



The Criminal Justice Institute's

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BIAS-BASED POLICING: Strengthening Your Agency Through Training and Education , Part II

In the last issue of the *CJI Management Quarterly*, we provided an overview of **Act 1207 of 2003**, new State legislation that formally prohibits racial profiling by Arkansas law enforcement. While Act 1207 outlines mandatory steps that must be taken to ensure Arkansas agencies are not engaging in bias-based policing practices, there are additional initiatives your agency can implement to further strengthen the relationship between your agency and the citizens you serve. This issue of the *CJI Management Quarterly* highlights some of these initiatives and offers you a closer look at additional requirements of Act 1207.



Public Relations

Educating the public can be just as important in some respects as providing education and training to police. Because of negative stereotypes that are often associated with police officers, some citizens tend to have a natural suspicion of police and their activities. By engaging personnel from your agency in community programs and services, you can alleviate citizen suspicions and take a proactive approach to bridging the gap between law enforcement and minority communities.

One means of doing this is through the creation and distribution of **informative brochures and handouts**. These types of printed materials can easily be produced within your agency to help dispel negative stereotypes held by the public and to better explain the mission and initiatives of your agency. For example, a brochure titled "Traffic Stops" might provide an overview of the standard format officers follow in stopping a citizen for a traffic

violation. It might also include the driver's role and expectations to have of the officer.

The content of the brochures should be informational, yet understandable. If the community consists of a variety of cultures and ethnicities, the police department should consider printing them in various languages. Brochures can be distributed to the public in a variety of venues—in driver training classes; during police checkpoints or routine traffic stops; in the lobbies of police departments and public buildings (including schools); at news or magazine stands; or even as a public service announcement in a local newspaper or magazine.

With the help of local media, police departments may decide to develop

public service announcements for local television, radio and newspapers. Remember the "Click It or Ticket" announcement that aired statewide this year? This television campaign was produced by the Arkansas State Police in an effort to promote automobile safety throughout the State. Media campaigns such as this effectively communicate the desire of law enforcement to serve and protect members of the community.

Another useful and inexpensive way of educating your community is through the Internet. **Agency websites** allow law enforcement agencies to establish a strong presence within their communities. These sites often provide information on issues that directly affect the public, such as crime prevention, personal safety, traffic safety, and community programs, while also providing information that needs to be disseminated quickly to a large audience, such as information on missing persons,

current fugitive lists, and inclement weather warnings. Another important feature of these websites is their ability to increase communication between law enforcement personnel and the public through on-line features including community surveys and law enforcement newsletters. *Note:* It is important to keep in mind that not everyone has access to a computer. Therefore, departments should not rely solely on this mode of communication, because it is only likely to reach a limited number in one's community.

Community-Based Policing

Community-based policing has proven to be an effective means of uniting a police department and its constituency. Many agencies have begun implementing agency-based programs, such as citizen police academies and school resource officer programs, in an effort to make officers more accessible to the public. They are getting more involved in community based-initiatives, such as food drives, fundraisers, and holiday events, which allow officers to establish lines of communication at the neighborhood level. In addition, law enforcement agencies are showing increased involvement in multi-agency coalitions, which strengthens their partnerships with other public servants in the community.

All of the aforementioned methods of reaching the public share a common benefit—they allow information to be distributed by police professionals without outside editorializing. As such, the public receives a different perspective of their local police department and is better able to balance any negative stereotypes.

Make sure that your officers are available to participate in activities at the community level. Building relationships and initiating an open dialogue with community members will be of great benefit to your agency.

Citizen Complaints

In 2001, the Department of Justice stated: "A growing body of evidence indicates that in any police department a small percentage of officers are responsible for a disproportionate share of citizen complaints." In many cases, this statement holds true today. The question is: *How do you, as a manager, keep one bad apple from spoiling the bunch?*

It is your responsibility to ensure that agency officers and personnel are performing at the highest level of professionalism within the community. When you suspect that they are not administering the policies and procedures of your agency fairly and consistently, you should take action in a timely manner.

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Act 1207 requires citizen complaints of alleged racial profiling to be thoroughly reviewed by law enforcement agencies. More specifically, this legislation requires agencies to have a “systematic review process by supervising personnel...to determine whether any officers of the law enforcement agency have a pattern of stopping or searching persons.” Once a pattern of racial profiling has been detected, supervisors are required to act in a timely manner, providing remediation or disciplinary action for the offending officer.

To monitor potential incidents of racial profiling and other inappropriate police activity, it is recommended that agencies utilize Citizen Complaint Forms. As set forth in the Institute's model policy and procedures, when a field officer is accused of biased law enforcement practices, the officer should quickly contact his or her immediate supervisor. When practical to do so, the supervisor should report to the scene to mediate the situation.

Field officers should provide the complainant with the full name and telephone number of his or her supervisor and should complete a written report detailing the incident, the allegations made, and the purpose for the pedestrian or motor vehicle stop. This report should be provided immediately to the supervisor.

If possible, mobile video recording tapes (MVR tapes) should be utilized. In addition to discouraging inappropriate police behavior, MVR tapes can be a valuable resource in absolving officers from wrongdoing. If MVR tapes are in use, they should be turned over along with Citizen Complaint Forms.

Data Collection

In the State of Arkansas, there is no legislative requirement that mandates law enforcement agencies to collect data related to racial profiling. Provisions in Act 1207 that would have required extensive data collection on traffic stops were removed in the Senate.

Although there is no requirement to collect such data in the State, data collection continues to be one of the most controversial issues to arise from racial profiling debate and legislation. As noted by the Police Executive Research Forum, "There are pros *and* cons to collecting data as a response to racially biased policing and the perceptions thereof. Whether the positives outweigh the negatives, or vice versa, depends on the myriad factors within each individual jurisdiction." These factors include political environments, community composition, agency organization and financial feasibility.

To assist your agency in understanding both sides of this controversial issue, we'll take a brief look at some of the benefits and drawbacks of data collection as compiled by the Institute on Race and Justice:

Benefits of Data Collection

- ❑ **Send a strong message to the community** that the department is against racial profiling and that racial profiling is inconsistent with effective policing and equal protection
- ❑ **Build trust and respect for the police** in the communities they serve
- ❑ **Provide departments with information** about the types of stops being made by officers, the proportion of police time spent on high-discretion stops, and the results of such stops
- ❑ **Help shape and develop training programs** to educate officers about racial profiling and interactions with the community
- ❑ **Enable the development of police and community dialogue** to assess the quality and quantity of police-citizen encounters
- ❑ **Allay community concerns** about the activities of police
- ❑ **Identify potential police misconduct and deter it**, when implemented as part of a comprehensive early warning system
- ❑ **Retain autonomous officer discretion** and allow for flexible responses in different situations

Limitations of Data Collection

- ❑ Concerns about **extra-budgetary expenditures** associated with collecting data

- ❑ The **potential burden** an improved data collection procedure will have on individual officers in the course of a normal shift
- ❑ **Developing a benchmark** against which the data can be compared
- ❑ The **potential for police disengagement** from their duties, which may lead to officers scaling back on the number of legitimate stops
- ❑ The **challenge of ensuring that officers will fully comply** with a directive to collect stop data
- ❑ **Ensuring that data is recorded** on all stops made, and that the data collected is correct
- ❑ **The difficulty of determining the race or ethnicity** of the persons stopped
- ❑ Once data is collected and analyzed, the **difficulty of making a definite conclusion** about whether racial profiling exists or not, as this question requires more than a "yes" or "no" answer

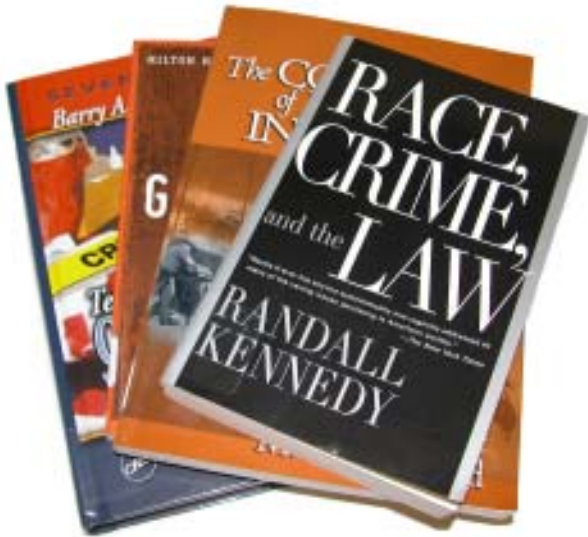
For a more in-depth look at data collection issues, visit the website for the Institute on Race and Justice at www.racialprofilinganalysis.neu.edu or contact the Criminal Justice Institute for a free copy of *Racial Profiling: A Principled Response*, which features information compiled from the Police Executive Research Forum and the Office of Community Oriented Policing Services.

Conclusion

Although great strides have been made in recent years to narrow the gap that divides law enforcement from the general public, there is more that can be done to earn the trust of those citizens we serve. Implementing policies and procedures that curtail bias-based policing is a significant step in securing this trust. Without trust, it is impossible for your agency to best serve the citizens in your community.

**For More Information
About Act 1207 of 2003,
Contact the Criminal Justice Institute
(501) 570-8000**

For In-House Training Within Your Agency, Contact CJI Library Services For Up-to-Date Resources on Bias-Based Policing



The Criminal Justice Institute has compiled a great deal of information on racial profiling and biased law enforcement practices. Recently published books, articles and videotapes on this subject are now available in the CJI Library and will be loaned to any Arkansas law enforcement agency or officer upon request.

Current titles include:

- ◆ *Policing and Minority Communities: Bridging the Gap*
- ◆ *Race, Crime, and the Law*
- ◆ *The System in Black and White*
- ◆ *Police Traffic Stops and Racial Profiling*
- ◆ *Racially Biased Policing: A Principled Response*
- ◆ *and much more....*

For more information, contact
CJI Library Services at 501-570-8000

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