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Understanding Police Bias

Leigh Ann Ross

Collin College, lross12@cougarmail.collin.edu

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Objective Analysis

Research in progress for CRIJ 1301: Introduction to Criminal Justice

Faculty Mentor: Stefanie LeMaire

The following paper represents work produced by a student in an Introduction to Criminal Justice course at Collin College. The paper is an objective analysis of prominent research regarding potential police biases and how officers' decisions may be influenced by a suspects' race. The topic of racial bias within policing is quite controversial, as evidenced by the community protests, media coverage, and destruction that has ensued after officer-involved shootings. This assignment asks students to objectively review scholarly research on police bias and constructively criticize the limitations of the data, if any are found. Before this final assignment is due at the completion of the course, students are instructed to review two journal articles and independently summarize the literature to help them understand how to review scholarly research. Once the final assignment is completed, students are organized into small groups to discuss their research. This opportunity allows students to understand other students' perspectives and identify research they may not have reviewed or flaws they did not notice. It also allows for an informal critique of their work. This thorough review of scholarly research helps students analyze research themselves instead of relying on sources that disseminate potentially-flawed results. It is important for students to understand how to analyze research and the authors' conclusions. It is equally important to recognize limitations of the data. The following paper demonstrates an objective review of literature and dissects the research to determine flaws in design that ultimately reveal the need for more research.

Understanding Police Bias

Leigh Ann Ross

Studies conducted on police bias demonstrate how prejudices may affect discretion and its potential effects on race relations within various communities across the United States. Some studies suggest that an officer exercises individual judgment when determining the outcome of an encounter with a suspect; however, the judgment offers opportunities for subjective racial profiling (James, Fridell, & Straub, 2016; Ioimo, Tears, Meadows, Becton & Charles, 2007; Fryer, 2016). These pre-conceived ideologies affect the eventual outcomes of a police search, seizure, or interrogation. However, there has also been significant data that demonstrates that police bias does not influence a police officer's discretion (L. James, S. James, & Vila, 2016; Fryer, 2016; Klinger, 2004). Instead, the officer evaluates other external variables, such as the suspect's demeanor or the nature of the crime. Data collected from various agencies fail to examine external variables that could impact the outcome of the traffic stop. Instead, they simply analyze how many traffic stops involve minorities and compare the data to the minority population of the patrol district (Kansas City Panel, 2003). Due to the mixed results and limitations of the data, the results need to be independently and thoroughly analyzed.

When reviewing racial bias literature, it is important to understand the types of bias that individuals exhibit. Implicit bias results from subtle thought processes (e.g., attitudes and stereotypes) that often operate at a subconscious level without intent to discriminate against an individual. Officers who exhibit explicit bias are consciously

aware of their discriminatory profiling beliefs and practices (James et al., 2016). The National Center for State Courts considered the impact of implicit bias within the criminal justice system. The center focused on raising awareness regarding implicit bias amongst criminal justice professionals. Further, the contributors created educational materials to help address implicit bias. It is prudent for researchers to identify the type of bias being assessed (explicit or implicit) because the recommendations for policing are dependent on the type of bias being observed.

According to James et al. (2016), police are more likely to use excessive force against Blacks due to implicit bias. Other scholars have argued that officers are not biased. Rather, the suspect's demeanor or the nature of the offense committed requires uncommon, albeit reasonable, force (Jetelina, Jennings, Bishopp, Piquero, & Reingle, 2017). L. James et al. (2016) discuss problems associated with the argument for implicit bias. Some observers might assume that officers who have implicit bias will use racially biased decisions to shoot suspects. James et al. (2016) used realistic deadly force simulators and an Implicit Association Test (IAT) that measured implicit bias and analyzed the potential for implicit bias to play a role during officer-involved shootings. The IAT was created by social psychologists and designed to detect implicit bias. The researchers concluded that officers took significantly longer to shoot armed Black suspects than armed White suspects. Overall, the authors determined that implicit bias was unrelated to the decision to shoot.

Ioimo et al. (2007) discuss bias-based policing where a police agency unofficially supports policing tactics that consider race when exercising discretion. The authors studied Virginia police departments and their surrounding communities. Officer and

citizen questionnaires were disseminated that asked respondents questions about bias-based policing. The findings of Iloimo et al. (2007) suggest that 15% of officers have witnessed bias-based policing by fellow officers. Of all respondents, 12.9% reported that their police department unofficially supports bias-based policing. Additionally, rank officers reported bias-based policing more often than management. This study concludes that management may be isolated from their officers, and rank officers may have more anecdotal evidence that suggests bias than the raw data presents.

Fryer (2016) suggests that Blacks and other minorities are fifty percent more likely to have some type of non-lethal force used during an encounter with the police compared to Whites. However, when considering officer-involved shootings, Fryer (2016) discovered no racial differences but notes several limitations with the data that could impact the significance of the results. Racial disparities within policing might occur due to situational factors of police interactions rather than bias, but the data are limited. Lastly, the data do not allow for random assignment of race; therefore, it is difficult to substantiate that discrimination is the cause rather than other external variables.

Additionally, Hoover (2001) mentions that officers are directed to patrol in high crime areas where more traffic stops or interrogations may occur. The author notes that some of the high crime areas are disproportionately comprised of minorities; therefore, researchers would expect to see more minorities being stopped because of the proactive police approach in these areas with high crime. The outcome of this study suggests that police are not targeting citizens based on race. Instead, they are deployed in these high minority populations because of high crime rates and demand.

Klinger (2004) interviewed police officers and concluded that some officers are more cautious about using deadly force against Black suspects because of the negative reactions from the community and media. The officers may be less likely to use lethal force simply because of the unintended consequences that may arise from a justifiable shooting. Within the interviews, police discussed how much psychological, emotional, and physical pain they may endure as a result of a shooting. Officers mentioned that they rely only on their guns if they perceive a real threat. Thus, the evidence suggests that officers use danger to assess a potential threat instead of race.

Jetelina et al. (2017) analyzed data from the Dallas Police Department, located in a large metropolitan area, to determine if there was a significant relationship between use of force interactions and race. The authors describe a significant relationship between race/ethnicity and use of force that surfaces during their analysis; however, once they controlled for individual and situational factors, this racial relationship was no longer significant. Therefore, the decisions made by police officers to use force can be perpetuated by a citizens' actions, and not solely their race, such as the use of alcohol or drugs. It is important to consider the limitations of this study, which include officers self-reporting on these incidences, the researchers limiting data to one police department, and inadequate data about the community-level, individual-level, and situational-level factors.

Studies about bias in policing can be improved by including quantitative information about the race of the officers involved, the type of offense, the population of the area in which the crime occurred versus the number of officers representing that district, the backgrounds of the officers involved, and the perpetrators' previous criminal

history. Some studies have suggested bias within policing (James et al. 2016; Iqbal et al., 2007; Fryer, 2016), while others have found no evidence that bias exists (L. James et al., 2016; Fryer, 2016; Klinger, 2004). The research is inconclusive, and some literature suffers from inherent flaws in design, which impacts the overall results. Continued research into racial bias in policing is still needed to determine a significant relationship. Biases will remain a difficult topic to study because human behavior is unpredictable.

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