

Fair and Impartial Policing

Module 2: The Impact of Biased Policing on Community Members and the Department

Instructor: Name of Instructor/Trainer

Time: 30 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 recruits to hear, first-hand, from individuals—including sworn officers—who have been the subject of bias, including biased policing. This module also discusses the nexus between fair and impartial policing and the legitimacy of police in a society.

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.
- Reflect upon and articulate the impact that biased policing may have on the willingness of community members to cooperate with law enforcement officers.
- Understand how fair and impartial policing is fundamental to the legitimacy of police in society.

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.)
- Participants' Manuals
- Trainers' Guide

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 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. This personal commentary can have a lasting impact 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.

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.

There are several alternatives to presenting “live” testimonials in class. The instructors could show videos of testimonials. Video resources include a training video produced by the California Police Officers’ Standards and Training (POST). Per the California POST, this video is only available for use by law enforcement agencies and academies in the State of California. 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. Alternatively, instructors may go to: www.fairandimpartialpolicing.com for sample video testimonials.

Another alternative to “live” testimonials, is the presentation and discussion of testimonials contained in written works. We reference such resources in the curriculum.

The Impact of Biased Policing on Community Members

Biased policing, whether subtle or overt, can have detrimental effects on community members.

We have asked _____ to share his/her experience with you.

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.

Note to Instructors: When presenting “live” testimonials, both instructors might participate in leading the discussion. One instructor can lead; a second instructor may provide backup commentary when appropriate. Use the questions at left, as necessary, to make sure the speaker addresses key points.

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. The lesson intentionally begins with a look at others’ experiences with biased policing.

The most powerful approach is to identify one or several individuals from the community, the class or the police department who are willing to share their experiences that they believe reflect biased policing. Careful selection of speakers (those who are articulate and are credible) and preparation of speakers (to ensure they focus on the teaching points) is critical.

Instructors should try to identify guest speakers who broadly represent potential subjects of biased policing, including bias based on gender, sexual orientation and race to ensure that trainees understand that biased policing is not only about interactions with the racial/ethnic minority communities.

If instructors cannot identify a speaker to share their own testimonials, they may wish to create their own case scenarios describing biased interactions between police officers and community members. For example, instructors could describe a scene where the officer stops the African American bike rider who is “out of place” in a White neighborhood.

“100 Ways to Look at a Black Man”

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. These testimonials provide us with the opportunity to reflect upon how biased policing impacts both the immediate relationship between the police officer and the individual with whom s/he is interacting and also the long term relationship between that community member and the police agency.

California POST Training Video: Bike Rider

Take a look at this interaction between a community member and an officer.

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?

California POST Training Video: Off-Duty Officer

As law enforcement officers, we are not immune from being subjects of bias as well as stereotypes. Let’s take a look at the experience of this California police officer when he was in plain clothes.

In developing these case scenarios, instructors might refer to texts that contain case studies and testimonials of biased interactions between community members and police—one such text is referenced at left (Ogletree, 2010). 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.

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 African American man discusses his experience with his wife. These are segments at 23:14 and 31:58 on the DVD.

Instructors lead a discussion of the responses to the video. Instructors can choose to use the discussion questions as an opportunity for self reflection (asking rhetorical questions) or for group discussion.

Instructors show California POST: “Racial Profiling: Issues and Impact” segment which depicts an off-duty police officer changing his tire. This segment is at about 44:15 on the DVD.

Instructors lead a discussion of the scenario, moving the discussion from responses to the video scenario to asking trainees to reflect and share any personal experiences they have had that they think reflect police bias.

Discussion/ Debrief:

- This individual was relatively understanding although offended. How might another person—who is not himself an officer—feel about such an experience? How might it affect his overall attitude toward police?

Fair and Impartial Policing Engenders Community Respect and Cooperation

Now we look at how fair and impartial policing—“good policing”—can promote community trust in, respect for, and collaboration with police agencies.

How do you and your agency benefit when the community trusts and respects you?

Instructors should note that trainees' sharing of their experiences must be truly voluntary. Instructors may choose to lead with their own experiences, if any.

Note to Instructors: *Instructors may wish to switch here. Instructors may find it helpful to have a brief discussion about how perceptions can affect individual responses and how perceptions can define reality for police. For example, community members may have perceptions about police in general and that perception may affect their approach to or reservations about police officers.*

Display Slide #72: Fair and Impartial Policing Engenders Community Respect and Cooperation



Possible Responses: When community members trust and respect the police:

- they help the police by giving them information that is useful for investigations
- victims report crime and cooperate with the police and the courts
- they are more likely to obey laws
- they are more likely to believe you when you testify in court and they sit on the jury

Research has demonstrated that the police cannot be effective without the support and cooperation of the community.

When community residents believe they are being treated fairly and with respect, they are more likely to cooperate and comply with the police and police decisions.

Your Role in Engendering Police Legitimacy

Your daily interactions with community members can influence whether the community supports the police department, even through difficult and controversial times.

Your actions determine whether the community sees police as a legitimate authority.

One aspect of this is ensuring that your actions are fair and impartial.

Display Slide #73: Research Demonstrates

Research Demonstrates

- Police cannot be effective without support/cooperation of the community
- Community members who perceive the police as being fair see them as a legitimate authority

Note to Instructor: Instructors may wish to describe their own experience when community members have supported and assisted the police because trust and respect had been established between the department and/or individual officers and community members.

Display Slide #74: Your Role in Engendering Police Legitimacy



**Your Role in
Engendering Police
Legitimacy**

Promoting the public view that police are legitimate is important. We know, from research findings that police legitimacy impacts the public's willingness to:

- Obey societal laws
- Cooperate with the police
- Assist with crime prevention efforts
- Assist with valuable information during criminal investigations
- Support criminal prosecutions

Hopefully, we have successfully made the case that promoting fairness and impartiality will result in community trust and cooperation, perceived police legitimacy on the part of community members, safe policing, effective policing, just policing, and the "good" policing that all officers strive to achieve.

In the next session, you will have the opportunity to apply your skills in several real-life, scenario-based exercises.

Display Slide #75: Police Legitimacy Impacts the Public's Willingness To:

Police Legitimacy Impacts the Public's Willingness To:

- Obey societal laws
- Cooperate with the police
- Assist with crime prevention efforts
- Assist with valuable information during criminal investigations
- Support criminal prosecutions

Display Slide #76: Fair and Impartial Policing Results In...

Fair and Impartial Policing Results In....

- Community trust and cooperation
- Perceived police legitimacy on the part of community members
- Safe policing
- Effective policing
- Just policing
- "Good" policing

Note to Instructors: *Instructors should take a break here and switch instructors for Module 3.*