



Fair and Impartial Policing

Introduction

Over the past decade, police personnel, researchers, community leaders and other stakeholders have engaged in a national discussion about policing and bias; biases based on race and ethnicity have received the most attention. Much of the national discussion, however, has been based on outdated notions of how bias manifests in our society.

Early researchers on the psychology of bias reported that prejudice was based on animus toward groups and that a person with prejudice was aware of it. Bias with these characteristics is now known as “explicit bias”; racism is an example. More recent research on this topic provides us with a fuller understanding of how prejudice is manifested. Social psychologists report that bias has changed in our society. As one scientist proclaimed, “Modern prejudice is not your grandparents’ prejudice” (Fiske, 2008: 14). What these scientists have determined—through voluminous research on this topic—is that bias today is less likely to manifest as explicit bias and more likely to manifest as “implicit” (or “unconscious”) bias. Social psychologists have shown that implicit bias can impact what people perceive and do. It works outside of conscious awareness and manifests even in people who consciously hold non-prejudiced attitudes.

Bias starts with our automatic tendency to categorize individuals. We categorize individuals and objects to make sense of the world, which includes categorizing people we don’t know according to group membership. We then attribute to these individuals the stereotypes associated with their group. This does not require animus; it requires only *knowledge* of the stereotype. Implicit bias, like explicit bias, can produce discriminatory actions.

Research has examined implicit biases linked to ethnicity and race, gender, social class, sexual orientation, religion, body shape, age, and so forth. It has examined the manifestations of bias among members of various professional groups, such as doctors, other health professionals, medical students, educators, prosecutors, and law enforcement.

In policing, implicit bias might lead the line officer to automatically perceive crime in the making when she observes two young Hispanic males driving in an all-Caucasian neighborhood. It may manifest among agency command staff who decide (without crime-relevant evidence) that the forthcoming gathering of African American college students bodes trouble, whereas the forthcoming gathering of white undergraduates does not. Moving beyond racial and ethnic biases, implicit bias might lead an officer to be consistently “over vigilant” with males and low income individuals and “under vigilant” with female subjects or people of means. Where there is a crash with two different versions of what happened, implicit bias might lead the officer to believe the Caucasian man in the white shirt and tie driving the BMW as opposed to the Hispanic man in jeans and a pick-up truck.

So the bad news is that prejudice remains widespread and manifests below conscious awareness, even in those of us who eschew, at a conscious level, prejudices and stereotypes. The good news comes from the large body of research that has identified how individuals can reduce their implicit biases or, at least, ensure that their implicit biases do not affect their behavior. Scientists have shown that implicit biases can be reduced through positive contact with stereotyped groups and through counter-stereotyping, whereby individuals are exposed to information that is the opposite of the cultural stereotypes about the group. Another set of remedies doesn’t require that we rid ourselves of the implicit biases that took a lifetime to develop. The social psychologists have shown that, with information and motivation, people can implement “controlled” (unbiased) behavioral responses that override automatic (discrimination-promoting) associations and biases.

Fair and Impartial Policing Training Programs

Around the country, traditional racial-profiling training programs have not been based on outdated understandings about prejudice. Many such training programs have conveyed the message, “stop being prejudiced,” with an emphasis on reducing animus toward stereotyped groups. From the science, we now know that this message is ill-suited for most individuals in modern society, including most individuals in policing, who may not have explicit prejudices. Further and more important, individuals receiving such messages can be offended—producing a backlash against these efforts.



The Fair and Impartial Policing (FIP) training program applies the modern science of bias to policing; it trains officers on the effect of implicit bias and gives them the information and skills they need to reduce and manage their biases. The curricula address, not just racial/ethnic bias, but biases based on other factors, such as gender, sexual orientation, religion, socio-economic status and so forth. These curricula are founded on the following fundamental principles:

- ✚ 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 or stereotypes is unsafe, ineffective and unjust.
- ✚ Fair and impartial policing is a cornerstone of procedural justice and important for the achievement of agency legitimacy.
- ✚ Officers can learn skills to reduce and manage their own biases.
- ✚ Supervisors can learn skills to identify biased behavior in their direct reports and take corrective actions when they detect biased policing
- ✚ Law enforcement executives and their command-level staff can implement a comprehensive agency program to produce fair and impartial policing.

There are five Fair and Impartial Policing curricula (three of which were developed pursuant to cooperative agreements with the U.S. Department of Justice, Office of Community Oriented Policing Services). The curricula, all based on the science of bias, are customized for these audiences:

- ✚ Academy Recruits and/or In-Service Patrol Officers
- ✚ First-Line Supervisors
- ✚ Mid-Managers
- ✚ Command-level Personnel (or Command Personnel and Community Leaders)
- ✚ Law Enforcement Trainers

These five training programs fill a significant gap in resources for agencies that are attempting to address the national problem of biased policing (including, but not limited to, *racially* biased policing). The project to develop these curricula greatly benefited from the expertise of a distinguished national Curriculum Design Team (CDT) comprised of experts in the area of biased policing, police executives, first-line supervisors, officers, and community stakeholders. Additionally, and importantly, social psychologists from around the nation who conduct the research on human biases were members of this team.

All five training programs have been implemented with the target audiences (recruits/patrol officers, first line supervisors, mid-level managers, command staff and law enforcement trainers) in multiple and diverse training environments. The evaluations are consistently very positive.

Both the **recruit academy/patrol officers'** and the **first-line supervisors'** curricula consist of three modules:

- ✚ Module 1: Understanding Human Bias
- ✚ Module 2: The Impact of Biased Policing on Community Members and the Department
- ✚ Module 3: Skills for Fair, Impartial, and Effective Policing

The first two modules are very similar in the two curricula—merely customized in language and exercises for the target populations. The third module of each curriculum teaches the specific skills needed by that audience.

A 6-hour training program for **recruits in the academy or in-service patrol officers** helps these individuals to:

- Understand that even well-intentioned people have biases;
- Understand how implicit biases impact on what we *perceive/see* and can (unless prevented) impact on what we *do*;
- Understand that fair and impartial policing produces *just, safe and effective policing*; and,
- Use tools that help him/her (1) recognize his/her conscious and implicit biases, and (2) reduce and manage biases.

Overwhelmingly *recruit participants* report that the information opens their eyes and *will* absolutely help them in their day-to-day work. Feedback on the exercises and videos range from “great” to “awesome.” One academy participant was returning to the job after being off it for several years; he wrote, “I had [been impacted by stereotypes/biases] as an officer but did not know it until now. I could have used you guys back in 1995!” Other comments from recruit and patrol officer attendees include:

- *“I am going to work in a very diverse environment and feel this training has helped me learn how to attempt to be unbiased towards situations I may encounter.”*
- *“I will go into each situation with this training in the back of my head.”*
- *“Absolutely (I will be able to apply the information and skills to my job). I felt that all the information was related to our jobs and how society relates to these issues as well.”*
- *“We were told we were going to ‘racial profiling’ class all day and, to be honest, that already put me off—thinking it was going to be the same stuff we always get. I was very, very surprised and happy to receive this training today.”*
- *“I learned what ‘implicit bias’ means and understand its effects on me, decisions I make and community perceptions of officers.”*
- *“Well presented. Most relevant discussions on topic of race relations I have heard in 14 years.”*
- *“(Strengths included) addressing everyone’s biases and not making it seem like a white guilt issue.”*

The 5-hour training for **first-line supervisors** (e.g., sergeants) starts with the two modules described above and then:

- Addresses how to identify subordinates who may be acting in a biased manner—including those well-meaning officers whose biased behavior may not be consciously produced;
- Provides guidance to supervisors on how they should respond to officers who exhibit biased policing behaviors;
- Challenges supervisors to think about how bias might manifest in their own behavior; and
- Provides guidance on how to speak about bias to individuals (e.g., officers, individual community members) and community groups and the media, including routine and crisis communication messages.

Identifying the appropriate supervisory response to biased policing can be challenging. Not only is biased behavior very difficult to prove, but, for the officers whose biased behavior is not intentional or malicious, “disciplinary” action would be inappropriate. Since, in many instances, there will only be “indications” and not “proof,” it will be important to convey when and how supervisors can

intervene to stop what *appears* to be inappropriate conduct while keeping in mind the ambiguous nature of the evidence as well as the sensitive nature of the issue.

First-line supervisors who have participated in the training report that they now have a new perspective for thinking about how bias (not just racial bias) might manifest in policing. The comments indicate that they emerge believing (some expressing surprise) that biased behavior can be unintentional and can manifest even in well-intentioned subordinates. Overwhelmingly, the participants report that they will be able to apply the information and skills from the training into their daily job as a supervisor. They report acquiring new tools for identifying when bias might be manifesting in their supervisees and new tools for intervening when they have concerns about subordinate behavior.

Comments include:

- *“I will better recognize bias and be able to address it with officers.”*
- *“Examples presented made me reflect on my personal behavior as well as behavior of my subordinates.”*
- *“(I learned) how to deal with biases that we all have.”*
- *“I will use this training and teach my squad.”*
- *“Helped me realize my own biases and will help me to better train those officers working under my supervision.”*
- *“One of the best classes of this type I have attended.”*
- *“(Some of the most useful info included) the fact that bias can occur and the officer doesn’t even realize it.”*
- *“Good information that I didn’t know and great knowledge gained to take back to the people under me.”*

Due to popular demand, there is now a **mid-managers’** curriculum targeted toward individuals who are above the rank of first-line supervisor and below what might be considered “command staff” in an agency (e.g., Captains). The 6-hour training combines elements from the command-level and first-line supervisor curricula; it:

- introduces the trainees to the science of bias, including the science underlying mechanisms for reducing/managing biases;
- helps mid-managers identify and intervene with subordinates who may be acting in a biased manner;
- challenges mid-level managers to think about how bias might manifest in their own behavior;
- provides guidance on how to speak about bias to individuals (e.g., sergeants, officers, individual community members) and groups/media; and
- Introduces the attendees to the elements of a comprehensive agency program to produce fair and impartial policing.

Mid-managers who participated in the training provided very strong evaluations of the course. Comments include:

- *“The course provided a great deal of information on bias and was presented in a manner that made it easy to understand and apply.”*
- *“An outstanding class teaching about fair and impartial policing and biased policing. Included the science behind it.”*
- *“The strength of the course content and presentation were the examples of the results of studies that supported the concepts.”*
- *“Gave me some eye-opening information. I used to be able to say I wasn’t biased; I can no longer say that. However, this course has now given me the opportunity to have an open conversation about this topic.”*
- *“Presented in lay terms that was understandable.”*

There is a 1.5-day training program for the **agency executive and his/her command-level staff**. An alternative form is to hold this training with both command-level personnel *and community leaders*. This training covers the science of bias, its implications for policing and the elements of a comprehensive agency program to promote fair and impartial policing, which includes assessments and reform in the realms of policy, recruitment and hiring, training, supervision and accountability, leadership, measurement, and outreach to diverse communities. Agency (and community) leaders exit the training with an action plan to implement a comprehensive program to promote fair and impartial policing.

This training has received very strong reviews from both police and community leaders. Some comments include:

- *“It was very interactive and made me think. The resources and facts/examples were amazing.”*
- *“Provided all views of a complex problem that will bring all sides to the table for worthy, meaningful conversations.”*
- *“I am leaving the class with a new perspective on my own views and beliefs. I have a new awareness of bias-based policing within my own agency. The presentation of scientific data provided me with a more convincing argument that supported the existence of unintentional, but widespread racial bias, which I was typically quick to dismiss.”*
- *“I obtained new ideas from the other students as well as from the instructor.”*
- *“(Instructor) aggressively addressed difficult topics with facts and experience.”*

Additional comments reflecting the value of including community stakeholders include:

- *“Having law enforcement and community stakeholders in the room made for interactive and thought-provoking discussions.”*
- *“Discussions enabled community and law enforcement to appreciate each other’s views.”*

A 2.5-day **Train-the-Trainer** program is designed to enable law enforcement instructors to implement both the recruit academy/patrol officers’ and the first-line supervisors’ training programs. This training “walks” participants through both the content and the training methodologies used throughout the Fair and Impartial Policing curriculums and provides opportunities for participants to “practice” teaching the content. FIP instructors provide technical assistance in small group

workshops on key concepts and techniques and provide critical assessments of participants' training skills during their "teach backs." Upon completion of the TOT (with some follow-up self-study and practice), participants are able to implement the two FIP curriculums within their own agencies or academies. TOT participants will be able to:

- Understand the social-psychological research on implicit bias and its implications for both patrol officers' and first-line supervisors' actions
- Discuss the impact of policing on community members and the law enforcement organization
- Discuss the knowledge and skills that patrol officers and supervisors need to promote fair and impartial policing
- Demonstrate proficiency in using appropriate adult learning methods to support the training objectives and effectively presenting and debriefing problem-based case scenarios.

Comments from previous TOT participants:

- *"Excellent training—I cannot wait to present the material."*
- *"Critical area of training for police. Use of scientific approach is great."*
- *"Excellent blend of lecture, facilitation, team teaching, group exercises, and teach-back."*
- *"I enjoyed the class and look forward to instructing the classes."*
- *"Excellent training! The teach-backs were critically important."*

Conclusions

Although still relative new, the fair and impartial policing perspective is getting a lot of attention and acquiring "converts" from around the nation. It was highlighted in an article in the *Police Chief* in November 2011 (Gove 2011) and twice in the *Royal Canadian Mounted Police Gazette* (Fridell 2010, Laszlo 2012). Entire states are adopting the FIP perspective, including Kansas, Rhode Island, Wisconsin and South Carolina. (There is even reference to the FIP perspective in the Kansas statutes.) The Special Litigation Unit (SLU) of the USDOJ, which investigates agencies that are suspected of engaging in unconstitutional practices, including biased policing, is promoting training that addresses how unconscious or "implicit" biases impact on even well-meaning officers. The US DOJ COPS Office is providing FIP training to agencies *at risk* for SLU investigations with the hopes that those agencies can get on track to produce fair and impartial policing and avoid SLU intervention.

The science-based FIP perspective is wholly consistent with the law enforcement commitment to *evidence-based policing*. It rejects our traditional way of thinking about this national issue—a "thinking" that has overused the "racist" label, applying it to even the overwhelming number of well-meaning law enforcement professionals who, in fact, aspire to provide fair and just policing in the communities they serve. Both law enforcement professionals and concerned community stakeholders can come together around this common perspective and its associated plans of action for police at all levels of the department.

Trainings: Lengths and Costs

The lengths and costs for each are: (1) Command 1.5 days, \$4700 plus travel costs for one trainer; (2) mid-level managers 6 hours, \$2000 plus travel costs for one trainer; (3) first line supervisors 5 hours, \$3200 plus travel for two trainers; (4) patrol officers 6 hours; \$3200 plus travel for two trainers; (5) train-the-trainer 2.5 days, \$15,000 plus travel for 3 trainers (estimated at \$3000 to \$5000 depending on location). The TOT is capped at 25 students; all other programs accommodate up to 30 trainees.

For more information on Fair and Impartial Policing and the associated training programs, go to www.fairandimpartialpolicing.com or contact Lorie Fridell at lfridell@fairandimpartialpolicing.com

CEO Bio

Dr. Lorie, Fridell, the former Director of Research at the Police Executive Research Forum (PERF), is a national expert on biased policing. She has authored and co-authored a number of chapters and books on the topic. While at PERF she co-authored with colleagues *Racially Biased Policing: A Principled Response*, which guides law enforcement executives on how to respond to the issues of racially biased policing and the perceptions of its practice. Concerned about the very high expectations that some stakeholders have with regard to data collected on police stops, she wrote *By the Numbers: A Guide for Analyzing Race Data from Vehicle Stops* and the companion book, *Understanding Race Data from Vehicle Stops: A Stakeholders' Guide*. Dr. Fridell is a keynote speaker at conferences on this important topic and has been invited on a number of occasions to speak to various chiefs/sheriffs associations and police accountability groups around the country and in Canada. She has trained for and/or consulted with a number of agencies/entities including the Chicago PD, San Francisco PD, Los Angeles PD, Toronto Police Services, Austin PD, Seattle PD, Massachusetts Chiefs Association, Piedmont PD, Oakland PD, Berkeley PD, La Crosse PD, Madison PD, Prince William County PD, Kansas Racial Profiling Task Force, Wisconsin Bureau of Justice Assistance, Institute for Law and Justice, Rhode Island Chiefs' Association, Wisconsin Chiefs' Association, and RAND Inc., to name a few. Dr. Fridell is an Associate Professor of Criminology at the University of South Florida in Tampa. Her training abilities are indicated by her five university-level teaching awards.