

**"Building a Culturally Diverse California Law Enforcement  
Agency Reflective of the Community It Serves  
by the Year 2016."**



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This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.

Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.

Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.

The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).

## **Metropolis: An Optimistic Scenario**

It was a warm day in May, 2016, as the sun rose upon the City of Metropolis. This City of 100,000 people arose as a master-planned community with tree-lined streets and state-of-the-art local facilities and businesses. It is the ideal community to raise a family; City planners and policy-makers have gone to great lengths to ensure a cultural balance. Demographically, the city is 40% Caucasian, 30% Hispanic, 20% African-American, and 10% Asian. All the schools in town are equally balanced, with the teachers and administrators reflecting the same demographic make-up.

Lieutenant Hakimoto arrives in the parking lot of the glass-walled civic center building and goes inside for work. On his way, he walks by the community room where local citizens are taking language classes instructed by police officers. The lobby is occupied by several persons of various ethnic backgrounds awaiting their community/police orientation ride along. As Hakimoto enters the locker room, he sees a virtual melting pot of officers. The universal hiring edict has enabled many English as Second Language (ESL) candidates to become police officers. As he walks down the hallway, he hears announcements over the P.A. system in English, Spanish, Japanese, Korean, and Vietnamese. The consent decree of 2010 now requires each shift to be culturally-balanced and reflective of the community.

As he enters the briefing room, he sees 10 uniformed officers sitting at the table, dressed and ready to roll. There are 4 Caucasians, 3 Hispanics, 2 African-Americans and 1 Vietnamese Officer. Of the group, half are men and half are women. He takes a sip of his hot tea and thinks to himself "finally, we have arrived at a diverse organization."

## **Got Diversity?**

In today's law enforcement agencies, it would be rare to find ethnic diversity to the extent described in Metropolis. With few exceptions, equity ratios (the proportion of minority police officers to their proportion in the population of the jurisdiction) indicate minority under-representation in almost every community. In addition, both in America and the United Kingdom, minority police officers face institutional racism and prejudice on a daily basis. (Holdaway and O'Neill 2004)

This being stated, law enforcement leaders should give pause and ask: "How diverse is our department?" To this end, they must understand the importance of diversity and the path towards its

achievement. After decades of discourse, court action and changes in the composition of our organizations, it is still timely to stimulate a new dialogue about the importance of diversity and to suggest a strategic approach towards its development.

### **The Melting Pot**

In recent years, law enforcement agencies across California are struggling to meet the challenges of the changing ethnic makeup of their communities. Considering California's demographic projections for the next 25 years, and there is clearly cause for concern for those wishing to see an appropriate representation of the community in their local police force. Californians might focus on issues related to legal and illegal immigration from Mexico. In truth, the problem is much larger in scope. Immigrants from South and Central American countries other than Mexico will continue to migrate toward California's urban areas, as will Asians, Pacific Islanders and others.

According to a 2004 press release from the California Dept. of Finance, the State is projected to pass the 40 million population mark in 2012, and to top 50 million by 2036. Hispanics will constitute the majority of Californians by 2040, representing 53.6 percent of the State's population. By that time, Caucasians will constitute the largest *minority* (yes, *minority*) at 23.3 percent, while the Asian population will be 12.1 percent. African Americans will constitute only 6.4 percent, while Pacific Islanders, Native Americans and others will total less than three percent. (California Dept. of Finance Website, 2004)

The United States has recently experienced a rate of immigration growth that is close to the level of immigration that occurred at the turn of the last century. The combined legal and illegal immigration has climbed to over one million per year. Foreign-born persons constitute over 10% of the population in the U.S. for the first time since the 1930s. In California and New York alone, over 20% of the population is foreign- born, double that in most other states. ([www.newsbatch.com](http://www.newsbatch.com). July, 2005).

California is on the brink of an immigration explosion, if not already in one's midst. With regard to the future of immigrant communities, imagine what the needs of law enforcement might be in the future. Language and cultural barriers will continue to grow commensurate with the population explosion. Even a cursory glance around the State indicates that most California law enforcement agencies are ill-prepared today and will no doubt be less-prepared in the future.

### **Same Problem: Same Solution?**

Albert Einstein once said: "The significant problems we have cannot be solved at the same level of thinking with which we created them" ([http://www.quotationspage.com/quotes/Albert\\_Einstein/31](http://www.quotationspage.com/quotes/Albert_Einstein/31)). The problem of diversity in recruitment and retention has plagued the profession for years. With this thought in mind, leaders cannot expect to address its complex issues without making modifications to existing strategies. There must be a new paradigm, one that focuses upon diversity as the outcome regardless of the process involved.

For example, the issue of ESL is one area where the existing basic police academy curriculum does not make provisions. The California Commission on Peace Officer Standards and Training (POST) hosts an Academy Director's Training Consortium, a network group which shares information amongst the various training agencies across the state. In February, 2006, POST Consultant Bob Stresak forwarded an email opinion survey regarding ESL training modules to the Academy Consortium. The text of the email read as follows:

*Chiefs and sheriffs are under continual pressure to hire officers that reflect the demographics of the communities they serve. In most cases these communities reflect extensive diversity including English as a second language populations. The law enforcement community strives to recruit from these communities. Frequently, language becomes the barrier to effective training. Do you see a value to creating student workbooks in other languages? These workbooks would be created to aid learning in the student's native tongue. English would remain the primary language within academy instruction. Obviously we could not create workbooks to address all languages, but perhaps a pilot with a predominant language might be worthy of exploration to see if it aids in student learning of law enforcement concepts, including writing skills. The State of California offers ballots, DMV and other official forms in multiple languages.*

The responses of various directors and their training colleagues varied from applauding this as innovative to absolute rejection (Bob Stresak, POST, e-mail, February 2, 2006). To date, no work has been initiated on this topic.

This brings to light a broader question for today's leaders in California: What would POST need to do to retool its approach to training new officers with a greater focus upon cultural diversity? Would the instructors need to be more sensitive to ESL as a regular component of training? Would everyday tasks such as report writing and courtroom testimony take on a new dynamic in a diverse ESL-

oriented agency?

### **The Return of Affirmative Action?**

One tactic being discussed is to embrace **Affirmative action** (AA) in law enforcement hiring. By definition, AA is a policy or a program to increase the representation of certain designated groups seeking to redress discrimination or bias through active measures, as in education and employment. Proponents of AA generally advocate it either as a means to address past or present discrimination or to enhance racial, ethnic, gender, or other diversity. Opponents of AA assert it is discriminatory in that they promote under-qualified individuals over higher qualified individuals based on race and ethnicity.

The overall framework was established in March, 1961, by decree of the late Pres. John F. Kennedy. Since that time, it has been a contentious issue in both the courts and communities across the nation. To some, AA means preferential treatment for certain minorities. To others, it provides a barrier for discriminatory practices.

Three law enforcement agencies in Arizona have taken steps to utilize AA in hiring. A 2003 study examined some of the factors involved in implementing AA Programs (AAP) in the Arizona police departments of Phoenix, Mesa and Tempe. While many states have been working toward ending AA, one author suggests it is one of the few ways to keep public safety organizations focused on diversity and equity. (Allen, R. 2003).

Would today's California law enforcement leaders embrace or reject the return of AA? Proposition 209, enacted by California voters in 1996, virtually abolished the practice of AA in California education and government. A recent study published in the Industrial & Labor Relations Review Journal suggests that AA should be revisited. The study's key finding is that employment among women and minorities dropped sharply, almost wholly because of a decline in labor force participation rather than an increase in unemployment. This finding suggests that AA programs in California either had been inefficient, or had been effective while in place, but had failed to create lasting change in employers' prejudicial attitudes. (Knowles, C., April, 2007) Clearly, the subject of AA remains active despite attempts to undermine it.

### **The Road Map to the Future**

A step towards Metropolis is through the development of a Diversity Strategic Plan. The strategic plan acts as a "road map" towards the desired objective. It is a means of creating a self-fulfilling

prophecy through the vision of the future. In other words, the strategic plan can *create* a future through various steps outlined in the process.

The ethnically-balanced department would be reflective of the community it serves, and opportunities for advancement would be unencumbered by race, gender or origin. Promotional advancement could be determined through a blend of qualifications balanced against ethnic diversity with no significant bias in either direction. In this environment, such a policy could be predicated upon the outcome as opposed to the process. In other words, the need to maintain the ethnic balance is on a level playing field with the particular qualifications of any particular candidate.

There would be many outcomes of this vision:

- First, the ethnically-diverse residents of this community would feel as if they were well-represented in the ranks of their policing organization.
- Second, the department's members would feel the department is fair and equitable with regard to hiring and promoting minorities.
- Third, the cultural diversity would mitigate any controversial issues whereby race is a significant factor.
- And fourth, the department would serve as a model for others in the law enforcement field.

### **Planning for Change**

Rather than merely attempting to quickly remediate today's possible problems, any agency wishing to move to a more diverse workforce will want to engage in a deliberate process of assessing the current landscape and anticipated future. An analysis of the department and community's strengths, weaknesses, opportunities, and threats (SWOT) that could impact the strategic plan are necessary before considering specific courses of action.

Strengths and weaknesses are those factors within the department or the law enforcement profession as a whole. Opportunities and threats are factors which are external, or from outside the department, that can impact the plan either positively or negatively. When planning to achieve appropriate levels of staff diversity, here are a few issues to consider:

#### **Strengths**

- Although the profession is generally lagging in the area of minority recruitment, retention and promotion, there has been some progress compared to the demographic of the 70's, 80's and 90's

- The law enforcement profession as a whole, particularly in California, is guiding organizations towards greater diversity in the ranks
- The curriculum for Peace Officer Training emphasizes cultural diversity within the law enforcement profession and the communities it serves
- The fundamental principles for Community Oriented Policing lend themselves to diversity
- Generally, the members of the police departments understand and recognize the need for diversity and are not as likely to resist reform efforts
- The department that strives for diversity would be praised, particularly by policy-makers and ethnic groups, for their work. This could lead to increased funding as well as positive public relations

### Weaknesses

- The effort to move towards a more diverse department may take years to accomplish due to the current overall limited diversity that exists
- Hiring standards would likely need to be evaluated and revised to blend diversity and qualifications. This does not suggest that the minority applicants are less-qualified, but that the number of persons meeting the qualifications would have to be dramatically improved to pass the stringent process (background, testing, etc.)
- Existing qualified personnel may feel disenfranchised by any overt efforts to promote based on ethnicity thus creating an environment for dissention and lower morale
- Any initiative of this type would likely create higher costs in recruitment and/or training which may have a negative impact on budget allocations unless alternative funding sources can be identified
- Although the personnel generally recognize the need for diversity, the actual implementation of ethnic-based policies would meet with great resistance
- Possible lawsuits claiming reverse discrimination may emerge from both entry level and in-service personnel

### Opportunities

- Societal norms are shifting significantly towards increased diversity in all areas of government service including law enforcement
- The population of the state is growing in size significantly with a large influx of predominantly black and Hispanic races thus making this effort timely

- Positive media coverage could translate to increased funding for the department
- Civil rights groups would embrace it leading to stronger partnerships. To this end, community groups, NGO's, Faith-based organizations, and others would embrace and support the idea
- Alternative funding may be more viable with greater diversity.
- Greater diversity would work to offset any claims of racism whether real or perceived

### Threats

- Recruitment efforts may be hampered due to the perception that law enforcement is preferential to minority candidates
- Citizens may have less faith in the department if they believe that its members are somehow less-qualified due to perceived lower hiring and promotional standards

There are other also other factors to consider when determining which strategies to implement. First, the issue of cost must be examined. Will the strategy be cost-effective? If not, is the cost overshadowed by the value to the organization and the stakeholders? If there is a high likelihood of litigation involved in the strategy, will the benefit of the strategy outweigh the cost to defend it? To this end, what price can be placed upon human rights and equality? Secondly, would the organization be better in the long run without taking any action at all? What action should be taken, how soon and to what extent? Thirdly, one must consider the wider political implications of the decision. Will the initiative towards diversity create any backlash for the electorate or the community?

### **What Else Can We Do?**

What other steps can California law enforcement leaders take toward diversity? According to a 2002 article in the FBI Law Enforcement Bulletin, more training emphasis must be placed on diversity in the future. (Coderini, 2002) Multicultural training can reduce the number of lawsuits, as well as the possibility of civil disorder, but only can succeed with the acceptance and management of cultural diversity. Historically, strategies employed by police in dealing with minorities and minority issues have differed from those with other groups. Coderoni asserts, "While improvements in those strategies have occurred in the last decade, further improvements are needed and easily attainable."

One such example is in the City of Boston, MA. The City is determined to attract more candidates from multiethnic backgrounds to a Department which is already about 36 percent minority. Their target group for applicants is Cape Verdean, those who speak

Portuguese or Creole, a dialect spoken in that West African island nation. The goal of their recruitment effort is to attract candidates from within their own community. One of 11 billboards in the recruitment drive will be placed at one of the city's highest-crime areas, where a large number of Cape Verdean immigrants live. (Knight Ridder News Service, 2/19/07, available online:

<http://proquest.umi.com>) This comes in the wake of a number of crimes, mostly gang related, in the Cape Verdean Community. Two homicides occurred due to feuding gangs, as well as a number of other violent crimes in neighboring Dorchester and Roxbury. The incidents prompted the effort to recruit from the Cape Verdean community to help resolve crime in the area as well as furthering the diversity of the Police Department. (Smalley, S. and Silva, C. 2005) It speaks volumes to the local community: we are you, and you are us. Together, we keep the community safer.

## **Conclusion**

Like most other futures-oriented research, descriptions of Metropolis may appear foreign in many ways. Research from the past, however, often contains subject matters that appeared bizarre then but are commonplace today. Our judgment today may be clouded with our bias and prejudices, but can the future be clearer? It may not be possible to develop a department exactly like Metropolis P.D; however, any efforts we take now toward increased diversity will be a step to the future. California POST continues to study the issue of Recruitment and Retention, and has held Symposiums in 2001 and 2005. Perhaps future research should be expanded to focus more upon diversity, and less on raw numbers of future recruits. The issue should be at the forefront in the law enforcement leader's mind. If the profession cannot establish diversity internally, one can easily envision that society will intervene and engineer such changes with or without our consent.

Now is the best time to start planning for Metropolis; for the future will be here in the blink of an eye...

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