

LOS ANGELES POLICE DEPARTMENT
IMPLICIT BIAS AND COMMUNITY POLICING

1850-20268

Instructional Goal: To expose participants to the meaning, causes, consequences and solutions regarding implicit bias and its potential impact on community policing; provide students with an understanding of what racial profiling is and the negative impact it can have, not only on the individual targeted, but also on the entire community; to develop empathetic, relationship-focused officers who solve long-term community problems while building public trust.

Distance Learning Delivery Methodology: Using self-paced training, students will complete the following:

- Students will complete training on their mobile devices using the LAPD University Application, downloaded from the App Store or Google Play. Contained within the app are videos, case studies, podcasts, and checks for knowledge.
- Each of the course modules will have content directed at accomplishing the performance objectives, followed by a test. The desired result is a more content workforce, providing optimal service to the community.
- Self-paced training may be certified for CPT credit if the curriculum and instructor information is submitted in EDI in compliance with Regulation 1053. Additionally, presenters must advise the following:

- A. **Method in which trainee attendance and course completion is verified:**
Students will sign-up and log onto the LAPD University mobile application. They will then type a code into the Leadership Core course in the collections section. As the student progresses through the course, data is fed to the course administrators at LAPD Training Division, including student progress through the modules, examination scores, and rate of completion. Using this data, program administrators can mark the student has having completed the course.
- B. **Online registration - access code:** Students will receive a registration code for each course instance. This data is fed through the LAPD University software and verified by personnel from Training Division
- C. **Audio or text (chat area) interaction:** The LAPD University app will allow for real time interaction with a chat function
- D. **Method in which trainee interaction with the instructor for questions or exercises occurs:** Audio or text (chat area) interaction
- E. **Method in which instructor evaluates trainee performance and verifies the learning took place:** Individual written test at the end and chat function debriefs
- F. **Assessment activity (test or submitted written assignment):** 10 questions online test with 80% passing requirement. The data from the test will be transmitted via the software to the course administrators, whom will verify that the student has completed each segment.
- G. **Taped Webinars:** Parts of the brief backs and presentation can be recorded for reach-back and future usage.

I. Introductions and Overview

(10 minutes)

- A. Instructors
- B. Overview of course
- C. Learning objectives

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Implicit bias

II. What is implicit bias (and other related concepts)? (20 minutes)

- A. Stereotypes
 - 1. Stereotypes defined
 - 2. Examples of popular stereotypes
 - 3. In/accuracy of stereotypes
 - 4. Sub-categorizations of people who do not fit group stereotypes
 - 5. Video depicting stereotypes regarding race and dancing ability
 - 6. Exercise: participants are asked to form small groups, generate stereotypes
About police, describe the accuracy of the stereotypes and assess how well the stereotypes describe firefighters and military personnel
- B. Prejudice
 - 1. Prejudice defined
- C. Comparing oneself with others as the basis for prejudice
 - Discrimination
 - 1. Discrimination defined
 - 2. Examples of discrimination
 - 3. Comparing and contrasting stereotypes, prejudice, and discrimination
- D. Implicit Bias
 - 1. IB defined
- E. Racism
 - 1. Racism defined
- F. Description of Bias at Multiple Levels
 - 1. Description of bias at individual, institutional, and cultural bias
- G. Perspective Taking Exercise
 - 1. Interpret an optical illusion involving what appear to be two faces, but are
Actually five
- H. Implicit bias findings
 - 1. Prevalence of IB among human beings
 - 2. Popular bases for categorizing people in the United States
 - 3. Exercise: participants shown a picture of a young woman and asked to
Provide their best guess regarding her race, age, income level, and name
 - 4. Implicit bias as a stronger predictor of behavior than explicit bias
 - 5. Implicit bias can be over-ridden with conscious effort
 - 6. Common targets of bias in the United States

III. What does Implicit Bias look like in the real world (15 minutes)

- A. Examples of implicit bias
 - 1. Home mortgages
 - 2. K-12 education
 - 3. Hiring practices
 - 4. Criminal justice

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5. Immigration attitudes
6. Healthcare
- B. The self-concept and diversity
 1. Overview of different dimensions of identify and diversity
 2. Exercise: participants are asked to think of a time when they experienced Discrimination, form small groups, share the discrimination experiences with Their small group and then with the larger group

IV. Why does Implicit Bias exist (15 minutes)

- A. Reasons that implicit bias exists
 1. Minimal group effect
 2. Evolutionary/survival strategies
 3. Self-esteem
 4. Scapegoating
 5. Competition over scarce resources
 6. Categorization
 7. Cognitive misers
 8. Social learning
 9. Lack of exposure

V. How is implicit Bias measured (15 minutes)

- A. Implicit Associations Tests (IAT)
 1. Description of science behind the IAT
 2. Various biases measured by the IAT
 3. Findings of the Black/White race IAT
 4. Notes on taking the IAT
 5. Exercise: participants asked to anonymously submit the results of the Weapons/Race IAT that they were asked to complete prior to training; Followed by discussion of pattern of results and insight into the test

VI. How does Implicit Bias affect the person holding the Bias? (5 minutes)

- A. The Psychological and Behavioral Consequences of Implicit Bias Among Those Who Hold Them
 1. Day to day decisions and behaviors
 2. Exaggeration of out-group similarity and in-group variation
 3. Exaggerate differences between groups
 4. Guilt and cognitive dissonance
 5. Perspective taking exercise: optical illusion

VII. How does Implicit Bias Affect the target of the bias (15 minutes)

- A. Birth through high school
 1. Suspension and expulsion rates of pre-school students by race and gender

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2. Racial preferences study among African American children
3. Suspension and expulsion rates of K-12 students by race and gender
4. Characteristics of teachers serving minority students
- B. Post-high school
 1. Audience poll regarding perceptions of post-high school choices by Hispanic males
 2. Statistics on post-high school choices by race and gender
 3. College graduation rates by race and gender
- C. Impact of implicit bias on targets across the life-span
 1. Developing coping strategies
 2. Explaining ambiguous life outcomes
 3. Stereotype threat
 4. Undermining self-esteem
 5. Perspective taking exercise: optical illusion

**VIII. How does Implicit Bias affect community-police interactions and outcomes?
(15 minutes)**

- A. Empathy as a critical component of positive police-community relations
- B. Trust of police among various racial groups
 1. National statistics on community trust of police by race
 2. Video: police officers of color discuss informal quotas and community perceptions of police
 3. National data of officer involved shootings of unarmed citizens
 4. Discussion of the myth that high crime rates lead to officer involved Shootings
 5. National data on police excessive use of force by race of citizen
- C. Challenges faced by young men of color
 1. Popularity vs. academic achievement
 2. Learning from teachers with low expectations and stereotypes
 3. Embracing an education system that devalues them
 4. Being respected vs. dis-respected
 5. Gangs vs. alienation
 6. Fast money vs. delayed gratification
 7. Sexually active vs. teen fatherhood
 8. Parents vs. peers
 9. Selling out/acting White vs. "keeping it real"
 10. Police abuse vs. respecting authority
- D. Perceptions of young males of color by adults
 1. Participants respond to a poll question regarding Americans' attitudes toward young Hispanic males
- E. Perceptions that young Black and Hispanic males hold of police
 1. Participants respond to a poll question regarding how they believe young Black and Hispanic males view the police

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2. Profiles that some young males of color have of the police

IX. How can potential Implicit Bias in law enforcement be reduced? (20 minutes)

- A. The Big Picture
 1. Reducing implicit bias at the level of mentally associating certain traits with particular groups can be challenging; very difficult to completely eliminate
- B. Practices from the 21st Century Policing Task Force report that may reduce the Impact of biased thinking on behavior:
 1. Implicit bias training
 2. Increased exposure to positive stories and outcomes involving target of bias
 - a. Increase diversity among close friends
 - b. Authentic communication with community members
 - c. Video: will demonstrate perceptions of police and youth of color during a traffic stop
 - d. Increase diversity of police force
 - e. Involve youth of color in academy training, ride-alongs, role play, etc.
 - f. Mental health services for officers in high crime, racially homogeneous neighborhoods
 - g. Books, documentaries, museums, etc. that describe positive contributions of members of target group which bias is held
 3. Employ accountability structures and consequences for biased behavior
 - a. Crime statistics and justification for policing policy and practices publicly available
 - b. Independent investigators of officer-involved shootings
 - c. Incident review and approval boards
 - d. Police provide business cards when engaging citizens
 - e. No-tolerance policy for profiling/discrimination
 - f. Wide use of body and dash cameras
 4. Remove identifying information that can serve as a basis for bias whenever possible
 - a. Removing name, sex, and other demographics from job applications until it becomes relevant
 - b. Emphasis on de-escalation training
 - c. Training in interpersonal skills and communication
 - d. Limit continuous work hours (fatigue impairs judgement and reaction time)
 - e. Mandatory use of bullet-proof vest

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Racial Profiling

X. Racial profiling defined (20 minutes)

- A. Activity
1. **Participants will be able to provide commentary and discussion in a chat embedded within the app.**: “How has the issue of racial profiling had an effect on you?
 - a. Capture information in the chat function embedded within the app.
 - b. Possible student responses
 - 1) I won't be able to stop minorities
 - 2) I will have to write the same number of tickets to all races
 - 3) I won't be able to make consensual searches anymore
 - 4) If I arrest or stop too many minorities, I will get sued
- B. Clarifying the controversies about the issues using the chat embedded within app.
1. You can still do your job effectively
 - a. Profiling behavior is more effective than profiling race
 2. Racial profiling and racism are not the same
 - a. Racism is hate-motivated
 - b. Racial profiling occurs when race is used as a predictor of criminality
 3. Members of all racial groups commit crimes
 - a. Actions of some should not cast aspersions on all
 4. You cannot assume all members of a particular group commit a specific crime even if members of that group are associated with that crime
 - a. Terrorism is not just committed by Middle Easterners
 - b. Two white males committed the Oklahoma City bombing
 5. The majority of all groups are law abiding
 - a. The crime rate is a measure of police activity versus criminal activity
 - b. Statistics indicate no higher contraband “hit rate” in minority vehicle stops or searches
 6. Racial profiling does occur
 - a. December 1999 Gallup Poll indicates that nationally, 60% of adults perceive that racial profiling is widespread
 - b. That percentage is higher in minority communities
 - c. Perception is reality as far as the affect it has on the public
 7. Data collection issues
 - a. Many law enforcement agencies in California and nationwide have elected to collect data on traffic stops
 - b. There are mixed interpretations of the data
 - 1) Early data indicates there may be a higher contact with minorities
 - 2) There appears to be a difference in the type of action taken with minorities after the stop
 - a) More searches

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- b) Longer detentions
- c. Currently, there is no uniform method for collecting data
 - 1) Agency-specific
 - 2) Several volunteer
 - 3) Several under consent decree (involuntary)
 - 4) Final outcome can be court mandates
- 8. No one group has a monopoly on racial profiling
 - a. It is frequently precipitated as an institutional practice
 - b. It can be learned or a trained practice

XI. Legal considerations/Applying the Law (30 minutes)

- A. California specific laws
 - 1. Senate Bill 1102
 - a. Modified Penal Code Section 13519.4 PC
 - b. Law enforcement shall not engage in racial profiling
 - c. Racial profiling is the practice of detaining individuals based on a broad view of a particular group of people
- B. Federal laws
 - 1. 4th Amendment
 - a. Reasonable suspicion or probable cause
 - 1) Must be individualized
 - 2) Focused on the person to be stopped or detained
 - 2. 14th Amendment
 - a. Equal application of the law
 - b. Law enforcement must be colorblind in conduct of its responsibilities
 - c. Individualized suspicion cannot be based on race unless race was provided as a specific descriptor
 - 3. Case law
 - a. Whren v United States
 - 1) Creates powerful discretion on the part of the officers to make pretext stops
 - a) An officer stops a driver for a minor traffic violation to investigate a hunch that the driver is engage in a more serious activity
 - b) It's what motivates the pretext stop that must be considered
- C. Legal /ethical exercise of this discretion is the key
 - 1. A stop can be legal under the 4th Amendment and still illegal under the 14th Amendment
- D. Difference between criminal profiling and racial profiling
 - 1. Criminal profiling is a legitimate practice based on psychological characteristic that can be analyzed and evaluated
 - 2. Criminal profiling is based on articulable behaviors or characteristics
 - 3. Racial profiling is the use of race alone as a predictor
- E. Lawfully applying your discretion

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1. Law enforcement officers may only consider factors such as race, ethnicity, religion, national origin, sexual orientation, gender, or lifestyle when they are a reported descriptor which links a specific person or persons to a particular unlawful incident
- F. Scenario 1. An officer is parked at a stop sign in proximity to an upper-class neighborhood high school. Two white teens, in a Ford Mustang, roll through the stop sign. The officer does not stop the vehicle. Two Latino teens, in a late model sedan, also rolls the stop sign. The officer makes a stop on that vehicle.
 1. Was the stop legal?
 - a. Yes-22450(a) V.C.
 2. Did the stop constitute racial profiling?
 - a. We don't know until we know what was in the mind of the officer
 3. What would make this stop racial profiling?
 - a. If the decision to stop was based on race
 - b. Unequal application of the law
 4. Anytime race tips the scale for the decision to take enforcement action, it is racial profiling
- G. Scenario 2. Two Vietnamese teens are walking in front of a liquor store in a high-crime, low-economical area. There are community members in the background walking or talking. Officers watch the two boys walk back and forth, looking in, pointing, etc. The officers then pull up to the curb and get out of the unit. The passenger officer contacts the boys, saying, "Hey, guys, how ya doing?"
 1. Could the kids have just been "hanging around?"
 - a. Yes
 2. Did this appear to be a contact or a detention?
 - a. May have merited a detention
 - b. Appeared to be a contact
 3. Consensual contacts
 - a. Do not need to be based on specific observable behavior
 - b. Subjects believe they can leave at any time
 - c. It may be argued in court whether the contact is consensual or was actually a detention
 4. You can still use your intuition within the law
 5. Always examine your motives and biases
 - a. If all consensual contacts are people of a particular race, the contact could be a pattern and practice of racial profiling
 6. Consider explaining the reason for the contact
- H. Scenario 3. A black middle-aged male in sweats is riding a bicycle and carrying a package under his arm. This is in an upper middle-class, predominately white neighborhood. An office driving by makes a U-turn, pulls up alongside the bicyclist and says, "Hey, pull over to the curb." The officer gets out and contacts the man, asking him where he is coming from and going to.
 1. Could this happen?

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- a. Yes
2. What appeared to be the reasonable suspicion for the stop?
3. All persons of any race have a right to go anywhere
4. Race out of place is racial profiling
 - a. Violates 4th and 14th amendments
- I. Scenario 4 Class Exercise. Over the past six to eight months, there has been a steady increase in drug-related activity and crime in the vicinity of 5th and Kyle. This location is in a lower income Latino community. Many community members and organizations have approached the local police/sheriff's department to request their assistance in stopping the criminal activity to make the streets safer for the children. They are also concerned that drug activity is having a negative impact of the businesses in the area. In addition to this, the Chief/Sheriff regularly receives phone calls from political and business leaders demanding that the department "take action" to remedy this problem.

A report distributed to the patrol division indicates that there have been 20 arrests for possession of cocaine in and around the area of 5th and Kyle within the past three months. The ethnicity of the buyers was mixed; however, interviews with those arrested indicate that all but three of them purchased their narcotics from male Hispanics between 20-40 years of age.

Your supervisor has asked you to prepare an enforcement strategy for responding to the community's concerns and requests to "clean-up" this area.

1. The students will be given the opportunity using the chat function to debrief the situation simulations to uncover any questions the students may have.
 - a. Increased patrol
 - b. Surveillance
 - c. Increased traffic stops
 - d. Increased field interview cards
 - e. Undercover operations
2. What actions could lead to racial profiling?
 - a. Pretext stops and detention
 - b. Increased field interviews
 - c. Searches
3. How could different members of the community perceive the increased enforcement?
 - a. Possibly racial profiling
4. Communication with the community is important
5. Targeted enforcement must still be in the "green zone"
6. Statistics alone are not reasonable suspicion or probable cause
 - a. Officers cannot assume that all members of a particular race/ethnic group commit Crimes

XII. History of Civil Rights

(25 minutes)

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- A. Evolution of race relations in America
 - 1. Nationally
 - a. During WWII, this country participated in widespread racial profiling when thousands of Japanese Americans were incarcerated based solely on their race
 - 1) This occurred while hundreds of Japanese fought for this country in all branches of the military
 - 2. Throughout the country, for the most part, minorities and whites lived in separate communities
 - 3. Minorities had fewer opportunities educationally and economically
 - 4. In the 50's, the civil rights movement was the largest mass movement to address American ideals of justice and equality
 - 5. Law enforcement was put in the position of enforcing State Laws, which supported segregation
 - 6. Civil rights was not a movement for minority rights but for the rights of every citizen in the United States
 - a. "Injustice anywhere is a threat to justice everywhere."

-Dr. Martin Luther King, Jr.

- 7. As a society, we dismantled the major practice of discrimination
 - a. The laws pertain to all people equally
 - b. Segregation was legally abolished
- B. California
 - 1. Racially restrictive covenants were in existence up to forty years ago
 - a. Race alone was probable cause to be stopped in certain neighborhoods
 - 2. School segregation of Mexican, Asian, and Native Americans existed until 1947 (Mendez v Westminster-Orange County)
 - 3. Los Angeles Riots-August 1965
 - a. In the 60's every major riot was a result of some police action
 - b. Began in response to police action and perceived prejudice
 - 4. Los Angeles Riots-1992
 - a. Result of police action with Rodney King
- C. Group discussion
 - 1. What impact does the history we've just learned about have on our profession today?
 - a. Law enforcement has had to enforce unjust laws in the past
 - b. Law enforcement and the community must build and maintain mutual trust
 - 2. What impact does history have on our own agency?
 - a. Discuss historical events from your jurisdiction
 - 3. Are we creating any new history for ethnic groups today?
 - a. Yes-Middle Eastern communities

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4. In light of recent events, what is our responsibility to Middle Eastern communities?
 - a. Protect them from terrorist threats
 - b. Ensure their safety
 - c. Still need to use individualized behaviors or specific descriptors for reasonable cause to stop or detain
 5. What can we do as individuals to increase the trust between the community and law enforcement?
 - a. Treat them fairly
 - b. Explain why we make contacts
 - c. Learn about their cultures
 - d. Learn basics of their languages
 - e. Do not racial profile
 - f. Interact with the community of a no-enforcement basis
 - g. COPS. CPOPS, etc.
- D. Lessons learned
1. The civil right movement had a profound effect on the nation and on law enforcement
 2. One of the biggest legacies from the civil rights movement was to elevate the role of law enforcement to protect and enforce civil rights for all people
 - a. This means there is a higher expectation for the ethical standards from law enforcement
 3. Civil rights movement also led to the desegregation of law enforcement
 4. Law enforcement transitioned from enforcement approach to community oriented Policing
- E. Racially-biased policing is a human rights issue
1. Protecting civil rights is not an inconvenience for modern police: it is the foundation of policing
 2. Racially-biased policing is not just a law enforcement problem
 - a. It can only be solved through police-citizen partnerships
 - b. There must be mutual trust and respect
 3. Professional law enforcement personnel wants to respond effectively to the concerns regarding racially biased policing
 4. Combating racial profiling requires ongoing discussions

XIII. Impact of racial profiling

(15 minutes)

- A. Racial profiling has a negative impact on everyone
1. There is a direct impact on the individual citizen profiled
 2. There is a collective impact on the entire community

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3. There is a residual impact on the individual officer
 - a. Affects credibility
 - b. Can compromise officer safety
 - c. Can impede criminal investigations due to lack of community support and assistance
 4. On the entire criminal justice system
 - a. Jurors who have been profiled may have a negative perception of law enforcement
 - b. Officer credibility issues can result in refusals to file by the prosecution
- B. Racial profiling does impact everyone
1. Eliminating this practice, by understanding the laws and working more closely with your communities in a community oriented policing atmosphere, will benefit you as well as the people your agency serves

XIV. Community Considerations

(20 minutes)

- A. Recognizing and respecting the key elements or indices that make up evolving culture among the residents of a community
1. Shared beliefs
 2. Values, ways of thinking (including about law enforcement)
 3. Behaviors, customs, or traditions
 4. Factors to consider:
 - a. Eye contact
 - b. Phrases
 - c. Cultural and religious practices
 - d. Dress
 - e. Hair styles (dreadlocks, shaved heads)
 - f. Vehicle
 - g. Tattoos
 - h. History
 - i. Language
 5. Law enforcement is a subculture
 - a. Most officers share beliefs
 - b. Values, ways of thinking, including perceptions about different cultures
 - c. Behaviors, customs, or traditions
 - d. History and language
 6. We must give the respect to other cultures that we in law enforcement want ourselves
 - a. Every community has its own culture
 - b. Within that community, everyone is still an individual
 7. Community Oriented Policing is an excellent avenue for law enforcement to eradicate racial profiling

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- a. Communities want to be involved
- b. Communities want to respect law enforcement
- c. Communities want to be respected

XV. Ethical Considerations (10 minutes)

- A. Law enforcement responsibilities
 - 1. Racial profiling runs counter to the type of policing California agencies want to do
 - 2. Penal Code Section 13519.4 – Duty to report
 - a. The obligations of officers to prevent, report, and respond to discriminatory or biased practices by fellow officers
 - 3. The change in the perception of the community about racial profiling will not happen with policy but as a result of the actions of individual officers

Procedural Justice

XVI. What is Procedural Justice? (20 minutes)

- A. Who
 - 1. Suspects
 - 2. Witnesses
 - 3. Violators
 - 4. Defendants
 - 5. Clients
- B. Perceive the process to be fair
- C. More likely to
 - 1. Comply
 - 2. Follow future laws
 - 3. Be satisfied with interactions
 - 4. Support law enforcement
 - 5. Not initiate complaints
- D. Regardless of winning or losing

XVII. Reason for adoption or use (20 minutes)

- A. Perceived fairness of process vs. fairness of outcome
- B. Constant demonstration of legitimacy
- C. Consequences
 - 1. People are less likely to cooperate
 - 2. Increased risk management
 - 3. More UOF
 - 4. Less-satisfied with the interactions

XVIII. Dimensions/Components of Procedural Fairness (20 minutes)

- A. Voice

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1. Client's (you) perception
2. "Your" side of the story has been heard
- B. Respect
 1. Involved parties
 2. Treat with dignity and respect
- C. Neutrality
 1. Decision-making processes
 2. Unbiased
 3. Trustworthy
- D. Trust
 1. Sincerity and Caring
 2. Listening and Consideration
 3. Honest and open about bases for actions
- E. Understanding
 1. Comprehension of process
 2. How decisions are made
- F. Helpfulness
 1. Involved parties have empathy
 2. Interested in your personal situation
 3. To the extent the law allows

XIX. Obstacles to implementation

(20 minutes)

- A. Overwhelming
 1. Workloads
 - a. Overtime limitations
 - b. More radio calls
 - c. More paperwork/reports
 - d. Specific missions
 - e. Deployment issues
- B. Caseloads
 1. Overtime limitations
 2. More paperwork/reports
 3. Deployment issues
- C. Communication difficulties
 1. Complex legal ideas
 2. Technical information
 3. Confidential information
 - a. Perceived confidentiality
 - b. Actual confidentiality
- D. Cultural and linguistic differences

XX. Implementation strategies

(20 minutes)

- A. Humanize the experience

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1. Appear approachable
 - a. Hands of weapons
 - b. Lowered voice
 - c. Smile
- B. Explain what you are doing and why
 1. Sharing information
 - a. Know what is confidential and what isn't
 - b. Be aware of self-disclosure
 2. Decrease trauma of event (traffic stop, etc.)
 3. Use simple term
 4. Explain your actions
 5. Possible consequences (set expectations)
 6. Example -Court summons
 - a. Explain process for appearing at court
 - b. Give directions to court
 - c. Options to resolve (mail or online)
- C. Can help to promote compliance
- D. Create opportunities to be heard
 1. Give opportunity to speak
 - a. Observe
 - b. Suspend your frame of reference
 - c. Active listening
 2. Encourage people to share concerns
 - a. Being heard increased perceptions of fairness
 - b. Being heard is the important concept, not the final outcome/decision
- E. Maximize citizen's voice in context
 - a. Traffic stop
 - b. Walk-up
- F. Situational objectivity
- G. Consider environmental factors
 1. Ensure laws and codes are clearly posted, if applicable
 2. Reasonable
 3. Provide means to overcome

XXI. Wrap UP

(10 minutes)

- A. Review
- B. Participants will be able to provide commentary and discussion in a chat embedded within the application and will be monitored in real-time by an instructor.
- C. Evaluations