically treat individuals in the group as if they fit the stereotype. **Policing decisions based on biases and generalizations about groups can be unsafe, ineffective and unjust.**

Instructors: Don't forget to make the important points at left!!

Let's take a look at this clip from the film "Crash."

DisplaySlide #63: Crash Scene-The Streets of Los Angeles

Discussion/Debrief:

In this scene, the character, played by Sandra Bullock, fears that two Black men are criminals and this turns out to be accurate. Her stereotype became true.

Of course, that happens sometimes. Yet there are also situations where a fear-or lack of fear-based on biases is inaccurate. You may assume a woman does not have a gun, when she does.

Your implicit biases might be right sometimes, but they can also be wrong. Because they are not reliable, you should not police based on your biases.

Policing based on stereotypes or biases is unsafe, ineffective, and unjust.

Note to Instructors Show the scene in crash where Sandra Bullock and her husband are robbed by the two Black males. (In the scene labeled "Blind Fear" at about 7:49.)

Key Point

Policing based on stereotypes/biases Is unsafe, ineffective, and unjust

Note to Instructors Instructors might switch here.

(**Implicit Bias Manifests in Non-Prejudiced People**

Display Slide #65: Implicit Bias Manifests in Non-Prejudiced People

So what else do we know about biases and stereotypes? As we shared earlier in this session: Implicit bias manifests itself even in non-prejudiced people. It manifests in people who **consciously** hold non-prejudiced ideals and attitudes.

One example of this finding is that many people who are themselves racial/ethnic minorities have a race-crime implicit bias. Recall, that in the "Shove Study," even Black subjects perceived the Black person's shove to be more aggressive.

This finding—that even members of racial/ethnic groups targeted by stereotypes have those same implicit biases—is true for other groups, too. Women can have biases about women, poor people can have biases about poor people, and so forth.

Understanding that bias manifests even in non-prejudiced people is important because some people think that biased policing is "someone else's issue." They think that because they have progressive attitudes towards racial and other groups that their behavior must be bias free. Quite likely, they are wrong.

Addressing Implicit Bias

Display Slide #66: Addressing Implicit Bias

So what do we do about our implicit biases? There are two "remedies" for our implicit bias affliction: (1) we can try to reduce our implicit biases, and (2) we can recognize our biases and thwart their impact on our behavior.

Let's look at what the science tells us about the first - trying to reduce our implicit biases.

We will discuss two mechanisms that have been shown by research to reduce our human biases. One is related to what has been referred to as the "contact theory" and another has to do with "unlinking" stereotypes.

We turn first to the "contact theory."

Contact Theory

According to the "contact theory," positive contact with other groups reduces both conscious and implicit biases.

That is, our biases toward a group are reduced when we have more positive contacts with that group. We begin to see members of that group as individuals.

If you remember, when we began this module, we talked about how we use stereotypes/biases to "fill in" people we do not know.

It is logical that the more we "know" people from different cultural, racial, socio-economic, religious, etc. backgrounds, the more we begin to see their individuality, which reduces our biases.

According to this theory:

Biases against Muslims are weaker in people who have positive interactions with Muslims.

Biases against Hispanics are weaker in people who have positive interactions with Hispanics.

Biases against gays and lesbians are weaker.

Biases against poor people, homeless are weaker

*Display Slide #67: Contact Theory:
Reducing Implicit Bias*

contacttheory: Reducing ImplicitBias

Positive contact with other groups reduces both conscious and implicit biases.

Note to Instructors: If you have a personal story which demonstrates the positive effect of the contact theory, you may wish to share it here.

Contact Theory and Cops

A study conducted by Peruche and Plant assessed the impact of positive personal contact on the implicit racial biases of police officers.

They measured implicit racial bias using computer "shoot, don't shoot" simulations and also had the officers complete questionnaires about positive and negative interactions with racial/ethnic minorities.

They found that officers with higher levels of positive contacts with racial/ethnic minorities had less or weaker implicit racial/ethnic biases.

So, just as the science of bias has helped us understand how normal, human biases can impact our perceptions and behavior, science has also demonstrated how we can use very normal, human interactions to help reduce our implicit biases.

And the contact theory works two ways for police. As discussed above, we can harness the contact theory to reduce our own biases. But additionally, we can use the contact theory to reduce community members' biases about police.

Let's watch this video.

These officers are apparently unknown to the community members. They are "ambiguous stimuli" and so the community members "filled them in" with negative stereotypes they have about law enforcement. What if, instead, these cops had formed positive relationships with the members of the community? They would be seen as individuals-and hopefully good cops-rather than as the stereotype. This is how we can use the contact theory to reduce biases against members of our profession.

Display Slide #68: Personal Contacts and Implicit Biases in Officers

Personal Contacts and Implicit Biases in Officers

- Peruche and Plant (2006) Measured implicit bias on the part of officers
 - o Shoot/don't shoot simulator to measure implicit bias.
 - o Police, too, manifest implicit racial bias
 - o But implicit racial/ethnic bias is weaker in officers who report positive interpersonal contacts with racial/ethnic minorities

Note to Instructors: Play the "Cops with a Boy" video on the fairandimparialpolicing.com web site ("Trainer Resources").

Unlinking Stereotypes

A second way to reduce our implicit biases is to train our brains to unlink the stereotypes. This strategy is more difficult to do because it took a lifetime to develop our group stereotypes.

That said, we want to share here some "good news" research about how high quality police firearms training seems to do just this-unlink the stereotypes we associate with groups.

A person could "unlearn" a linkage between threat (crime) and people of color IF they were repeatedly exposed to stimuli where there was a random pairing of threat and race. That is, the person might see threat linked to White people as often as they see threat linked to a person of color.

Similarly, with respect to gender stereotypes, a person can unlearn gender/threat pairings if they see women linked to threat as often as they see men linked to threat.

Some use-of-force scenario-based (role play) training methods (whether Simunitions or computer simulator) do just this. Over and over again, officers find themselves in scenarios where demographics do not predict threat. That is, they find during these scenarios that they are just as likely to face a threat from a woman as a man, from a White person as person of color, from an old person as a younger person.

Josh Correll's second study provides confirmation of this potential to "unlearn" the race-crime stereotype with good use-of-force training. In his second "shoot/don't shoot" study, Correll and his colleagues used both police and civilian research subjects. Again they measured the speed of the decision to shoot and the errors made.

Display Slide #69: Unlinking Stereotypes: Correll Study #2

Unlinking Stereotypes: Correll Study #2 (2007)

- Speed: Both police and civilians exhibited robust racial bias
- Errors: Bias was less likely to manifest itself in the decision to shoot by police
- Bottom Line: Police made the correct decisions.
- Implication: High quality, role play use-of-force training helps police "unlink" race & crime for split-second life-or-death decisions.

(One measure-speed-confirmed that unconscious racial bias exists in both police and civilians.

But, importantly, in terms of errors, police (even though biases slowed some of their responses) were likely to make the right decision to shoot or not shoot.

The researchers concluded that police do have implicit racial biases, but frequent, scenario-based use-of-force training that randomly pairs threat and demographics helps police "unlearn" stereotypes about who may pose a threat when it comes to the split second, use-of-force decisions, such as decisions to shoot.

Note to Instructors: Do not generalize the results of Correll #2 beyond the use-of-force decisions encompassed by scenario-based use-of-force training. Implying that this finding generalizes to all police decisions is untrue and negates the key messages in this unit.

Implementing "Controlled" Behavior

(Again, we are discussing here what we are supposed to do about our human biases. Above, we talked about mechanisms for reducing implicit bias-referencing the contact theory and how police training seems to "unlink" stereotypes and groups for those key split-second use-of-force decisions.

Display Slide #70: Implementing "Controlled" (unbiased) Behavior

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Implementing Controlled (unbiased) Behavior"

- If we recognize our biases
- We can implement ~controlled behaviors" that override our (natural) Implicit biases.

One of the most important and effective ways we can respond to our human biases is to recognize them and decide NOT to let our behavior reflect those biases.

The scientists talk about implementing "controlled behaviors" instead of behaviors based on biases. They have shown that people who recognize their biases and are motivated to be unbiased, can effectively override their biases and implement fair and impartial behavior.

Summary

In summary, what have we learned?

Bias is a normal human attribute-even well-intentioned people have implicit biases.

Biases are often unconscious or "implicit."

Implicit biases manifest even in individuals who, at the conscious level, reject prejudices and stereotyping.

Implicit biases can influence our actions.

Understanding how implicit bias can affect our behavior is the first step to "override" implicit bias.

The next module will explore how biased policing impacts on community members and police departments.

Display Slide #71: The Fundamental Concepts of Human Bias

Fundamental Concepts of Human Bias

- Bias is a normal human attribute-even *well-intentioned* people have biases
- Biases are often unconscious or "implicit"
- Implicit biases manifest even in individuals who, at the conscious level, reject prejudices and stereotyping
- Implicit biases can influence our actions
- Understanding how implicit bias can affect our exceptions and behavior is the first step to "override" implicit bias

Note to Instructors: Instructors should

Take a short break here and switch.

Fair and Impartial Policing

Module 2: The Impact of Biased Policing on Community Members and the Department

Instructor: Name of Instructor/Trainer

Time: 60 minutes

Summary and Rationale:

The purpose of this module is to discuss how biased policing affects the department and the community. It provides an opportunity for officers to hear, first-hand, from individuals-including sworn officers-who have been the subject of bias, including biased policing. This module also discusses the impact of biased policing on the department through the concept of police legitimacy. The module articulates how legitimacy is threatened and how it is strengthened. The importance of procedural justice in producing police legitimacy is highlighted and the role of fair and impartial policing is discussed. Students learn skills for producing procedural justice

Performance Objectives:

At the completion of this module, trainees will be able to:

- > Reflect upon and articulate the impact biased policing has on community members.
- > Reflect upon and articulate the impact of biased policing on their law enforcement organizations.
- ~ Understand the importance of police legitimacy and the threats to it.
- > Understand how procedural justice produces police legitimacy and be able to articulate the major components of procedural justice.
- > Understand the central role of fair and impartial policing in producing procedural justice and thus legitimacy.

Equipment:

- > Laptop with internal DVD drive
- > Projector and screen

Materials/Resources:

- ~ Testimonials from agency personnel or community members who have been subjects of police bias
- } California POST video, "Racial Profiling: Issues and Impact." (This training video is only available to California law enforcement agencies and academies.)
- ~ Video: Civil Rights Protest, Alabama 1963
- ~ Video: Baltimore Cop and Skateboarder
- ;. Participants' Manuals

Room Setup: The optimal setup is a "U" shaped configuration or a large semi-circle configuration to allow training participants to see each other throughout the training session. However, if the recruit class is large, a standard classroom configuration may be used.

Comments: The Testimonial. The most powerful training tool of this module is the testimonial(s) from citizens, officers (including individuals from the class), and leadership from the law enforcement agency/academy who perceive they have been subjected to police bias. (Instructors could also arrange for individuals to speak about other bias experiences that did not involve police, for instance, experiences involving bias manifested by retail establishment, landlords, etc.)

Police professionals, from the law enforcement agency, can be particularly powerful and effective voices. Instructors are encouraged to identify speakers who can speak, not only to racial/ethnic bias, but to other potential biases, such as those based on gender, age, socio-economic status, religious affiliation and/or sexual orientation.

This personal commentary can have a lasting impression on trainees. It is important that instructors carefully consider and select the speakers they will engage for this session. If a class member is selected, s/he should be one who has garnered the respect of his/her fellow classmates.

Additionally, it should be very clear, from the experience s/he shares, that *biased policing* occurred. (Otherwise, it might just be a story about "bad" policing that just happened to involve a minority group member.) Sometimes the language used by the police involved in the incident conveys this; in other situations, the person may be able to articulate that the way s/he was treated by the police was different from that received by a person not in a group that is subject to police biases. For example, in a testimonial included in a CA POST training video, an off-duty Black officer, changing his flat tire, could compare how he was treated by the responding police officer to the Caucasian person also changing a tire nearby.

There are several alternatives to presenting "live" testimonials in class. The instructors could show videos of testimonials. Instructors may go to:

www.fairandimpartialpolicing.com for sample video testimonials. (See "Training Programs," "Train-the-Trainer" and "Resources for Trainers.")

California Trainers:

Instructors from California agencies and academies may use the California POST training video that includes effective case scenarios of biased policing. Instructors show the California POST: "Racial Profiling: Issues and Impact" training DVD segment, "Bike rider out of place." Show the entire segment, including the subsequent segments in which the Black man discusses his experience with his wife. These are segments at 23:14 and 31 :58 on the DVD.

Instructor debrief: *Thinking about the video segment*

- ~ *How is the bike rider feeling? How would you feel?*
- ~ *What is the potential long-term impact of this interaction on the relationship between the bike rider and the officer(s) assigned to his neighborhood? Or to the police department as a whole?*

Additionally or alternatively, instructors could show the California POST: "Racial Profiling: Issues and Impact" segment that depicts an off-duty police officer changing his tire. This segment is at about 44:15 on the DVD.

Instructor debrief:

- ~ *This individual was relatively understanding although offended. How might another person-who is not himself an officer-fee/ about such an experience? How might it affect his overall attitude toward police?*

With either or both videos, the discussion of how these interactions might impact on the subject's view of the police will provide a transition to the discussion of police legitimacy.

Alternatively, instructors may wish to create their own training video by filming [with the written consent of the individual(s) being filmed] the testimonials provided at a training session that can be shown in later training sessions. (If you film a testimonial and the speaker agrees, please send it to the FIP team for posting on the web site for others to use.)

Another alternative to "live" testimonials, is the presentation and discussion of testimonials contained in written works. For instance, in his book, 'The Presumption of Guilt,' Harvard Law Professor Charles Ogletree recounts the stories of 100 African American men-both famous and everyday Americans• who reflect on their experiences with law enforcement officers. Instructors can either read select narratives from the text and engage trainees in discussions

about the scenario or instructors may wish to adapt various narratives and create a series of case studies to be used during small group exercises and discussion.

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The Impact of Biased Policing on Community Members and the Department

CONTENT

Introduction

During the previous session, we described what science has taught us about implicit bias, how implicit bias can impact on the perceptions and behavior of you and your fellow officers.

We focused on forms of implicit bias that have particular relevance for policing, including the race-crime implicit bias.

We argued that biased policing results in ineffective, unsafe and unjust policing.

In this session, we will look at the impact of biased policing on community members and on the law enforcement agency.

INSTRUCTOR NOTES/REFERENCE

Display Slide: The Impact of Biased Policing on Community Members and the Department

The Impact of Biased Policing on Community Members

Biased policing, whether subtle or overt, can have detrimental effects on community members.

Display Slide: Biased Actions Can Negatively Impact

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Biased Actions Can Negatively Impact:

- Community members
- Your law enforcement agency

OPTION: Live Testimonial

We have asked _____ to share his/her experience with you.

Display Slide: The Impact of Biased Policing on Community Members

Possible prompts/questions:

- >- Tell us about the bias situation you encountered.
- >- How many times have you experienced a situation which you perceived as biased?
- >- How did you feel immediately/during the interaction with the officer(s)?
- > What were your feelings later, when you had a chance to think about the interactions in detail?
- >- Did you share your experience and feelings with others? Why or why not?
- >- Did the interaction change your perception of police officers? In what way?

Articulate "the take-away" from your experience that would help trainees in their future interactions with the community.

The Impact of Biased Policing on Community Members

Testimonial

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Note to Instructors: The purpose of this lesson is to put a "human face/emotion" on biased policing and to create a learning environment where trainees can safely and comfortably discuss their own experiences.

If a live testimonial is not possible, instructors may refer to videos located at www.fairandimpartialpolicing.com. Instructors may also refer to the summary sheet for this module which describes other options to replace a live testimonial.

OPTION: Videos at www.fairandimpartialpolicing.com

Possible questions (depending on the video content):

- *Police officers are often more understanding of these situations. How might a non-sworn person feel about this incident?*
- *How might such an experience impact on this person's view of police?*

The Impact of Biased Policing on the Law Enforcement Agency

Biased policing can also have detrimental impacts on your law enforcement agency. We will explore this impact through the concept of police legitimacy.

"Police Legitimacy": The public view that the police are entitled to exercise authority.

Legitimacy reflects the trust and confidence in the police; if people see the police as legitimate, they are willing to accept police authority.

Legitimacy is beneficial to the police because it promotes acceptance of police decisions; cooperation with the police; and, it can even promote compliance with the law.

Display Slide: The Impact of Biased Policing on the Law Enforcement Agency

The Impact of Biased Policing on the Law Enforcement Agency

Police Legitimacy

The public view that the police are entitled to exercise authority.

Display Slide: Legitimacy Promotes

Legitimacy Promotes

- Acceptance of police decisions
- Cooperation with the police
- Compliance with the law

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What specific things might people do if they have trust and confidence in the police, that is, if they see your police department as a legitimate authority?

On the first click, the heading of the next slide will appear. After trainees have generated some responses to the question at left, click to display some response options.

Display Slide: Community Members
Community Members Who See Police as Legitimate Authorities

- Assist with crime prevention efforts
- Call the police when a crime occurs
- Provide information about criminal activity
- Serve as a witness
- Believe an officer who is testifying.

Research demonstrates that police cannot be effective without the support and cooperation of the community.

Threats to Police Legitimacy

There are significant threats to police legitimacy, some of which you can impact and some that you cannot. Some key threats are the history of police in this country, the views that immigrants bring with them, and disrespectful, abusive and/or biased interactions with community members.

Display Slide: Threats to Police Legitimacy
Threats to Police Legitimacy

- History of police in the US
- Views of police that immigrants bring with them to the US
- Disrespectful, abusive and/or biased interactions with community members

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One threat to legitimacy that you cannot impact directly is police history, including modern history.

Since the establishment of the first police forces in the United States, the police have faced numerous challenges to their legitimacy as an institution, usually as a result of police misconduct.

Instances of police misconduct including use of excessive force-whether from the 1950s and 1960s or as recently as incidents such as Amadou Diallo in New York and Rodney King in Los Angeles-are embedded in the memories of local communities. Such incidents have produced reactions ranging from indictments of police practices to full scale riots.

*Display Slide: Policing History and Our Communities***Policing History and Our Communities**

- Cases of national attention
 - o Live in our national memory
- Cases of local attention
 - o Live in our community members' memory for generations

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Particularly important for our discussion today, the police had very tumultuous relationships with some of the diverse communities that they served. This included people of color, immigrants, gays and lesbians to name a few.

Take a look at this video showing the police during the civil rights era.

Display Slide: Civil Rights Protest Alabama 1963

Note to Instructor: This 2:11 video is available on YouTube: www.youtube.com. Search: "Civil Rights Protest Alabama 1963" Note that the beginning of the video depicts respectful and peaceful interection between the protesters and the police-as the video progresses, the interaction becomes slowly more and more violent.

While many of you have no direct memory of these events and while you personally did not create this history, you police individuals who do remember this history and whose views of police are still impacted by them. With these individuals, the challenge is even greater to produce police legitimacy.

Display Slide: Understanding Our History

Understanding our History

- You personally did not create our history
- But you police within the context of it.
- With certain individuals, it is even harder to produce police legitimacy.

Slide: Stonewall: 1969

And the police history of tumultuous relationships with communities is not limited to people of color.

Some of you might be aware of the confrontations between NYPD and the gay customers of the Stonewall Inn-a popular nightclub in Greenwich Village-and the subsequent protests which launched the gay rights movement.

Beginning of the Gay Rights
Movement

Note to Instructor: This incidents of Stonewall are as follows:

In the early hours of June 28, 1969, a group of gay customers, who had grown angry at what they perceived to be police harassment, took a stand and a riot broke out. (NY law prohibited openly gay behavior and NYPD regularly raided businesses that gay men and women frequented.) For days following, demonstrations of varying intensity took place throughout the city. The Stonewall riots inspired LGB Tpeople throughout the country to organize in support of gay rights, and within two years after the riots, gay rights groups had been started in nearly every major city in the United States.

Another threat to legitimacy that you cannot impact directly is the views of police that immigrants to this country bring with them. These immigrants bring with them their own experiences with police some of which are very abusive and tyrannical.

Display Slide: Policing Our Immigrant Communities

Policing Our Immigrant Communities

- Immigrants from nations in which the police are tyrannical and abusive
- Immigrants may be hesitant to trust American police officers-based on their experiences in their home countries

Again, police history-including the histories that immigrants might bring with them to this country-is one of the challenges to achieving legitimacy. It is, however, one that you cannot impact directly; that is, you cannot change that history.

But there is another threat to police legitimacy that you *can* impact directly. This threat comes from the one-on-one interactions with community

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members that police have every single day. Disrespectful, abusive, and/or biased behavior will impact on police legitimacy. It will harm the trust and confidence that you need to do your jobs.

Display Slide: Strengthening Police Legitimacy Through Procedural Justice

Strengthening Police Legitimacy Through Procedural Justice

Now let's turn to the ways that police officers can strengthen police legitimacy. Police legitimacy can be achieved through procedural justice, which encompasses fair and impartial policing.

Display Slide: Procedural Justice

Procedural Justice

(The term "Procedural Justice" refers to the procedures used by police officers where community members are treated with respect, dignity and fairness.

The procedures used by police officers where community members are treated with respect, dignity and fairness.

Display Slide: Achieving Police Legitimacy
Achieving Police Legitimacy

Procedural justice is what you can implement during every single encounter that you have with the public and, in so doing, you will enhance your agency's legitimacy. Police gain legitimacy - and thereby the support of community members - through procedural justice, including fair and impartial policing.

To help us better understand HOW procedural justice influences community members' assessments of encounters with police, let's take a look at the "Procedural Justice Formula."

- A = Outcome of interaction with the police (e.g., warning, ticket, arrest)
- B = The process used by the police during the interaction (e.g., respectful, fair)
- $A+B=C$
- C = A community member's assessment of the officer and the organization.

The procedural justice perspective acknowledges that in an interaction with a community member, the outcome for that person will matter to them.

That is, the person will evaluate the encounter, in part, based on whether s/he was given a ticket, arrested, and so forth. But as important, or even more important to that person's evaluation, will be *how s/he was treated* by the officer. Did the officer listen? Was she respectful? Was she fair and impartial?

Let's take a look at these data from a study looking at how community members evaluate encounters with the police. In this study, individuals who had been subject to a traffic stop reported in a survey on the outcome of the stop, how the officer treated them, and on their overall impressions of the officer and the stop.

In this first set of results we have the subject's overall evaluation of the officer and the department and we can compare those results across those who were and were not given a ticket. The respondents who either did or did not get a ticket rated the event in terms of:

- Whether the officer handled the situation well
- How satisfied they were with the way they were treated
- Their trust in the police department to make decisions.

Display Slide: The Procedural Justice Formula

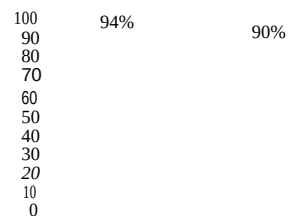
Procedural Justice Formula

- A = Outcome of interaction with police officer (e.g., warning, ticket, arrest)
- B = The process used by the police during the interaction (e.g., elements of procedural justice such as respect)
- $A+B=C$
- C = Community member's assessment of the officer and department

Note to Instructor: The following slides are used with permission from Professor Dennis Rosenbaum, Principal Investigator of the NIJ Platform Project. Professor Rosenbaum is a professor of criminology, University of Illinois at Chicago.

Display Slide: Outcome Matters

Outcome Matters: Getting a Ticket



Did this officer handle the situation well? How satisfied were you with the way you were treated? Do you trust the police department to make decisions?

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These results show that outcome matters. The blue bars show the evaluations by the individuals who did not get a ticket and the red bars show the results for the individuals who DID get a ticket. The overall evaluations of the incidents were more favorable when the person got what they thought was a good outcome. For example, when asked if they thought that the officer "handled the situation well," 94% of the people who DID NOT get a ticket answered "yes"; and 54% of the people who DID receive a ticket said that the officer handled the situation well.

But additional results from this same study shows how powerful *process* is to individual evaluations of incidents with police. This slide shows only the results from individuals who DID get a ticket. It shows how satisfied they were with the incident incorporating their view of the process. The first two bars show that when the officer listened to the person they were much more likely to give the incident a positive evaluation than when the officer did not.

Display Slide: Process Matters When Getting a Ticket



Sixty-two percent of the individuals who got a ticket but who reported that the officer listened to them rated the incident favorably. In contrast, only 8 percent of the individuals who got a ticket and reported that the officer did not listen to them rated the incident favorably.

The next set of bars conveys the same important point. Here we see the ratings of incidents from people who got tickets, but whose experience varied by whether the officer was polite. If the officer was polite 60% of the people rated the incident favorably, even though they got a ticket. Only 5% of the individuals who got a ticket from an impolite officer rated the incident favorably.

Research also shows that process can also impact on whether a community member will voluntarily accept the police officer's decision in an encounter.

In this study we have information on the outcome of their encounter, the community member's assessment of whether or not the process was good, and their willingness to accept police decisions. Again, outcome matters, but so does the perception of officer fairness.

Let's start by looking at the evaluations of incidents where the person did not like the outcome.

Only 3% of those who had a bad outcome and rated the process as poor reported that they would voluntarily accept police decisions. In contrast, a full 73% of those who had a bad outcome and rated the process as good reported that they would voluntarily accept police decisions.

Next are the results for the individuals who reported a good outcome. Again we see how powerful the process is to the person's willingness to accept police decisions.

This next result is striking. Of the individuals who had a good outcome, but rated the process as poor, only 15% said they would accept police decisions.

In stark contrast, of the individuals who had a good outcome, but rated the process as poor, a full 87% said they would accept police decisions.

Display Slide: Research

Research: Community Members Voluntarily Accept Police Decisions

- When there is a bad outcome with poor treatment 3% of the time.
- When there is a bad outcome with good treatment 73% of the time.
- When there is a good outcome with poor treatment 15% of the time.
- When there is a good outcome with good treatment 87% of the time.

*Slide: Procedural Justice in Action***Procedural Justice in Action: How Do You Do This**

So we know from the study results that the process of an encounter is important. How do community members judge the process of an encounter? Or asked another way: What are the components of procedural justice? This has been studied extensively and researchers have concluded that there are several key components of procedural justice. They are the quality of the treatment and quality of the decision making.

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In key aspect of "Quality of Treatment" is whether or not the person was treated with respect.

Regarding "Quality of decision making," individuals evaluate the encounters based on whether or not they had a "voice" in the encounter and whether they perceived the officer to be *neutral and impartial*.

*Display Slide: Components of Procedural Justice***Components of Procedural Justice**

- Quality of treatment:
 - o Demonstrating Respect
- Quality of decision-making
 - o Giving "Voice" to community members
 - o Acting in a neutral, impartial manner

These three are RVN: Voice, respect, neutrality.

Respect: By "respect" we mean that the officer treats the community member with dignity. This validates the person as a human being, regardless of whether the person is a law abiding individual, a victim or a perpetrator.

Voice: By "voice" we mean that the officer allows the person to voice their perspective and explanation. The officer can produce this through active listening.

Having a voice makes people feel that they are a part of the process and that they have input in the decision, even if it does not impact the decision.

*Display Slide: The Three Components***The Three Components:**

- Respect: Treating people with dignity
- Voice: Allowing people to tell their side of the story
- Neutrality: Decision-making based on facts, not personal biases

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Neutrality: The neutrality component reflects the person's perception that the officer is making decisions based on consistently applied legal principles and the facts at hand, not the officer's personal biases. This is the link between procedural justice and fair and impartial policing. Police gain legitimacy through fair and impartial policing.

Researchers have concluded that: ""When people believe that profiling is widespread and/or that they have been profiled, their support for police fades" (Tyler and Wakslak, 2004, p. 255; see also Weitzer and Tuch, 2002).

Display Slide: Gaining Legitimacy

Gaining legitimacy through fair and impartial policing

"When people believe that profiling is widespread and/or that they have been profiled, their support for police fades"

(Tyler and Wakslak, 2004, p. 255; see also Weitzer and Tuch, 2002).

Note to Instructors: Show video on YouTube and ask participants to carefully observe both what the Baltimore police officer does and the skateboarders' response to the officer. In YouTube, search for "Baltimore County Cop Takes Skate Board for Sitting." Stop the video at 2:45.

Let's take a look at what these principles look like in practice. As you look at this video, think about:

- What is a "good outcome" for the skateboarders?
- What is a "bad outcome" for the skateboarders?

Display Slide: As You Look at this Video

As You Look at this Video, Think About ..

- What is a "good outcome" for the skateboarders?
- What is a "bad outcome" for the skateboarders?
- Recall what the research says

Recall What the Research Says About Community Members Accepting Police Decisions

- When there is a bad outcome with poor process only 3% reported that they would voluntarily accept police decisions.
- When there is a bad outcome but with a good process, 73% will accept police decisions.
- When there is a good outcome with a poor process the percent is 15%
- When there is a good outcome with good process the percent jumps to 87%

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Display Slide: Research

Research: Community Members Voluntarily Accept Police Decisions

- When there is a bad outcome with poor treatment 3% of the time.
- When there is a bad outcome with good treatment 73% of the time.
- When there is a good outcome with poor treatment 15% of the time.
- When there is a good outcome with good treatment 87% of the time.

What Did the Baltimore Officer Do Well?

- Did he treat the skateboarders with respect?
- Did he listen?
- Did he appear to practice fair and impartial policing?

Display Slide: What Did the Baltimore Cop Do Well?

- Did he treat the skateboarders with respect?
- Did he listen?
- Did he appear to practice fair and impartial policing?

Is there anything you think he could have done better?

Let's take each of these three components of procedural justice and turn it into skills for you. For each, we will identify the action taken, the skill the action represents, and the result of the action.

Respect: Taking a closer look at how respect is demonstrated, we see the following action, skills and results:

- Action: Officers treat ALL individuals• regardless of status-with dignity and respect
- Skill: Checking cynicism; developing respectful communication and relationships
- Result: Validates the individual as a human being (remember Susan Fiske and the homeless study)

You show respect through your communication, and keep in mind that your non-verbal communication can be as important as your verbal communication.

Research shows that:

- Verbal communication accounts for 7 percent of information communicated.
- Tone and volume account for 38 percent of information communicated.
- ~ Body language accounts for 55 percent of information communicated

What are some negative non-verbal communications that could negate communications of respect?

Display Slide: Take a Closer Look-Respect (

Take a Closer Look ... Respect

- ... Action: Officers treat ALL individuals• regardless of status-with dignity and respect
- ... Skill: Checking cynicism; Developing respectful communication and relationships
- Result: Validates the individual as a human being

Display Slide: Watch Your Non-Verbal Communication

Watch Your Non-Verbal Communication

- oVerbal communication accounts for 7% of information communicated.
- oTone and volume account for 38% of information communicated.
- rJBody language accounts for 55% of information communicated

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Note to Instructor: Potential responses may be:

- ~ Arms folded
- ~ Hand on gun
- Not making eye contact
- ~ Overbearing stance

Voice:

- > Action: Allow community members to voice their point of view
- > Skill: Active listening
- > Result Having a voice makes people feel that they are a part of the process and that they have input in the decision, even if it does not impact the decision.

Display Slide: Take a Closer Look-Voice

Taking a Closer Look: Voice

- Action: Allow community members to voice their point of view
- „ Skill: Active listening
- > Result: Having a voice makes people feel that they are a part of the process and that they have input in the decision, even if it does not impact the decision.

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Neutrality: What does a neutral or impartial approach look like?

- > Action: Exhibit a fair and impartial approach to community members
- > Skill: Officer recognizes his/her biases and chooses to override biases in actions
- > Result: Fair and impartial policing and the perceptions of it

Display Slide: Take a Closer Look• Neutrality

Take a Closer Look... Neutrality

- > Action: Exhibit a fair and impartial approach to community members
- „ Skill: Officer recognizes his/her biases and chooses to override biases in actions
- „ Result: Fair and impartial policing AND the perceptions of it

Summary

In this session, we have highlighted the potential negative impacts of biased policing on both community members and your department. In discussing the impact on the department, we highlighted the importance of police legitimacy. You and your colleagues cannot do your jobs effectively unless you are perceived as a legitimate force.

You can produce legitimacy by implementing procedural justice skills in each and every interaction you have with community members.

If you treat individuals with respect, give them a voice, and practice fair and impartial policing you will increase the likelihood that individuals will report crime, serve as witnesses, share information with you, come to your aid, believe you when you are testifying, and so forth.

In the next session, you will have the opportunity to apply your skills to produce fair and impartial policing.

Module 2: Key Points

- Biased policing can have negative impacts on both community members and the department
- a You and your colleagues cannot be effective without legitimacy
- Procedural justice can produce legitimacy
- Fair and impartial policing is central to police legitimacy.

Note to Instructors: *Instructors should take a break here and switch instructors for Module 3.*

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Fair and Impartial Policing

Module 3: Skills for Producing Fair, Impartial and Effective Policing

Instructor: Name of Instructor/Trainer

Time: 2.5 Hours

Summary and Rationale:

The purpose of this module is to provide officers with practical skills for producing fair and impartial and effective policing. The module uses a problem-based approach allowing instructors and participants to critically examine a series of real-life case scenarios and develop the following skills:

- Recognize implicit biases and implement "controlled" (unbiased) responses
- Avoid "profiling by proxy"
- Analyze options with a "Fair and Impartial Policing" lens
- Reduce ambiguity, slow it down
- Reduce ambiguity, engage with community members.

Performance Objectives:

At the completion of this module, officers will be able to:

- ~ Demonstrate and discuss strategies that will help them be aware of personal biases
- ~ Demonstrate and discuss strategies for ensuring that their behavior is bias free

Equipment:

- ~ Laptop
- ~ Projector and screen

Materials:

- ~ Trainers' Resource Materials including Man on the Porch handouts and scenario handouts
- ~ Participants' manuals

Role Players: Two women (any race/ethnicity), four to five males of color and one White male.

Room Setup: The optimal setup is a "U" shaped configuration or a large semi-circle configuration to allow training participants to see each other throughout the training session. However, if the class is large, a standard classroom configuration may be used. The room should have room for role plays.

Module 3

Lesson: Skills for Producing Fair, Impartial, and Effective Policing

CONTENT	INSTRUCTOR NOTES/REFERENCE
Introduction In this unit, you will learn skills for producing fair, impartial and effective policing.	<i>DisplaySlide #97: Skills for Producing Fair, Impartial, and Effective Policing</i>

To place this in context, recall that the goals of this training session are to have you:

- >- Recognize your own human/implicit biases
- >- Understand how implicit biases can affect your perceptions and behavior
- ~ Understand how biased policing negatively impacts community members and the department
- >- Develop skills and tactics to reduce the influence of biases on police practice and allow you to be effective, safe, and just police professionals.

DisplaySlide #98: Goals of the Training

Goals of the Training

- Recognize your own human biases
- Understand how implicit biases can affect your perceptions and behavior
- Understand how biased policing impacts community members and the department
- Develop skills and tactics to reduce the influence of bias on police practice and allow you to be effective, safe, and just police professionals

In the first module, we covered the fundamental concepts of human bias:

- ~ Bias is a normal human attribute; everyone, even well-intentioned people, have biases
- ~ Biases are often unconscious or "implicit"
- ~ Implicit biases manifest even in individuals who, at the conscious level, reject prejudices and stereotyping.
- ~ Implicit biases can influence our actions
- ~ Understanding how implicit bias can affect perception and behavior is the first step toward developing our skills to "override" our implicit biases.

We learned that there are two ways to impact on our implicit biases: (1) we can try to reduce our implicit biases, and (2) we can recognize our biases and override their impact on our behavior.

During this session, you are going to apply the skills and tactics that will help you be fair, impartial and thus effective police professionals.

The skills we will learn are important for all people, but particularly for police officers whose very effectiveness and safety depends on taking thoughtful, bias free actions, rather than impulsive, biased ones.

As we discussed earlier in this training, fair and impartial police officers are more likely to:

- ~ Be effective at solving crimes and handling disorder problems
- ~ Stay safe and go home at the end of the shift
- ~ Enhance/promote trust on the part of the people they serve.

DisplaySlide #99: Fundamental Concepts of Human Bias

Fundamental Concepts of Human Bias

- Bias is a normal human attribute-even well-intentioned people have biases
- Biases are often unconscious or "implicit"
- Implicit biases manifest even in individuals who, at the conscious level, reject prejudices and stereotyping
- Implicit biases can influence our actions
- Understanding how implicit bias can affect our perceptions and behavior is the first step to "override" implicit bias

DisplaySlide #100: Fair and Impartial Police Officers are More Likely To:

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Fair and Impartial Police Officers are More Likely to:

- Be effective at solving crimes and handling disorder problems
- Stay safe and go home at the end of the shift
- Enhance/promote trust on the part of the people they serve

(We have two exercises that will transition us into our coverage of skills.

Skill #1: Recognize your implicit biases..
Implement controlled (unbiased) responses.

Exercise: Pantomime

Pantomime Discussion

- ~ What do you see happening in this scenario? (Probe as many responses from as many trainees as possible.)
- ~ Let's see the "back story/storyline" here. (Have the role players show the back story.)

Debrief

(Some of you saw a medical emergency and others saw a crime in progress.

The point of the exercise is to show that people can interpret the same stimuli differently and our interpretations can be wrong.

The exercise serves to caution us to challenge what we THINK we see. When you approach a situation, don't assume your first impressions are accurate.

We are going to take a look at another scenario-one that depicts a very routine call for service.

Note to Instructors: Instructors should **NOT** announce the skill before the two exercises-Pantomime and Domestic Violence-as doing so could impact on how the recruits respond.

The first exercise is "pantomime." The purpose of this exercise is to demonstrate how the same situation can be perceived in very different ways and our perceptions may be impacted by our implicit biases.

Instructors should refer to the pantomime instructions to implement the exercise. The pantomime exercise should be staged in a separate room from the classroom. Once the "back story" is demonstrated, return to the classroom to debrief the pantomime.

Note to Instructors: Instructors should also mention any other interpretations that the recruits "saw" depicted in the pantomime.

The Domestic Violence Call-Role Play

Note to Instructors: Refer to *The Domestic Violence Call Scenario*. Conduct the role play and debrief the trainees, including the trainees who responded to the scene. Instructors explain, if it is not yet clear, that the female is the abuser, not the male.

Debrief

Domestic Violence Call-Discussion/Debrief:

If the recruits seemed to originally assume the man was the abuser:

- ~ Who did the responding team initially think was the abuser?
- ~ On what did they base that assumption?
- ~ What are the risks or other consequences associated with assuming one person, not the other, is the perpetrator?
- ~ What skills do officers need to have to identify the right offender?

Proceed with the questions at left, depending on whether the responding team identified the man as the abuser or the female as the abuser.

Potential responses to the "assumption" question: Biases, generalizations about who commits domestic violence.

Potential response to the "risk" question: Focusing on a non-dangerous person when the other person may be armed and dangerous.

Potential responses to the "skills" question:

Officers need to focus on the facts at hand and not generalizations about the demographics of who commits what types of crimes.

*If the recruits **did not** assume the man was the abuser:*

- ~ Our team did not assume the man was the abuser? Do you think some police might make that assumption?
- ~ On what basis might they make that assumption?
- };> What are the risks or other consequences associated with initially assuming one person, not the other, is the perpetrator?
- ~ What skills do officers need to have to identify the right offender?

Note to Instructors: See potential responses above.

(These two exercises are related to our first skill. It has two parts.

Display Slide #101: Skill#1

First of all: "Recognize your implicit biases."

The Pantomime taught us to *challenge what we think we see*. We need to recognize that our first impressions could be wrong and our impressions could be impacted by our implicit biases.

Skill #1: Recognize your implicit biases and implement "controlled (unbiased) responses."

The domestic violence role play reminds us to recognize that what we "see" might be impacted by our implicit biases.

As we have discussed, it is difficult to rid ourselves of our implicit biases that took a lifetime to develop. We can, however, make sure that our biases do not impact on our behavior. If you *recognize* the activation of an implicit bias, you can override it by implementing a "controlled," that is, an *unbiased* response. You can *behave* in a manner that is bias free.

(' Let's discuss how behavior might be impacted by a recognition that biases may be at work.

The Case of Officer Taylor

Consider this situation. Officer Taylor runs the tags for warrants on all cars he passes that contain young Hispanic males and not on other vehicles.

What are the consequences of this narrow focus?

Researchers have documented this type of police behavior in White neighborhoods. Meehan and Ponder (2002) found that police were more likely to run warrant checks on African Americans than Whites in these neighborhoods, but less likely to find warrants on the African Americans compared to the Whites.

Potential response He misses the drivers with warrants who are not young, Hispanic males. He is profiling.

Display Slide #102: Meehan and Ponder (2002)

Meehan and Ponder (2002)

- Found that police were *more likely* to run warrant checks on African Americans than Whites in white neighborhoods
- but *less likely* to find warrants on the African Americans compared to the Whites.

So these police were more likely to scrutinize and assume criminality on the part of the African Americans drivers, when in fact they were more "productive" running the plates of the White drivers.

How might Officer Taylor change his behavior after he recognizes his bias?

Potential Responses:

Run tags in a more discriminating manner; attend to other clues (e.g., behaviors) and not demographics.

Develop his own criteria that he will use for running tags that is race/ethnicity-free. Ask himself, "Would I be running this tag, but for..."

Here is another example for your consideration:

The Case of Officer Becker

At crash scenes, Officer Becker always approaches the person with the newer model car and business attire first to get that person's version of what happened.

What is wrong with this?

It is biased policing. The person not approached first might be offended.

How might Officer Becker change his behavior if he recognizes his bias?

He might develop an objective criterion that he will use when he goes to a 2-car crash scene. For instance, he will first approach the person who looks most injured or, if there are no injuries, he will approach the person who seems not to be at fault.

The lessons from these exercises are: (1) Recognize your implicit biases, challenge what you think you see. (2) Implement controlled responses to override biases.

Recognize your implicit biases: That is, if you enter a domestic violence scene and have an immediate sense that the male is the perpetrator, be sure to challenge what you think you see.

Implement controlled responses: That is, recognize your implicit bias and proceed in a bias-free manner.

This skill-to recognize your biases-is related to what officers refer to as their "gut reactions." You've heard officers refer to their "gut reaction" that "told" them that something was amiss, or you have had such a feeling yourself.

Officers need to rely on facts, intelligence and other valid information, not biased perceptions. Focus on the facts at hand and gather the additional information you need to understand the situation. Use critical judgment. Do not let the person's gender, race, socio-economic status, age, etc. inappropriately impact on your assumptions and on your systematic information gathering. Don't be "Susan Boyled." Don't be "taken in" or led astray by your biases.

Display Slide #103: Beware Gut Reactions

Display Slide #104: Ski/11 Again

Skill #1: Recognize your implicit biases and implement "controlled (unbiased) responses."

Let's move on to the other skills to produce fair, impartial and effective policing. The skills we will cover are as follows:

- Avoid profiling by proxy
- Analyze options with a fair and impartial policing lens
- ~ Reduce ambiguity: slow it down, and
- ~ Reduce ambiguity: engage with the community.

Display Slide #105: Skills to Produce Fair, Impartial and Effective Policing

Skills to Produce Fair, Impartial and Effective Policing

- Avoid "profiling by proxy"
- Analyze options with a fair and impartial policing lens
- Reduce ambiguity: slow it down
- Reduce ambiguity: engage with the community.

Skill #2: Avoid "profiling by proxy"

A key point about our discussion of biases is that this is an "affliction" of humans, certainly not just police. Above we cautioned you to recognize *your own* implicit biases and make sure that, when your biases are activated, you implement controlled (unbiased) behavior.

Now we similarly caution, "beware *other people's* implicit biases." Do not let another person's biases lead you to biased behavior.

That is, "avoid profiling by proxy."

For instance, you may be asked to respond to a call on the part of a resident where that person's concerns are based on their own biases.

Black Man in Car Discussion

Consider the following call for service:

A woman, in an all-White neighborhood, calls 9-1-1 to report a "suspicious man in a car" out in front of her house. It appears that the only thing "suspicious" is that this man is Black; the caller is unable to articulate or identify any behaviors that indicate criminal activity.

Identify three possible response options and list the pros and cons of each of the options.

Display Slide #106: Avoid "Profiling by Proxy"

Skill #2: Avoid "Profiling by Proxy"

Note to Instructors: Divide the class into small groups of four (or so) recruits each. Then read the case scenario and ask the groups to identify three response options and list the pros and cons of each option.

(

After the trainees have a few minutes to generate some options, have a "round-robin" discussion. The purpose of this discussion is not to identify "one right answer," but rather to engage the trainees in a pro/con discussion that reflects their new "FJP lens." A key point is that they should not select their intervention based on what the caller thinks is happening. They should exercise their own critical judgment and use their "FIP lens."

Instructors should ask one group to share one response option and the pros and cons of it. The instructor would move to the next group to get a different option and stop when no group has a new option.

The instructor should avoid imposing his/her own preferred response on the discussion, but rather hear all of the options without judgment (unless there is an agency policy or practice that precludes a particular option).

(

Potential responses:

Go to the car door of the man and inquire as to his business or to see if he is Jost.

The recruits might add that they will do this in a very friendly manner. Pros include acting in accordance with the caller's request• making sure that, in fact, no crime is occurring. Cons include the likelihood that the cop is "racial profiling by proxy." Key to the discussion of this option is having the recruits understand this option from the vantage point of the man in the car. Many men of color report that these types of approaches by police are common. While people will react differently, some men of color will be quite angry at having to, as one chief put it, 'Justify their existence on the White streets of' America/(Canada. Reflect on the lesson in the previous unit, perceptions of biased policing can reduce perceived legitimacy of police, cooperation, etc.

Contact the caller for more information and, if none can be provided to justify intervention with the man, explain to her why you will not intervene. The recruits

might be aware that walking up to the front door of that caller is not advisable in some neighborhoods; they might choose to call her or have the dispatcher make the call to find out if there is additional information that might indicate criminal behavior. If none, the officer could reinforce the woman for calling, but educate her as to what to look for in the future - behavior that indicates criminal activity. Pros: We do not act on her biases and possibly offend the man in the car. Con: The caller may be upset that nothing was done. Another stated "con" might be that the person may, in fact, commit a crime after the officer leaves. Here the instructors can point out that police must do their jobs based on the information they have and not based on conjectures about "what if."

Drive by the car to see if any criminal activity is indicated. Pro: The person making the call knows (if she sees the car drive by or is so informed) that the police did something. The police do not potentially offend the man with a car-door query. Con: The caller may not be fully satisfied with the action; the man in the car may perceive that a police car is driving by because he is a Black man in a White neighborhood.

The point of this discussion is not to designate one action as "the right one," but rather to have you think through such situations, analyzing your options and weighing the consequences.

This includes having empathy for the person who could be the subject of your interventions. In discussions of this scenario nationwide, many officers are immediately inclined to have empathy for the woman caller. They less frequently consider the situation from the man's point of view.

Many men of color report that these types of approaches by police are common. While people will react differently, some men of color will be quite angry at having to, as one chief put it, "justify their existence on the White streets of America." Some may be angry regardless of how professionally you approach them.

(Again, the lesson here is to avoid "profiling by proxy." Do not automatically succumb to another person's biases. You have been selected and are being trained so that you can exercise critical judgment. In the same way you are learning not to let your *own biases* impact your behavior, you need to ensure that *others' biases* do not lead you to engage in biased behaviors.

NOTE: When in doubt about the viability of not responding to a dispatched call, contact a supervisor.

Let's change the scenario a bit. You get the same call, but this time the description given by the woman is consistent with a description of a person in a vehicle who committed a home burglary in the area. You approach the man and ask him what he is doing there. He convinces you that he is not a burglar. He is angry that you have approached him and he accuses you of biased policing. How might you respond?

Note to Instructors *Instructors engage the trainees in a discussion of possible responses.*

The instructors should listen to various options that trainees might suggest. Instructors should discourage having trainees try to talk the woman out of her perceptions, suggesting that these conversations are at high risk of spiraling into an argument that will not change the woman's mind and will not change the officer's mind.

During this discussion, the instructors might have occasion to note that the woman might be right-that bias did impact the officer's decision to stop her.

Reinforce the following response: "I am sorry that you feel that way, I stopped you because"

This two-part response acknowledges the person's concerns and steers the conversation back to the business at hand.

Trainees might also suggest:

- ./ "I understand why you might be angry, frustrated."*
- ./ "I am sorry for the inconvenience."*
- ./ "Here is my card. Feel free to call me if you want to follow up later."*

The key is to reduce the man's frustrations/anger. Saying something along the lines of "I'm sorry that you feel that way" acknowledges what the man said to you.

Then you need to return to business, because an argument on the side of the road will likely not be fruitful. You would then say, "I stopped you because"

Skill #3: Analyze Your Options with a "Fair and Impartial Policing" Lens
Here we challenge you to use an "FIP lens" to analyze the various options you have when responding to various situations. This lesson is most effectively conveyed through some exercises.

Note to Instructors: If needed, a 10-minute break may be appropriate here.

Display Slide #107: Analyzing Your Options with a "Fair and Impartial Policing" (FIP) Lens

Skill #3: Analyze Your Options
with a "Fair and Impartial
Policing" (FIP) Lens

Read through your situation and answer the questions at the end. Each group will report to the full group.

Note to Instructors: Create groups and assign each group to one of the scenarios in the trainees' manual. [Trainers should not use "Men at the Door" if they believe that the trainees are familiar with, and may be influenced by, the well-publicized case of Dr. Henry Louis Gates and the Cambridge (MA) Police Department. While created prior to the actual incident, this case scenario is similar to the facts of that incident. This influence may vary by region.]

The instructors call on the various groups and have them walk through their questions and answers.

Summary of Skill

(The intent of these various discussions is to encourage you to analyze your options with a fair and impartial policing lens. Those FIP lens bring together some previous lessons and some new ones. With your FIP lens, you:

- >- Challenge what you think you see
- >- Recognize your own biases
- >- Recognize others' biases
- >- Consider the options that would be bias free
- >- Consider the viewpoint of the people with whom you are dealing
- >- Minimize negative impacts on those individuals (including potential perceptions of bias policing) with your strong communication skills

Skill #4: Reduce Ambiguity - Slow it Down

(Let's move on to our last set of skills. Recall that we used the audience's reaction to Susan Boyle to understand implicit biases. Recall that we:

- >- Prejudge people who are "ambiguous stimuli"
- >- Attribute group stereotypes, biases to them
- >- Do not always know we are doing this

Understanding that we are at risk for allowing stereotypes and biases to influence our behavior especially when we are in an uncertain situation-not quite knowing what to expect-produces our next two skills.

- >- Reduce ambiguity: Slow it down, when feasible.
- >- Reduce ambiguity: Engage with community members.

DisplaySlide #108: With Your FIP Lens

With Your FIP Lens...

- Challenge what you think you see
- Recognize your own biases
- Recognize others' biases
- Consider bias-free options
- Consider the viewpoint of people with whom you are interacting
- Minimize negative impacts (including potential perceptions of biased-policing) with strong communication skills

DisplaySlide #109: Reduce Ambiguity

Skills #4 and #5: Reduce Ambiguity

n #4: When feasible, "slow it down"

cJ#5: Engage with community members

Let's start with the first one. Veteran officers and law enforcement trainers promote the technique of consciously slowing down a police response when it is viable to do so.

Slowing down the response allows officers to analyze the legitimacy of their initial impressions and use their observational and analytical skills to effectively assess the situation and devise the appropriate response.

Man on the Porch Exercise

Let's take a look at how we respond to a complex and ambiguous set of circumstances that test our implicit biases.

***Note to Instructor:** Instructors implement "Man on the Porch" exercise. See instructors' notes and trainee handouts. The purpose of this exercise is to show how much better decisions can be when they are thoughtful and deliberate. It highlights how making decisions in haste can lead to deadly decisions, possibly decisions based on biases, especially when we are confronted with ambiguous circumstances.*

FINAL DEBRIEF: The interaction between the police and Mr. Akpan lasted just 7 seconds. This rapid interaction produced bad decisions and a tragic outcome.

The key lesson from this exercise is that you should, when you can, slow down your response and make ambiguous circumstances UNambiguous.

When your groups worked deliberately through the segments, you came up with very different police actions than the ones in the real incident.

Gathering more information before you act can reduce the possibility that you make poor decisions - maybe even tragic ones. It can also reduce the possibility that you make biased decisions.

Skill #5: Reduce Ambiguity~Engage with community members

The second skill linked to reducing ambiguity is "engage with community members."

Recall our earlier discussion of the "contact theory." Researchers have determined that positive contact between members of groups improves inter-group attitudes and reduces biases.

This occurs because that positive contact serves to reduce ambiguity. It reduces ambiguity about individuals and even about communities more broadly.

You are more likely to be a fair and impartial officer if you take the time to get to know the communities to which you are assigned, get to know the individuals in those communities.

How might you do this? Write down three very specific things you could do in a week's time that involves engaging with people in a community.

Think of the youth in the community, the parents, the other adults, including business owners. How might you get to know the members in the community to which you are assigned?

Display Slide #110: Contact Theory Revisited

Contact Theory :Revisited

Positive contact with other groups reduces both conscious and implicit biases.

fj/Nil FP,U,C

Display Slide #111: Write down three things...

Write down three very specific things you could do in a week's time to engage with members of a community.

Think of youths, parents, other adults, business owners.

Instructors ask one person to share one action that's/he listed. Instructors ask, "who has something else" until most new ideas have been shared. The answers could be listed on easel paper.

Potential Responses:

- . / Join youth when they are playing basketball.
- . / Develop innovative ways to engage in police-youth dialogue.
- . / Visit the businesses and converse with the business owners.
- . / Ask to be included at gatherings of community subgroups (e.g., block party).

Both of our final two skills are linked to the fact that we are at greatest risk of attributing group stereotypes to stimuli that are ambiguous. So that you can be fair and impartial police officers:

- ~ Slow it down, when feasible.
- ~ Engage with community members.

Summary of Training

This brings us to the end of this training session on fair and impartial policing. Let's review the key points from the three modules:

Summary of Key Points in Module 1

All people, even well-intentioned people have biases. They can be implicit (that is, unconscious).

We prejudge people we do not know.

We fill them in with group stereotypes.

Recall "Susan Boyle"

Often, we do not know we are doing this.

Policing based on biases can be unsafe, ineffective and unjust

Examples:

Recall the shoot, don't shoot research of Josh Correll; not shooting the White man with the gun can place officers in danger.

In the scene from "Money Train" the elderly woman was the thief.

Display Slide #112: Summary of Key Points-Module 1

Summary of Key Points: Module 1

- All people, even well-intentioned people have biases
 - They can be "implicit" (unconscious)
- Policing based on biases can be unsafe, ineffective and unjust

We talked about how some people, maybe including police, may treat the homeless.

Recall the Man and Woman with a Gun and Domestic Violence role plays.

Summary of Key Points in Module 2

Biased policing can have negative consequences for community members and the department

Biased policing can have a potent impact on individuals and the relationship between the community and the police department-eroding community trust.

Community trust is essential for cooperation and for the support of individual officers and the department

Fair and impartial policing is essential for the police to be viewed as a legitimate authority.

Summary of Key Points in Module 3

We learned in this last module that to be a fair and impartial officer, you need to:

- Recognize your implicit biases and implement "controlled" (unbiased) responses, behaviors.
- Avoid "profiling by proxy."
- Analyze options with a fair and impartial policing lens.
- Reduce ambiguity: (a) slow it down, when feasible, and (b) engage with the community.

DisplaySlide #113: Summary of Key Points-Module 2

Summary of Key Points Module 2

- Biased policing has negative consequences for community members and the department
 - Biased policing erodes community trust
 - Community trust is essential for cooperation and support of officers and the department
 - Fair and impartial policing is essential for police legitimacy

DisplaySlide #114: Summary of Key Points-Module 3

Summary of Key Points Module 3

To be a fair and impartial officer, you need to:

- Recognize your implicit biases and implement "controlled (unbiased) responses"
- Avoid "profiling by proxy"
- Analyze options with a fair and impartial policing lens
- Reduce ambiguity: (a) slow it down, and (b) engage with the community.

Closing

We hope that this training addressing fair and impartial policing has provided you with a better understanding of the science of human bias and how our perceptions and behaviors can be affected by our biases.

We hope that we have renewed your appreciation for the negative impact that biased policing has on our communities and our law enforcement agencies.

Finally, we hope that skills you have developed during this training session will serve you well as you enter the police profession serving your agencies and your communities.

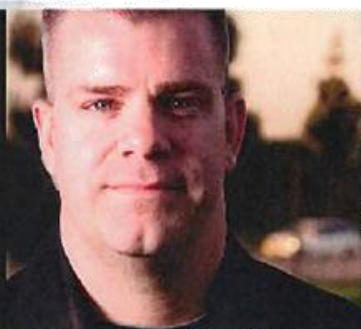
We thank you for your time and attention today.



Supporting Material LEED

THE RESPECT EFFECT

A GUARDIAN'S PATH TO BUILDING TRUST





Client Services And Support

Welcome!

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The members of our teams are dedicated and committed to providing you with first-class, quality materials as you participate in this process. We are here to help you maximize the information presented in this personal growth experience.

In the event there is a defect in any of the materials you received, please call us immediately, and we'll ship a replacement to you free of charge.

We extend to you our heartfelt appreciation for the noble calling you serve everyday and wish you success in your continued personal and professional development.

We welcome the opportunity to be of service to you!

Contact Us:

www.bluecourage.com

Michael Nila | 1-630-878-4796 | michael@bluecourage.com

Daniel Schmer | 1-816-665-3199 | daniel@bluecourage.com

900 Lakewood Place, Aurora, IL 60506 | (630) 449-0958 | info@bluecourage.com



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www.bluecourage.com

Michael Nila | 1-630-878-4796 | michael@bluecourage.com

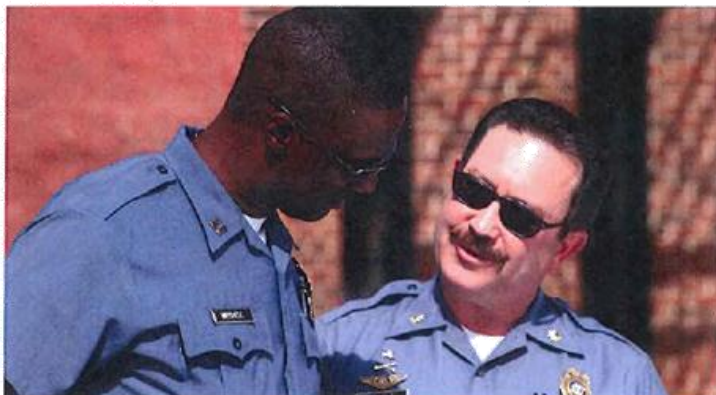
Daniel Schmer | 1-816-665-3199 | daniel@bluecourage.com

900 Lakewood Place, Aurora, IL 60506 | (630) 449-0958 | info@bluecourage.com



SETTING THE STAGE FOR RESPECT

UNIT 1



Notes 

"Police work is an honorable profession – if you do it with honor."

– Frank Serpico

How do we understand “respect”?

1. How do you define “respect”?

2. How do others define the term?



Notes

"At the end of the day,
people won't remember
what you said or did.
They will remember how
you made them feel."

— Maya Angelou

Respect Definitions

Respect (noun):

- 1) the act of giving particular attention: consideration
- 2) high or special regard: esteem
- 3) the quality of being esteemed

Respect (verb):

- 1a) to consider worthy of high regard: esteem
- 1b) to refrain from interfering with
- 2) to have reference to: concern

Fear and Respect

Similar to motivation, respect can be driven either *intrinsically* or *extrinsically*.

Intrinsic respect for a thing or person is driven by our internal appreciation and value of what it represents.

- Typically long lasting, but may take time to develop
- Invites mutual support of our efforts and goals

Extrinsic respect can be driven by either fear/threats or reward.

- Typically temporary or circumstantial. Has to be "fed" by sustained threats or reward
- May generate short-term compliance. Can also result in resistance.

Aspiring To Respect

Respect is an active process of non-judgmentally engaging people from all backgrounds with the intent to increase my awareness and my effectiveness. It is demonstrated in a manner that esteems both myself and those (others) with whom I interact.

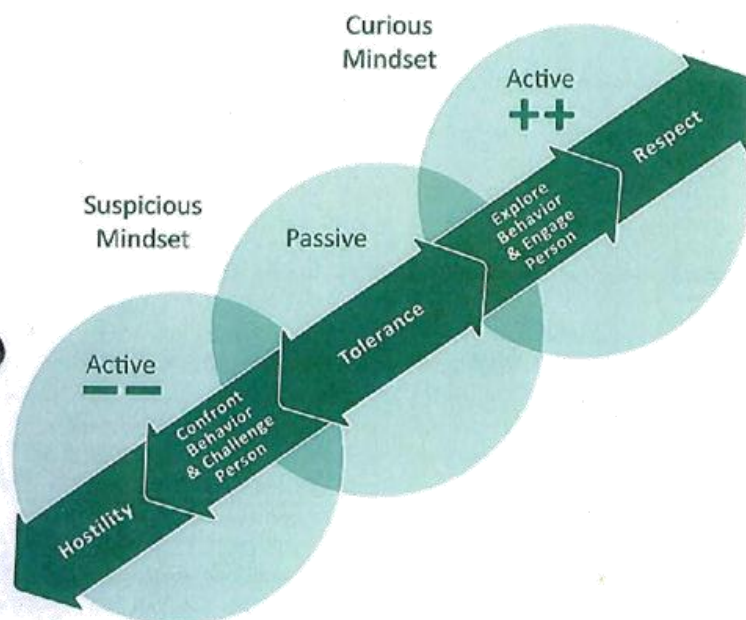


SETTING THE STAGE FOR RESPECT

UNIT 1

The Road to Respect

A commitment to treating people with respect goes well beyond treating them with tolerance. Tolerance is essentially a passive state of being, while demonstrating respect requires action. A pattern of respectful interaction requires that we spend time and effort getting to know others and to explore the differences that exist between them without judging those differences.

Notes

"Hostile Behavior is an intentional activity that harms another person in any way, including physically, socially, financially, professionally, or by reputation. Hostility can also be demonstrated by behaviors that intentionally impede others in meeting their predetermined goals."

— Paul Meshanko,
The Respect Effect: Using The Science of Neuroleadership To Inspire a More Loyal and Productive Workplace

Suspicion vs. Curiosity

Suspicion

Curiosity



Notes

"People have always been more impressed with the power of our example than the example of our power."

— President Bill Clinton

The Power of Engagement

One way to minimize the blind spots inherent in how we perceive one another is to intentionally get to know each other beyond what we see, hear and otherwise infer from superficial information. This means engaging in conversations that reveal the essence of who we are, what makes us unique, and the things (or people) that we hold to be important. It is through this sharing of invisible information that allows us to better understand and appreciate our differences, as well as connect on our similarities.

Engaging conversation hints:

- Identify topics that emotionally connect us to the other person.
- Look for both points of connection (values, interests, etc.) as well as examples of uniqueness (experiences, skills, aspirations, etc.).
- Find ways to communicate value for what you have learned about the other person.

Paired or group interviews:

1. _____

2. _____



Notes

"Understanding a person does not mean condoning; it only means that one does not accuse him as if one were a judge placed above him."

— Erich Fromm

12 Principles of Respect



1. Be aware of your nonverbal and extra-verbal cues
2. Develop curiosity about the perspective of others
3. Assume that everyone is smart about something
4. Become a better listener by shaking your "but"
5. Look for opportunities to connect with and support others
6. When you disagree, explain why
7. Look for opportunities to grow, stretch, and change
8. Learn to be wrong on occasion
9. Never hesitate to say you are sorry
10. Intentionally engage others in ways that build their self-esteem
11. Be respectful of time when making comments
12. Smile!

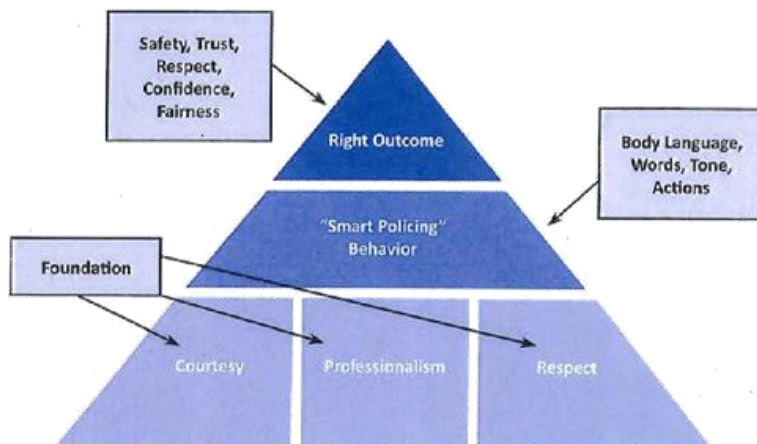
Group Activity



EMOTIONS, BELIEFS AND BLIND SPOTS

UNIT 2

Effective Citizen Contact



Notes

"Without courage, we cannot practice any other virtue with consistency. We can't be kind, true, merciful, generous, or honest."

— Maya Angelou

Courtesy, Professionalism, Respect

You Must Actively Practice and Embody:

Courtesy:

Be patient - Be informative - Listen - Be approachable

Professionalism:

Have self-control - Be open-minded - Communicate - Be Transparent - Explain - Know your job - Command presence - Go extra step - Do your best work

Respect:

Be aware - Be compassionate - Demonstrate empathy - Care - Be strong but humble - Have humility - Have a service mindset - Treat people with dignity and respect

The Respect Effect: A Guardian's Path to Building Trust

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Prejudgments	Decisions prematurely concluded without all the evidence. May be negative or positive. Tend to become a habit of thinking.
Responsibility	Recognizing and accepting the consequences of my choices and actions. An equal willingness to accept accountability for errors and shortcomings as well as accomplishments and successes.
Self-Talk	My own words that trigger pictures, emotions and feelings which result in my attitude (self-image) about myself.
Stereotypes	Fixed or conventional notions or conceptions about a group, held by a number of people, allowing for no individual variation. May include an "ounce" of truth.
Subconscious	Thought process which stores and records my reality, and handles all of my automatic and overlearned skills (habits).
Values	Something that carries a significant amount of importance to you; of intrinsic value or desirable. Values are key to motivation, self-determination, resolution of conflicts and a purposeful life.



Seattle Police Department Manual

5.140 – Bias-Free Policing

Effective Date: 01/30/2014

5.140-POL

The Seattle Police Department is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner.

Our objective is to provide equitable police services based upon the needs of the people we encounter.

The intent of this policy is to increase the Department's effectiveness as a law enforcement agency and to build mutual trust and respect with Seattle's diverse groups and communities.

Bias-based policing is the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well other discernible personal characteristics of an individual. Such "discernible personal characteristics" include, but are not limited to, the following:

- Age
- Disability status
- Economic status
- Familial status
- Gender
- Gender Identity
- Homelessness
- Mental illness
- National origin
- Political ideology
- Race, ethnicity, or color
- Religion
- Sexual orientation
- Use of a motorcycle or motorcycle-related paraphernalia – RCW 43.101.419
- Veteran status

1. Every Employee is Responsible for Knowing and Complying With This Policy



The Chief of Police will reinforce that bias-based policing is unacceptable through specific yearly training, regular updates, and such other means as may be appropriate.

Supervisors are responsible for ensuring all personnel in their command are operating in compliance with this policy.

2. Officers Will Not Engage in Bias-Based Policing

Employees shall not make decisions or take actions that are influenced by bias, prejudice, or discriminatory intent. Law enforcement and investigative decisions must be based upon observable behavior or specific intelligence.

Officers may not use discernible personal characteristics in determining reasonable suspicion or probable cause, except as part of a suspect description.

Employees shall not express—verbally, in writing, or by other gesture—any prejudice or derogatory comments concerning discernible personal characteristics.

No employee shall retaliate against any person who initiates or provides information or testimony related to an investigation, prosecution, OPA complaint, litigation or hearings related to the Department or Departmental employees, regardless of the context in which the complaint is made, or because of such person's participation in the complaint process as a victim, witness, investigator, decision-maker or reviewer.

Employees who engage in, ignore, or condone bias-based policing will be subject to discipline.

Supervisors and commanders who fail to respond to, document and review allegations of bias-based policing will be subject to discipline.

3. The Characteristics of an Individual May Be Appropriately Considered in Limited Circumstances

Officers may take into account the discernible personal characteristics of an individual in establishing reasonable suspicion or probable cause only when the characteristic is part of a specific suspect description based on trustworthy and relevant information that links a specific person to a particular unlawful incident.

Officers must articulate specific facts and circumstances that support their use of such characteristics in establishing reasonable suspicion or probable cause.



Officers are expected to consider relevant personal characteristics of an individual when determining whether to provide services designed for individuals with those characteristics (e.g., behavioral crisis, homelessness, addictions, etc.).

4. All Employees Share Responsibility for Preventing Bias-Based Policing

Employees who have observed or are aware of others who have engaged in bias-based policing shall specifically report such incidents to a supervisor, providing all information known to them, before the end of the shift during which they make the observation or become aware of the incident.

Supervisors, commanders and civilian managers have an individual obligation to ensure the timely and complete review and documentation of all allegations of violation of this policy that are referred to them or of which they should reasonably be aware.

5. Employees Will Call a Supervisor in Response to Complaints

If a person complains of bias-based policing, the employee shall call a supervisor to the scene to review the circumstances and determine an appropriate course of action. For purposes of this policy, a complaint of bias-based policing occurs whenever, from the perspective of a reasonable officer, a subject complains that he or she has received different treatment from an officer because of any discernible personal characteristic listed above.

If the person declines to speak with a supervisor or wishes to leave before the supervisor arrives, the employee will attempt to offer the person the supervisor's contact information and information on how to file a complaint with the Office of Professional Accountability.

Officers may not extend a detention solely to await the arrival of a supervisor.

If officers have completed their business with the complainant, and the supervisor has not yet arrived, the officer will wait at the location for the supervisor to arrive.

6. Employees Will Document All Allegations of Bias-Based Policing

Where there has been a complaint of bias-based policing, the employee will complete a GO report to document the circumstances of the complaint and steps that were taken to resolve it. This GO must include the following information, if the person is willing to provide it:

- The person's name,
- Address,
- Phone number, or email address, and
- Contact information for witnesses who observed the events.



All reports involving a complaint of bias-based policing must be reviewed and approved by a supervisor before the end of the employee's shift.

If the supervisor believes the matter has been resolved to the satisfaction of the complainant, and that no misconduct was involved, the supervisor will draft a supplemental to the employee's GO report to document their actions in the inquiry. The supervisor will then send a memo with the report attached, via the chain of command, to the bureau chief.

7. Supervisors Conduct Preliminary Inquiry into Bias-Based Policing

If the person wishes to speak with the supervisor about the biased-policing concerns, the supervisor will discuss the incident with the complainant. If the complainant has left the scene the supervisor shall make efforts to contact the complainant by phone or letter.

The reviewing supervisor shall explain to the complainant the option to refer the complaint to OPA. If the complainant asks that the matter be referred to OPA then the reviewing supervisor shall refer it.

If the reviewing or approving supervisor determines that there may have been misconduct, that supervisor shall refer the matter to OPA for further investigation.

8. An Annual Report Will be Prepared for the Chief of Police and the Public

This report shall describe and analyze the year's bias-based policing complaints and the status of the Department's effort to prevent bias-based policing.

After review by the SPD command staff, and after names of individual officers have been removed, this report will be made available to the community.

9. Disparate Impacts

The Seattle Police Department is committed to eliminating policies and practices that have an unwarranted disparate impact on certain protected classes. It is possible that the long term impacts of historical inequality and institutional bias could result in disproportionate enforcement, even in the absence of intentional bias. The Department's policy is to identify ways to protect public safety and public order without engaging in unwarranted or unnecessary disproportionate enforcement.

This policy requires periodic analysis of data which will assist in identification of SPD practices – including stops, citations and arrests – that may have a disparate impact on particular protected classes relative to the general population.



When disparate impacts are identified, the Department will consult as appropriate with neighborhood, business and community groups, including the Community Police Commission, to explore equally effective alternative practices that would result in less disproportionate impact. Alternative enforcement practices may include addressing the targeted behavior in a different way, de-emphasizing the practice in question or other measures. Initially, disparate impact analysis will focus on race, color, and national origin. The Department will consult with the Community Police Commission about whether to examine disparity with respect to other classifications.

The Disparate Impacts section of the policy is not a basis to impose discipline upon any employee of the Department, nor is it intended to create a private right of action to enforce its terms.

a. The Chief of Police or Designee Will Enforce Policy

The Chief or designee will ensure that this policy is in effect and carried out.

b. Officers Document Enforcement Activity

See Seattle Police Manual Section 6.220 – Voluntary Contacts & Terry Stops.

c. The Department Analyzes Officer-Initiated Activity

The analysis focuses on enforcement practices (stops, citations, and arrests) that are not primarily driven by reports from crime victims. These include, but are not limited to:

- VUCSA
- Prostitution
- Obstructing
- Resisting arrest
- Driving crimes/infractions
- Pedestrian interference
- Illegal camping
- Pedestrian violations (e.g., “Jaywalking”)
- Drinking in public
- Public consumption of marijuana
- Public urination/defecation

d. An Annual Report will be prepared for the Chief of Police and the Public

This report shall describe the year’s data collection and analysis and efforts to address disparate impact of policing.



After review by the SPD command staff, and after names of individual officers have been removed, this report will be made available to the community.

5.140–PRO-1 Handling a Bias-Based Policing Allegation

Employee

1. **Receives** a complaint of bias-based policing.
2. **Calls** a supervisor to the scene.
3. If the officer's sergeant is not available, the officer **notifies** a sergeant from the officer's precinct.
4. If no sergeant is available, the officer **notifies** a lieutenant who may assigns a specific sergeant or who will personally respond to conduct the same review as would have been required of a sergeant had one been available.
5. **Documents** the complaint and action taken on a GO report.

Next Level Supervisor

1. **Responds** to the scene.
2. **Gathers** all relevant information from the complainant and any witnesses, if they are willing to provide it.
3. Relevant information is defined as any information that may tend to explain, prove, or disprove the allegations being made.
4. **Provides** specific information to the person on how to file a complaint or if warranted, **refers** the matter to OPA for further investigation.
5. [See SPM Section 5.002 – Public and Internal Complaint Process.](#)
6. **Documents** the preliminary investigation in a supplement to the employee's GO
7. **Sends** the report and a cover memo to the bureau chief via the chain of command.

Reprinted Article

Time to Develop One Hour of Training

Monday, August 31, 2009 - by [Karl M. Kapp](#), [Robyn A Defelice](#)

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Designing training is as much of an art as it is a science. However, that doesn't mean we should abandon the act of trying to figure out how long it takes to develop an hour of training. Scientific measures and standards can be applied at least as rough guidelines. With some type of standard, it becomes possible to gain a general idea of how much time a training project might take. While many may argue about using "one hour of training" as a measuring stick because of the difficulty of determining exactly what one hour means, it is a common term and has some traction with managers trying to plan resources. It's not perfect, but it is a way of making comparisons.

Too often when asked about developing training, internal and external clients hear "it depends." While this is true, that answer doesn't help when budgeting time or resources. What someone really wants as a response to that question is a realistic number as to how long it will take to develop one hour of training. Or, at the very least, they would like a range of numbers so some type of planning can be done.

Here are the results from a survey we developed in a rough attempt to align credible numbers for use in estimating work based on delivery method and complexity of interactivity. We also review the key factors that can cause delays and contribute to that famous "it depends" answer.

Demographics

To conduct the study, we reached out to our peers in the industry to gather data and had 47 respondents, of which 83 percent have a degree related to the field of instructional technology/design. Other points to note:

- » the majority (61 percent) of our respondents performed both the role of the designer and developer in their job tasks
- » the majority (75 percent) of the materials that respondents worked with were raw; meaning they came from Subject Matter Experts (SMEs) and/or their own research
- » the two dominate methods for estimating development hours were estimates based on similar projects (36 percent) and the use of variables (31 percent) such as expertise, project-related work, environmental factors, and so forth
- » internal customers (41 percent) and vendors (39 percent) made up the majority of respondents. Independent consultants (11 percent) rounded out the top three
- » several industries were also noted and a breakdown can be reviewed in the chart below.

Results



The mainstay of our study covered various development tools and the levels of interactivity based on the ADDIE model. The study did not include time estimates for summative evaluation, only formative. One set of questions covered the use of templates within development. The survey indicated that Microsoft Word and PowerPoint were the predominant development software as 71.7 percent of all respondents use these to develop instruction. Adobe Flash (56.5 percent) and Captivate (50 percent) were next in line as leading software development tools with LMS-based tools (26.1 percent) following them. Other tools such as Articulate (19.6 percent), Lectora (15.2 percent), and WebEx Presentation Studio (10.9 percent), though not as popular, still had a number of respondents.

The chart below indicates the numbers from our most recent survey and the numbers from the survey and data gathered in 2003. Respondents only provided numbers to the methods that they have used. It is interesting to note that in six of the areas, the time estimates actually increased. Note: NA is listed in some of the responses for 2003 because these are new questions in 2009.

Type of Training per 1 hour	Low Hours Per hour of Instruction (2009)	High Hours Per Hour of Instruction (2009)	Low Hours Per hour of Instruction (2003)	High Hours Per Hour of Instruction (2003)
Stand-up training (classroom)	43	185	20	70
Self-instructional print	40	93	80	125
Instructor-led, Web-based training delivery (using software such as Centra, Adobe Connect, or WebEx-two-way live audio with PowerPoint)	49	89	30	80
E learning Developed <u>without</u> a Template				
Text-only; limited interactivity; no animations	93	152	100	150



Moderate interactivity; limited animations	122	186	250	400
High interactivity; multiple animations	154	243	400	600
E learning Developed within a Template				
Limited interactivity; no animations (using software such as Lectora, Captivate, ToolBook, TrainerSoft)	118	365	40	100
Moderate interactivity; limited animations (using software such as Lectora, Captivate, ToolBook, TrainerSoft)	90	240	150	200
High interactivity; multiple animations (using software such as Lectora, Captivate, ToolBook, TrainerSoft)	136	324	60	300
Limited interactivity; no animations (using software such as Articulate)	73	116	NA	NA
Moderate interactivity; limited animations (using software such as Articulate)	97	154	NA	NA
High interactivity; multiple animations (using software such as Articulate)	132	214	NA	NA
Simulations				
Equipment or hardware (equipment emulation)	949	1743	600	1000
Softskills (sales, leadership, ethics, diversity, etc.)	320	731	NA	NA

Factors that effect development time



So why did some times increase and why does it take so long to develop instruction in the first place? (by develop we mean the ADDIE process). This leads us to our next question where would we be without our clients and SME's? Apparently developing instruction in a lot less time. Now this is not an attempt to knock clients SME's (we love them); however there were some clear trends in the qualitative responses indicating three main issues impacting the time to develop instruction and they primarily stem from the client; scope of work, technology, and review time.

It was noted in the qualitative comments that client project managers, SME(s), and their organizations, did not have a firm grasp on their own needs. This can be the cause of major time delays. Expectations of what the project would look like as a finished product causes delays as does the desire to add additional content at the last minute. Within the scope of work there were also sub-factors, such as

- lack of understanding of one's responsibility to project; which included not allotting enough time to review work, SME unavailability, provision of materials in a timely manner

- organizational changes; changes impacting either resources for the project or the overall project

- incompatible technology and/or lack of knowledge of a technology. It was noted several times that the clients' technology was incompatible and/or there was a learning curve to using the new tools. To a lesser degree it was also mentioned that software quirks also lent to development time being impacted.

So one of the ways to reduce the overall time to develop one hour of training is to streamline how you interact with the client. Finding methods to help the client work more effectively and understand the learning technologies would help to reduce the overall time investment.

Reducing the factors

We don't want to leave this article hanging on the negative attributes of developing an hour of training, so here are some ways to minimize some of these factors to reduce the time. Try incorporating a few of these best practices into your next project or better yet consider building them right into your process to speed up your projects.

- Conduct an orientation for the SME and key project stakeholders.** During the time that you kick off the project and discuss roles and responsibilities include informational take-aways to reinforce main points reviewed during the meeting. For example, providing a SME with a description of their responsibilities and what that looks like from a time



perspective (how many hours should they set aside) can allow them to better prioritize and allocate their time for the project along with all of their other commitments.

Communicate, communicate, communicate. We may not want to do it, but more communication is effective for keeping project stakeholders current and familiar with the project and its present status and issues. The additional communications can also be leveraged to remind individuals of upcoming tasks and milestones. Help the SME or client prioritize by continually communicating to them their deadlines.

Be prepared to help implement change management. If your client's organization just re-structured— they are probably dealing with their own internal change management processes. Create and implement your own change management process for these types of occurrences to ensure the project doesn't lose ground. For example, if you are losing two SME's from your project and gaining two new ones; have you developed a change management process to ensure that the two leaving are off-boarded and that you have everything you need from them to onboard the two new SME's?

Assess and develop a technology onboarding process. If you have identified that there is the potential for technology complications, build a parallel process that starts along with the rest of the project but handles identifying all concerns around the technology component of the project. Once the analysis is done develop a plan that resolves each issue identified in tandem with the other project goals to ensure the technology will work when it's needed and that those key project members who must use the technology have been building their technology competency during the development of the training.

To be sure, "one hour of training" is not an absolute but can serve as a guide for managing projects that require the creation of instruction. In the current marketplace, the pressure is on to meet or exceed standards in terms of instructional development. Methods to reduce the overall time required are to ensure that the client-vendor (internally or externally vended) process accounts for the true breadth and depth of the client's expectations, the project stakeholders comprehend their role and responsibilities and the value of their contributions, and technological risk factors are considered. Once these factors are identified and addressed, the question "how long does it take to develop one hour of training" can continually have a shorter and shorter answer.

<http://www.astd.org/Publications/Newsletters/Learning-Circuits/Learning-Circuits-Archives/2009/08/Time-to-Develop-One-Hour-of-Training>