

Disclaimer:

The following is a class assignment, the final paper for a “Law, Diversity, and Community in U.S. History” course. It is a balance between adhering to the requirements of the paper such as being a certain page length, format, and using course materials (primarily case law), with the request of the Colorado Association of the Chiefs of Police for information on recruiting and retaining diversity, with some emphasis on change management. This should not be mistaken for a fully vetted scholarly article in an official journal, but instead as research done over the span of a few months with limitations in both time and resources.

With this in mind, the value I find in this paper is addressing an aspect of recruiting and retaining diversity that is often overlooked, specifically our underlying beliefs. We take for granted that if we’re trying to implement diversity, that is sufficient evidence of our beliefs, when that’s not necessarily true. This paper offers a start to take a hard look for our police organizations to see whether or not the necessary beliefs exist before spending the time, energy, and other resources to a project or program.

Six Understandings to Recruit and Retain Women and Minorities in Police Organizations

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Purpose

The Colorado Association of Chiefs of Police, or CACP for short, is an association that provides professional development, networking, and resources to law enforcement leadership in the state. When approaching the Board President on what may be a topic or topics inclusive of diversity, social justice, and law enforcement that would benefit CACP, the answer was the continuous challenge to recruit and retain female candidates and racial and ethnic minority candidates. It is something law enforcement agencies are interested in, yet that interest has not yet yielded the results they want.

In order to be successful, police organizations require a set of underlying values and beliefs conducive to the process, a strategy and system to implement it, and of course the resources to effectively support the effort. This paper will focus on the first of these three components, the values, the understandings required to facilitate more diverse recruitment and retention. There is already a wealth of information on strategy and systems, some of which will be mentioned in this paper. Resources such as funding, experience, and technology are beyond the scope of this paper. It is important to note though that even the best-resourced police organization will not successfully recruit and retain diverse officers without the right internal mindset, and even the most resource-strained agencies can attempt to find small wins and offer a compelling narrative to eventually get more funding and assistance with the right set of beliefs.

Although it is not the focus of this paper, it is important to establish that the conversation here occurs during a very difficult time for law enforcement. There is public unrest, negative media coverage, and a widespread problem to hire enough qualified officers regardless of demographics in the midst of a large wave of retirements across the country. This paper does not and cannot hope to solve all the complex, interrelated, evolving problems that police departments face. What it can do is offer a guide to make headway into one pervasive issue, as a start in a much larger effort or as one tool among many as police organizations move forward.

This paper begins with a review of two years of the IACP Magazine's coverage of recruiting and retaining diversity, primarily in case studies and strategies/systems/tactics to accomplish them. Other tools are mentioned in support of the wide breadth of options available. It then moves onto the six understandings required to facilitate successful recruitment and retention. They include finding genuine value in female and racial and ethnic minority police; accepting historical and systemic disadvantage to women and minorities; believing that there are potential female and minority candidates who will become qualified officers; placing the responsibility on the organization to earn these candidates; anticipating and preparing for unforeseen challenges; and prioritizing the effort fiscally, operationally, and culturally. The paper will follow with a brief overview of alternatives to these understandings. Finally, this paper will discuss one change management process and where these six understandings can be developed step by step.

Existing Discussions and Tools

Recruiting and retaining female and minority police officers is not a new topic. There are continuous debates about representation in government, including law enforcement. There have been mandates to force police departments to hire a specific quota of various underrepresented demographics. There are narratives of the experiences of female officers as well as minority

officers (and those who are both women and minorities) in the conflicting roles they have professionally and personally.

In 24 issues of the IACP (International Association of Chiefs of Police) spanning from December 2018 to November 2020, there were 27 different articles that addressed recruiting and retaining diversity directly or indirectly ranging from annual awards that showcased the success of diverse members, to an emphasis on an inviting and open workplace culture, to more specific topics such as implicit bias training. This is an average of more than one article per month. It is clearly a subject that is important for police leadership, one that continues to be brought up in direct and through adjacent topics. Although going through each article is beyond the scope here, there are a few highlights worth mentioning:

In the May 2019 issue, Richard Goerling wrote about “Leading Forward with Mindfulness Skills Training”.

“Law enforcement leaders have the opportunity to lead the cultural changes needed to meet 21st century challenges, but this requires some hard work for leadership at all levels of police institutions and communities. Perhaps the first step is to allow contemporary science around stress, resilience, and performance to shed some light on training development and delivery” (Goerling 38).

The article continues with an overview, research, actions steps, and recommendations (Goerling 38-43). Mindfulness is a technique that is very applicable to recruitment and retention, and the explicit mentioning of cultural changes in the 21st century feels inclusive to matters of diversity and equity.

In the November 2019 issue, Lois James and Stephen M. James presented “The Development and Testing of a Simulation-Based Implicit Bias Training Platform” (James, James 36). This article describes the push to incorporate implicit-bias trainings in a way that caters to police departments. Starting with testing, the motivation is to eventually get more empirical evidence to both reduce police bias, and to help win the trust and confidence of residents (James, James 41). Although directed more towards engagement with citizens, there’s clear parallels to internal interactions. As with mindfulness, implicit bias is another technique offered, a strategy to better prepare police organizations to a more diverse workforce.

In the April 2020 issue, titled “Recruitment and Retention”, Samantha S. Clinkinbeard and Rachael M. Rief wrote on “Four Steps to Bring More Women into Policing” (Clinkinbeard, Rief 40). They meticulously go through each step to “define your ideal candidate”, “build you team, promote buy-in”, “experiment and think creatively”, and “assess, adjust, and refine” (Clinkinbeard, Rief 40-45). These steps follow a logical pattern, and any police organization that takes the time and implement them will likely find some success, or at minimum will not have any negative consequences for trying. In an issue where recruitment and retention is the focus, singling out women in a specific article is telling to the awareness and interest that currently exists.

As one final example, in the July 2020 Vineet Kapoor discussed efforts in India to tackle diversity. He discusses the development of neighborhood committees and police training, understanding that cultural differences can lead to unrest if not actively engaged and understood (Kapoor 48-9). Matters of diversity are not an American concern, but a global one. The demographics may be different, the most pressing topics (gender, race, ethnicity, religion, economic class, etc.) may shift. What remains the same is communities contend with groups with distinct environmental conditions and values that take an extra effort to understand and work in harmony with. In this case, though making these citizens part of a committee is not the same as

recruiting them to police officers, it does show a very intentional effort to be more inclusive and bring diversity into law enforcement.

Mindfulness training, an implicit bias simulation, steps to recruiting women, and neighborhood committees are but some strategies and systems. Law enforcement agencies have a lot to choose from in regards to which tools they can use to try to develop a process to recruit and retain the next generation of police officers. These resources extend beyond the IACP.

The U.S. Department of Justice and Equal Employment Opportunity Commission came out with an “Advancing Diversity in Law Enforcement” report in October 2016. An 80-page report (including the introduction and appendices) provides a comprehensive analysis and encouragement for law enforcement to diversify its personnel. A few highlights of this report include, but aren’t limited to:

- Graphs showing a very slow, but steady increase in the percent of minority officers and the levelling off of female officers (USDJ, EEOC 10).
- Ten barriers to recruitment, hiring, and retention (USDJ, EEOC 17-24).
- Eleven promising practices including examples of agencies that have implemented them (USDJ, EEOC 26-35).
- Six in depth case studies to elaborate on the promising practices (USDJ, EEOC 36-47).

Similarly, the National Institute of Justice made public a report titled, “Women in Policing: Breaking Barriers and Blazing a Path” in July 2019. A few of the highlights in this comprehensive work include, but aren’t limited to:

- Important guiding principles such as recognizing the important of intersectionality and men’s involvement in bringing women into policing (NIJ 1-3).
- Research questions across five themes of charting course, culture, performance, recruitment and retention, and promotion (NIJ 3-23).
- Eighteen different next steps to build off of their research such as “improve and enforce harassment policies”, “create a space for relevant research”, and “reframe conversations about women in policing” (NIJ 24-27).

No single source offers a perfect, one-size-fits-all guide for police organizations to tackle the question of recruiting and retaining diversity. There are instead many, many quality sources each with strengths and weaknesses that can be adapted, combined, and separated to fit the needs, priorities, and conditions of different police organizations. If anything, the challenge is that there is a density of materials out there that is current and relevant, difficult to figure out which options are the best suited among many.

Once more these examples only scratch the surface. They offer in part a rationale to why this paper focuses more on the underlying beliefs of police leadership as opposed to offering up one more strategy or technique when it can be safely assumed that there will continue to be quality, data-and-experience-driven opportunities in the coming months and years. They offer in part evidence to why it is important for law enforcement leaders to possess the six understandings presented here. Whether police departments increase the number of successful female and minority officers is a matter of choice. There are so many case studies, reports, tools, theories, step-by-step guides, and more that begs the question whether they are being genuinely utilized or if they are collecting dust on a shelf, are left unopened in a download folder.

One possible explanation is that police departments lack the resources, and it is well founded and commonly accepted that law enforcement is going through a challenging period. Not all techniques are financially burdensome though, and there seems to be enough options that a lack of money or time is an insufficient explanation alone. There is an element of choice, of

personal and organizational responsibility, of self-determination whether law enforcement, successful or not, gives its best effort to recruit and retain women and racial and ethnic minorities.

Six Understandings

Before delving into the six understandings, there are a number of concepts and parameters that need to be defined. The first of these is choice. Although this paper asserts heavily that law enforcement has the ability to find ways to recruit and retain female and minority officers, the emphasis is on trying, earnestly giving one's best attempt, as opposed to choosing to succeed especially in the short term. A law enforcement organization that puts in its best effort and still comes up short is setting itself up for the future, can share what worked and what didn't to continue the dialogue, build more experience for the law enforcement profession. The agency that didn't even try or put forward a minimal effort has made a choice to do so.

It's also important to note that though this paper talks about police departments and law enforcement agencies as a whole, we operate under a federalist system with overlapping jurisdictions and a great degree of autonomy from one organization to the next. Just because one police department is giving its best effort does not mean its neighboring organizations are doing the same. It is expected that some places already have these six understandings, others have no interest in believing one let alone all of the understandings to move forward, and many organizations are somewhere in between. These understandings are written primarily with the last group in mind, those organizations who are still working on their internal culture and values, and are open to adapting.

Lastly, these "understandings" are intentionally simple. They are beliefs, assumptions, perspectives that should be able to be understood by anyone regardless of profession or background knowledge. Although there will be a deeper discussion of each understanding, primarily through examples of case law that law enforcement has historically defended and upheld, the extra information is meant to supplement these basic points, not distract from them. The bottom line is if enough of the right people in an organization have these understandings, any effort to recruit and retain women and racial and ethnic minorities will be done sincerely. If one or more are missing, any attempts will done at best begrudgingly, and more likely undermine itself.

First Understanding: Finding genuine value in female and racial and ethnic minority police

The first and baseline understanding for police organizations in recruiting and retaining diversity is believing, at least in theory, the benefit of having a diverse workforce. If even the prospect of having female officers and/or minority officers is not valued, if there's the sentiment that an organization made up of only or primarily male and/or Caucasian officers is more desirable, then police organizations cannot be expected to successfully diversify. Furthermore, this value of diversity must be genuine as opposed to token. For example, wanting a female officer because it will make the department look good politically, or wanting minority officers to fit a quota or improve statistics is not valuing the officers as capable professionals. It is valuing them for superficial goals that do not consider their contributions, their success, their growth into leadership roles.

To put this understanding in context, it's helpful to see examples in U.S. history where the value of diversity in the workplace was not understood. In 1875 in "In Re Goodell", the Supreme Court of Wisconsin denied Ms. Goodell a chance to practice law. "And it is just a matter for congratulation that it is made in favor of a lady whose character raises no personal objection: something perhaps not always to be looked for in women who forsake the ways of their sex for the ways of ours..." (In Re Goodell). Here we see that the Justices did not deny Ms. Goodell on her merits as an individual, and in fact claimed they held no objection to her as a person. They did follow the belief that practicing law is not being feminine.

"There are many employments in life not unfit for female character. The profession of the law is surely not one of these. The peculiar qualities of womanhood, its gentle graces, its quick sensibilities, its tender susceptibility... Womanhood is moulded for gentler and better things" (In Re Goodell).

It's easy to look at the date of this court case and suggest we've moved beyond these outdated views, but the stereotype that women are unfit for physically-arduous, mentally taxing work still exists. It's also worth noting how men got to have the best of both worlds in this case, they did not have to be pure and "better" like women, yet still were given the freedom and power to pursue careers as attorneys, judges, and more. The value provided to women by this case was their submissiveness.

A more recent example is *United States v. Virginia* in 1996. Here the prestigious Virginia Military Institute tried to deny female students' enrollment. When pressured, they created a sister school that was objectively inferior. "The Task Force determined that a military model would be "wholly inappropriate for [the Virginia Women's Institute of Leadership, the sister school]... In lieu of VMI's adversative method, the VWIL Task Force favored "a cooperative method which reinforces self-esteem"" (*United States v. Virginia*). In this case, the U.S. Supreme Court ruled against the school to allow women to fully participate in the traditionally male program.

In this case we see that women in a quasi-military setting were not valued. They were valued for other qualities and traits, and offered a separate program that was not as difficult, as rigorous, that was far softer. This bias, even in a well renowned and respected institution, is still pervasive. There is still the widespread unease if women are suitable to certain roles in society filled traditionally by men, law enforcement certainly one example.

Finding this genuine value is not a given. It is not rooted in as long a historical tradition compared to the mindset that women and minorities are not valuable in certain roles, especially those roles in a position of authority and power. If police organizations are to diversity, they must push against these stereotypes and biased assumptions and actively seek to value women and racial and ethnic minorities.

Second Understanding: Accepting historical and systemic disadvantage to women and minorities

Even if a police organization values the idea of women and minority officers, there's still the question to whether there should be any extra, intentional effort to recruit them. There has to be the understanding that there are historical and systemic disadvantages to women and minorities to warrant any action taken to recruit and retain them that goes beyond what is offered to male and/or Caucasian candidates. There must be the understanding that any programs, policies, and decisions are to help make for a fairer process as opposed to creating an unfair advantage. If instead of any extra action or effort, a police organization instead chooses to make

reforms to its recruiting, hiring, promotions, etc. that is universally applied to all candidates, but is more flexible or accommodating to a diversity of backgrounds, it is still important to hold this understanding as resentment and thoughts of favoritism as still possible.

Scott v. Sandford, commonly known as the Dred Scott case, is one of the most famous, and infamous, cases in U.S. history. In 1857 it was decided that even if a state recognized an African American as a state citizen, they were not U.S. citizens.

“The question before us is, whether [black Americans] compose a portion of this people, and are constituent members of this sovereignty? We think they are not, and that they not included, and were not intended to be included, under the word “citizens” in the Constitution, and can therefore claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States” (Scott v. Sandford).

This history speaks for itself. There is endless documentation of primary sources, secondary sources, art, film, video, and more that shows the discriminatory history against black Americans and other minorities. Although seldom directly challenged, it’s not uncommon to see school districts get caught removing slavery, Jim Crow, and other related materials from textbooks in exchange for painting a more palatable and less critical version of our history.

What is more common though is to challenge the idea that there are still systemic disadvantages that exist today. Slavery is in the past. The Civil Rights Movement occurred. We’re beyond those times. Putting aside the question whether we believe this is true for all of the nation’s history, or only apply this logic to the inconvenient pieces of our past, it’s still clear to see more recent examples.

In 2013, in State v. Lobato, the Supreme Court of Colorado oversaw the continuing inequity of the state’s public education system. “While we recognize that “disparities in wealth” may impair a low-wealth district’s ability to pass mill levy overrides and bonded indebtedness, such a “result, by itself, does not strike down the entire school finance system” on Local Control grounds” (State v. Lobato). Although a low-wealth district and a predominately minority district are not one and the same, there are clear correlations. In this case, the Justices recognized that there is a disparity in school funding, that some schools will be worse off than others.

The point here is not to argue that the school system should invest in students equally, though this paper is not arguing against such a change either. Instead, it serves as a reminder that systemic inequalities exist, systemic inequalities are recognized, and at minimum many systemic inequalities are knowingly allowed to persist. Whether this continues or not, this is the society we live in, and must contend with while making decisions as organizations and communities.

Information is out there and readily available. Several examples have already been mentioned in this paper, and far more can be sought out, from economic data, to personal narratives and case studies, to even reporting on law enforcement. There are many excuses, distractions, and rationales to ignore, downplay, or deny the challenges that people face, and for police organizations to hire diverse candidates, they must choose to put the data first. Only through understanding at least some of the historic and systemic challenges women and racial and ethnic minorities face can police organizations justify any changes or shifts internally.

Third Understanding: Believing that there are potential female and minority candidates who will become qualified officers

The first two understandings offer a theoretical acceptance of hiring female and minority candidates. A law enforcement agency can accept the value in hiring diversity, and know enough

about the disadvantages such candidates face, but still believe it will not work for their specific organization at this specific time. Yes, a police organization would ideally have a diversity of great candidates, and yes, understands that ideally we can make accommodations to them, but it's idealism that doesn't match the real world. If these understandings remain as just that, as ideals, any efforts to recruit, hire, and retain will not be implemented with a serious hope for success. Such actions will be a nicety, worth some good feels and a pat on the back, and little else.

Lacking this understanding is more subtle than the first two. One can state out loud and even believe deep down that there are women and racial and ethnic minorities who would make for great police. However, they dismiss the possibility for any number of reasons. Perhaps it is experience with unqualified women and racial and ethnic minorities, skewing one's mindset to believe that future candidates who'll apply for the organization will also be unqualified. It may be related to negative media coverage, believing law enforcement's reputation is too disparaged to interest such candidates. Some communities in all fairness are not racially diverse (though the same can't be said for female candidates), making it difficult to find local candidates. There are no doubt other reasons, specific and broad, that can undermine recruiting and retaining diversity.

There have been countless attempts to find specific, tailor-made reasons that prohibit a diverse-friendly workplace directly or indirectly. In *Cleveland Board of Education v. Lafluer* in 1974, the Supreme Court overturned a school district penalizing pregnant teachers.

“The school boards have offered two overlapping explanations for their mandatory maternity leave rules. First, they contend that the firm cutoff dates are necessary to maintain continuity of classroom instruction, since advance knowledge of when a pregnant teacher must leave, facilitates the finding and hiring of a qualified substitute. Secondly, the school boards seek to justify their maternity rules by arguing that at least some teachers become physically incapable of adequately performing certain of their duties during the latter part of pregnancy” (*Cleveland Board of Education v. LaFleur*).

In this case we see a rationale that can just be as easily applied to police organizations. Women can get pregnant, and some may have physical limitations during a portion of said pregnancy, therefore rules, regulations, reservations can be established to their fitness and ability. It doesn't offer a complete disregard for women, but finds more niche ways to challenge their professional integrity.

Brown v. Board of Education is a landmark case, hailed for it effectively ending separate but equal. Less known is *Brown v. Board of Education (II)*, decided in 1995, a year after *Brown v. Board of Education*, in light of many states and school districts ignoring the first decision.

“[T]he courts may consider problems related to administration, arising from the physical condition of the school plant, the school transportation system, personnel, revision of school district and attendance areas into compact units to achieve a system of determining admission to the public schools on a nonracial basis, and revision of local laws and regulations which may be necessary in solving the foregoing problems” (*Brown v. Board of Education (II)*).

The court decision recognizes some of the challenges that integration of schools faced. It did not excuse the schools to choose inaction willfully or not. Although the difficulties were recognized, they were not acceptable excuses not to their due diligence. “[T]he courts will require the [school districts] make a prompt and reasonable start toward full compliance with our May 17, 1954, ruling” (*Brown v. Board of Education (II)*).

Once more, this paper concerns itself with the choice for police organizations to put forth their best effort. Any obstacle or practical concern can lead to giving up or can lead to coming up with solutions. Policies can be developed to punish differences, or can be developed to work productively with differences. Any challenge can realistically slow down or exacerbate an effort to recruit and retain diversity. No challenge denies the opportunity to make a start.

Fourth understanding: Placing the responsibility on the organization to earn these candidates

Traditionally the hiring organization holds more power when it comes to recruitment of candidates. Candidates fill out applications, consent forms, go through tests, interviews, other steps to see if they'll be chosen among several other candidates to receive a job. This dynamic makes it easy to put the responsibility solely, if not mostly, on the applicants. People outside the organization must earn the right to join through this line of thinking. Some organizations can get away with this and get the employees they need. It is clear that overall this is not the case for police organizations wishing to have a diverse office.

Law enforcement therefore needs to hold the understanding that they need to be responsible for bringing women and racial and ethnic minorities into the organization, and then subsequently see them succeed. This is not to say that these professionals have no accountability for their success, only that the organization itself, particularly its leadership, needs to understand their own role to proactively reach their goals. An organization can find value in diversity, can see the challenges, and even believe the right candidates are out there, but still fall short in having the initiative, the ownership, to not just wait for said candidates to come.

In *Dothard v. Rawlinson* in 1977, Dianne Rawlinson was denied a job with the Alabama Board of Corrections.

“The environment in Alabama’s penitentiaries is a peculiarly inhospitable one for human beings of whatever sex. Indeed, a Federal DC has held that the conditions of confinement in the prisons of the State, characterized by “rampant violence” and a “jungle atmosphere” are constitutionally intolerable. The record in the present case shows that because of inadequate staff and facilities, no attempt is made in the four maximum-security male penitentiaries to classify or segregate inmates according to their offense or level of dangerousness...” (*Dothard v. Rawlinson*).

This case offers an extreme example where an organization lacked any responsibility. The Alabama penitentiaries were so deplorable in the 1970s apparently that they were “constitutionally intolerable”. Somehow in this case though the female applicant was denied a job in light of these conditions. Despite the strong language describing the situation, this case focused on how a woman couldn’t work there. The conditions were in fact tolerated as opposed to reformed to allow Dianne Rawlinson to take the job.

Going back to *Brown v. Board of Education*, one other lesser-known fact is the U.S. State Department’s active role in supporting desegregation. According to Secretary of State Acheson: “[D]uring the past six years, the damage to our foreign relations attributed to [race discrimination] has become progressively greater. The United State is under constant attack in the foreign press, over the foreign radio, and in such international bodies as the United Nations because of various practices of discrimination against minority groups in this country... the undeniable existence of racial discrimination gives unfriendly

governments the most effective kind of ammunition for their propaganda warfare” (Dudziak 111).

On an international scale, this was a clear recognition of the U.S. government of the hurdles faced by discrimination. Rather than assume it was the responsibility of other departments that dealt with domestic affairs, the State Department took the initiative in support of making changes, which at minimum didn't hurt the ultimate decision in *Brown v. Board of Education*.

The organizations that take responsibility for the change they want to see will be proactive. Those who pass the responsibility onto others, in this case female and minority police candidates, will not have any control over the results. For a genuine, effective attempt to recruit and retain these potential officers, police organizations need to understand and develop their ownership of the process.

Fifth Understanding: Anticipating and preparing for unforeseen challenges

With the first four understandings, a police organization can begin to implement a legitimate program or project to recruit and retain women and racial and ethnic minorities. The last two understandings provide sustainability. If an organization takes responsibility, if leaders see the value in diversity, understand the hardships, and believe they can do better regardless of any challenges before them, an initial plan can be made. This assumes that recruiting and retaining diversity exists in a vacuum, which it does not. Police organizations have other goals, other programs, other needs. There are also external factors that can come into play.

It's not reasonable for an organization that lacks a significant number of female and/or minority employees and leaders to come up with a plan that will encompass all the opportunities and obstacles that will arise. Part of benefit of hiring diversity is to bring in more perspectives, more awareness than what currently exists in an organization. As such, it's only natural for an organization's first, best guess to be insufficient. It is not a failing but a part of growth.

Once more we can look to historical cases in the law, the law that police are sworn to uphold, to offer some examples. Whereas *Brown v. Board of Education* ended segregation, *Plessy v. Ferguson* in 1896 made it the law in the land over half-a-century prior.

“The object of the [14th Amendment] was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either” (*Plessy v. Ferguson*).

In the aftermath of the Civil War and the liberating of slaves, alternative ways to maintain racial hierarchy were used. In this case, though the U.S. Supreme Court accepted “political” and “legal” equality, they came up with a separate category, “social”, that could remain prejudiced. This too can happen on a smaller scale. A police organization can institute a policy or program to open up opportunities for women and minorities only for some problematic interpretation, or some new counter-effort comes forth to exacerbate any honest attempts at diversifying.

In *Rostker v. Goldberg* in 1981, the question of if women could be drafted into military service came to a head when at the time the President requested Congress to permit the conscription of women as well as men. “[They] did not allocate all the funds originally requested by the President, but only those necessary to register males” (*Rostker v. Goldberg*). Ultimately the court ruled that Congress acted constitutionally when only authorizing men to be drafted.

We see again an effort to bring about a more equal society, in this case women sharing the responsibility (and hopefully respect) associated with the potential to be drafted into service undermined by new hurdles brought up. In this case financial, political, and ultimately legal obstacles prevented the inclusion of women. Although the draft was not implemented at the time, having women as part of the draft may have normalized the idea of women being fully capable of being in combat or other dangerous situations.

Police organizations will face challenges in hiring and retaining diversity. New stories will emerge on national and even local media channels. Anyone resistant to change will be compelled to find ways to resist and subvert the process. If one method doesn't work, they can try different tactics until they are successful. The common practices of yesterday that catered to a more homogenous police organization will not be as effective to a new, more diverse group. Once more, all of these are natural and to be expected. The organizations that understand this, can anticipate the need to be flexible and dynamic in the face of adversity will be far better prepared for the unexpected. Those organizations who are rigid and slow to pivot, however good-intentioned the initial plan was, will struggle far more and likely be unable to continue their efforts in earnest.

Sixth Understanding: Prioritizing the effort fiscally, operationally, and culturally

With the first five understandings a police organization almost has the minimum mindsets and beliefs to attempt recruiting and retaining diversity. The final understanding will likely be the most difficult for those organizations who truly want to do better. It is to prioritize recruiting and retaining women and racial and ethnic minorities. This is prioritization fiscally. This is prioritization operationally. This is prioritization culturally. There is give and take, and it can be safely assumed that law enforcement agencies do not have unlimited funds, time, and energy to accomplish everything they want to. Thus, the need to prioritize.

For some organizations this will be less of a hurdle. If there is some sort of higher up political or administrative authority able and interested to provide additional resources specific to recruiting and retaining diversity, there's less controversy in making it a priority. If funds are limited, if there are other pressing law enforcement needs of all varieties to outdated equipment, to the need for technical trainings, to focusing on uprooting prevalent criminal violations, diversity may take a backseat.

Of all of the understandings, this is the one that I would argue is the most acceptable to be missing. This paper does not assert that diversity is the first and only goal of police organizations. However, this paper does assert that even here police organizations have a choice. Maybe that choice is justified. Maybe that choice was the best option among several imperfect possibilities, but it is still a choice. If police organizations wish to have more diversity there must come a time when it is prioritized, whether sooner or later.

We look at one final court case as an example of priorities. In 1989 in *Price Waterhouse v. Hopkins*, Ann Hopkins who was a senior manager was denied being a full partner.

“There were clear signs, though, that some of the partners reacted negatively to Hopkins’ personality because she was a woman. One partner described her as “macho”; another suggested that she “overcompensated for being a woman”; a third advised her to take a “course at charm school.” Several partners criticized her for use of profanity... [one partner] advised, Hopkins should “walk more femininely, talk more femininely, dress

more femininely, wear make-up, have her hair styled, and wear jewelry”” (Price Waterhouse v. Hopkins).

The case ruled in favor of Ms. Hopkins, the comments and beliefs in the organizations of course were not. Although there’s an argument that this case reflects the valuing of women for their appearance as opposed to ability (because it is a part of the case), I want to focus on the cultural priorities. It was a greater priority for the men to hold onto their personal comfort on what a woman should and should not be. It was a priority for them to maintain a boy’s club. All other things the same, maybe they would’ve promoted her on her merits, but doing so would also mean changes to what the organization’s leadership was at the time.

Similarly police organizations will have to make choices. Will they allow women to be on the streets and be put in dangerous situations? Will they allow officers of color to be promoted to supervisory positions? Executive? Will it be supported when there are candidates who will better keep the organization the same as it’s always been?

Although it’s not expected for the recruitment and retention of female and racial and ethnic officers to be the number one goal, the question each organization must ask itself is how far down the list of priorities can it be and still be achievable? If it’s high enough of a priority, and if the other five understandings are held, there’s a real chance for progress. If it’s too low, then the best laid efforts will be put on hold either temporarily or indefinitely.

Alternatives to the Six Understandings

There are three main alternatives to developing the six understandings listed above. The first will be mentioned only briefly here, that of trying to move forward with actively trying to recruit and retain women and racial and ethnic minorities without having reached the understandings. Either the understandings can be developed over time, as will be discussed in the final section of this paper, or the effort will go on with one or more unproductive mindsets that could undermine the attempt.

The other two approaches are to either fight against diversity or be passive. In continuing with the theme of choice, it would be unfair to not discuss at least to some degree the other options that police organizations may take. These are very real alternatives that can and have been taken both in the past and our current time.

Fighting Against Diversity

For any number of reasons whether believing affirmative action is a form of bigotry against men and/or Caucasians, believing in the inherent superiority of one’s own gender and race, or perhaps in the inferiority of some or all demographics that are different, some individuals and organizations can choose to struggle against any attempts to diversify. This active antagonism can be overt or subvert, can target leadership, candidates, or anyone in between, can be formal or informal. This struggle can be successful or unsuccessful.

In 1974, Detroit’s first black Mayor, Coleman Young took office. Part of his administration included changing the racial composition to the police department to better reflect the community it served, and in 1976 Mayor Young was the named defendant in Detroit Police Officers’ Association v. Young (Franklin 200-1). White police officers chose to fight against the Mayor’s plans, in this case in a formal, legal, and organized fashion.

The first court, the district court, ruled in favor of the white officers that the City of Detroit violated their rights. Furthermore, they rejected the Defendants' two main rationales for their policies of remediating past discrimination and for operational needs for police effectiveness (Franklin 202-4). This victory was short lived as it was overturned at the Sixth Circuit Court of Appeals. "On appeal the Sixth Circuit reversed and remanded the case. The opinion written by Judge Lively disagreed with the district court on practically every count" (Franklin 206).

This is an example where fighting against diversity did not win, at least in this specific attempt. That being said, the District Court's ruling is proof that it is certainly possible to find legal victories in the courtroom. No doubt other efforts can be effective. Obviously this paper does not support this choice and even takes exception to it, but will recognize its possibility.

I do question which of the six understandings an organization, group, or individual who chooses to fight against greater diversity doesn't believe in? Is it the idea that there's value in women and/or minorities in law enforcement? Is it a denial of past and current wrongs committed? To actively push against efforts to diversify suggests a lack of at one of the earlier, baseline understandings as opposed to the later ones.

Passivity with Diversity

The final alternative to developing the six understandings is passivity. There is a wide range of having a general idea that diversity is good, but just not worth any extra thought or effort, to believing that greater inclusion is a waste of time just not worth the effort to actively fight against. In this scenario, police organizations may operate as they have without needing to make and additions or changes either in support of or in opposition to recruiting and retaining women and minorities.

However, some police organizations are forced to have affirmative action policies by court mandate.

"Beginning in the late 1960s with a number of employment discrimination lawsuits, federal courts began mandating affirmative action plans with the intended effect of increasing the share of nonwhite and female police officers. Court-imposed affirmative action plans often take the form of hiring quotas, but also may affect standards for promotion. Some police departments are still under affirmative action plans today, often from court-imposed plans going back to the 1970s" (Garner, Harvey, Johnson 2).

For these organizations, they have to hire diversity by standards not of their own making. Police organizations will make their quotas however clumsy or problematic the process. They will have standards of promotion that may not fit the dynamics and needs of the organization. Diversity will be reached, it will be a diversity that lacks the understandings to let said diversity and the greater organization thrive.

The other possibility is no external factors force a police organization to change. It either stays under the radar, has local support, and/or avoids any large public incidents that have to be addressed. It's assumed in this paper that many police organizations are here, that they are not making any proactive decisions, but neither do they face any or enough scrutiny to make any changes.

Change Management and Developing the Understandings

This last part of the paper will be dedicated to offering one potential step-by-step approach to building up the understandings. Although it would be a simple solution for enough leaders within each organization to already possess all six understandings, realistically it will take time and work to build them up. To offer at least one path, this paper uses “the Change Path Model” designed by Tupper F. Cawsey, Gene Deszca, and Cynthia Ingols. The Change Path Model includes four major steps; awakening, mobilization, acceleration, and institutionalization, each broken down into subsections (Cawsey, Deszca, Ingols 55). We stick with the first two parts, awakening and mobilization as the understandings should be fully developed before going forward with the latter two steps.

Either before or during a police organization’s attempts to develop the six understandings, it’s important to identify four different types of leaders in the process. There are the change initiators who spark the idea and champions it, the change implementors who are responsible for taking on specific tasks and roles in the process, change facilitators who help resolve conflicts and provide guidance, and the change recipients who are likely the ones who are being asked to change (Cawsey, Deszca, Ingols 26). Individuals in an organization can take on multiple or even none of these roles. Each of the roles is important, and by identifying who belongs to each of the four categories can help make the process more efficient.

There are four sub-steps of “awakening” in the Change Path Model. The first is to “identify a need for change and confirm the problems or opportunities that incite the need for change through collection of data” (Cawsey, Deszca, Ingols 98). In this sub-step both the genuine value and understanding historic and systemic problems can be developed. Good data and critical thinking can better illustrate and promote these understandings before taking the initiative to the organization as a whole.

The next sub-step is to “articulate the gap in performance between the present and the envisioned future state, and spread awareness of the data and the gap through the organization” (Cawsey, Deszca, Ingols 98). Here the initial spark is taken to others. This step also correlates to the first two understandings, the opportunities that relate to the value of female and racial and ethnic minority officers, and the problems of current challenges and inequities. It can also serve to see where current staff stands in relation to the first two understandings.

The third sub-step is to “develop a powerful vision for change” (Cawsey, Deszca, Ingols 98). From this step, the understandings that there are potential diverse candidates and it is the organization’s responsibility to earn them come into play. A powerful vision brings out the questions “why us” and “why now”, able to build momentum within the organization.

The final sub-step of awakening is to “disseminate the vision for the change and why it’s needed through multiple communication channels” (Cawsey, Deszca, Ingols 98). This step serves to solidify the first four understandings within the organization. By this point, if successful, the organization should find genuine value in female and racial and ethnic minority police, accept historical and systemic disadvantage to women and minorities, believe that there are potential female and minority candidates who will become qualified officers, and place the responsibility on the organization to earn these candidates.

Mobilization begins with the sub-step to “make sense of the desired change through formal systems and structures, and leverage those systems to reach the change vision” (Cawsey, Deszca, Ingols 145). The final two understandings to anticipate and prepare for unseen challenges and prioritize the effort begin to form here if they are not already developed. Starting

to dig into the formal systems can begin to establish some of the challenges ahead and what other priorities exist for the organization that may either help or hinder the cause.

This is followed by the sub-step to “assess power and cultural dynamics at play, and put them to work to better understand the dynamics and build coalitions and support to realize the change” (Cawsey, Deszca, Ingols 183). This continues digging into anticipating challenges and prioritizing the recruitment and retention of diversity. The only difference in this step is the focus on the informal work culture that may be significantly different than the formal structure.

The next sub-step under mobilization is to “communicate the need for change organization-wide and manage change recipients and various stakeholders as they react to and move the change forward” (Cawsey, Deszca, Ingols 218). This step is already gearing up and actively making some changes within the organization. If things go well, the understandings may all well be established. If not, it’s very possible for all six understandings to come into play as different change recipients who need to be worked with are at different stages of understanding themselves.

The final sub-step for mobilization is to “leverage change agent personality, knowledge, skills and abilities, and related assets for the benefit of the change vision and its implementation” (Cawsey, Deszca, Ingols 258). The change agent is an inclusive term for the change initiator, implementor, and facilitator. In relation to the understandings, this applies to the final one, ensuring the fiscal, operational, and cultural prioritization of promoting women and racial and ethnic minorities through empowering the leaders making the change.

This is a quick, simplified version of steps that can take weeks, even months to implement. It serves though as some thoughts to how these understandings can be incorporated into change management step-by-step, and can just as easily be integrated into the change management policies and methods that each police organization prefers.

Conclusion

The call for a women and racial and ethnic minorities in law enforcement has existed for many years, and will persist into the future. Police organizations have at their disposal many strong operational tools and methods to choose from based on their current resources, needs, and interests. The underlying question though is do police organizations have a set of beliefs, of understandings, to genuinely put their best foot forward and eagerly seek diversity, or are their concerns and doubts that make any extra effort done begrudgingly and half-heartedly? The answer is undoubtedly mixed.

Does the organization value the potential for female and minority officers? Not everyone does, and police leaders are wise to not skip over this basic question and assume their organization will say yes. Can we accept the historical and systemic problems that have, and continue to, disproportionately affect women and racial and ethnic minorities? If so, greater action is warranted. If not, greater action will be perceived to be the injustice.

Does the organization believe that potential diverse candidates can be found? If there isn’t the hope for success, it will be difficult to convince staff of achieving what seems impossible. Is it the organization’s responsibility? If the burden is put solely on candidates to earn their way in, then no extra effort by the organization can be expected or appreciated.

Is the agency anticipating and preparing for unexpected challenges? If not, they will have to contend with the challenges regardless when they appear. Finally, is recruiting and retaining female and racial and ethnic minority officers a high enough priority fiscally, operationally, and

culturally? Is the effort born to fail, or does it have a fighting chance when hard decisions have to be made?

We see the possibilities both good and bad through the law and cases that police officers help uphold and defend. We see where women and minorities are valued and make great strides forward, and where they are held down and prevented from reaching their potential. Every institution, including law enforcement, has the choice to do what it can to pull people up, push them down, or be a bystander. This paper argues for the first, knowing full well that there are great challenges leaders in law enforcement face, and knowing full well that efforts to bring in greater diversity will take years to fully implement and realize. To start, we can work on our understandings.

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