

How Appearance Characteristics And Suspect Race Affect Police Decisions And Response

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There have been several high-profile cases and incidents of African-American men killed by the US police that led to civil unrest and protests in many American cities. The killings are understood to not be cases of isolated incidents but indicate long-standing problems with excessive violence and police racism in the country (BBC, 2015).

According to Professor Lorie Fridell at the University of South Florida's Department of Criminology, the police are facing racial profiling as the number one issue. She says that bias is not just a matter of a few officers in particular departments; it is implicit bias at play.

"We all have implicit biases whereby we link groups to stereotypes, possibly producing discriminatory behavior – even in individuals who are totally against prejudice" (BBC, 2015)

There have been studies to suggest that implicit bias can have an effect on an officer's judgment in determining whether he is more likely to shoot an unarmed black man than a white man. Police reports admit the possibility of an implicit bias but defend their stance by usually saying that stereotypes are sometimes partly based on fact, as, in the US, there is a disproportionate representation of people of color who commit street crimes (COPS, 2015). From the Kneeling NFL players to the Black Lives Matter movement, police bias has sparked a big debate in the country with different arguments for and against police actions. Researchers found states with higher residential segregation and structural racism to have higher incidents of such nature (Boston University School of Medicine, 2018). This study, therefore, studies the interaction between white, Latino or black suspects and assesses whether there are differences in reactions and what factors could be responsible. It also seeks to study secondary factors such as physical appearance and cultural stereotypes such as contemporary hip-hop culture and whether they have an effect in predicting the outcome of an interaction.

Research And Discussion

In today's world, counteracting and understanding racial bias carries paramount importance, especially as racial bias in policing can have life-or-death consequences. To study how these biases in law enforcement can unfold, two important recent studies were selected.

Literature Review

To investigate how interaction and use of police force vary according to race and ethnic origin, a study entitled 'How Suspect Race Affects Police Use of Force in an Interaction Over Time' was reviewed for statistical data, reports, and analysis to providing a more nuanced view of how bias originates. The study finds that there is a disproportionate focus on police efforts against people who appear out of place and that racial stereotypes are carried by officers who are conditioned upon the degree of criminal activity, racial composition, and other traits of the community. In a homogenous community, the factors that determine police interaction outcomes were studied in another research entitled, 'Policing in a Largely Minority Jurisdiction: The Influence of Appearance Characteristics Associated with Contemporary Hip-Hop Culture on Police Decision-Making.' Police bias in minority communities was reviewed, demonstrating how implicit bias manifests itself in the racial, cultural and ecological context. Statistical analysis conducted in the two research journals was used to assess the outcomes, provide insights regarding the research questions, and draw implications that it should have on policy and society in general.

Research Methods

Study Case 1: Race and Ethnicity:

For the first study (Kimberly Barsamian Kahn, 2017), a sample of 212 available cases of use-of-force incidents that occurred in 2012 was selected from the West Coast metropolitan police department. The city has relatively smaller non-white racial minorities in its population demographics. The selected cases involved the use of force by at least one officer during the interaction phase that developed the report's narrative. In order to account for all different racial groups represented in the samples, appropriate differences could be assessed. The types of crimes included disorderly conduct (n=24), simple assault (n=66), aggravated assault (n=9), drugs (n=10), vandalism (n=7) and miscellaneous other cases (n=23). A total of 139 cases were finally used for the analysis, comprising 42 black, 62 white, and 35 Latino suspects. Discrete sequences were coded out of the use-of-force case files in order to compare the level of resistance in a suspect action to the officer's response. One sequence implies each step in the discrete interaction between the suspect and the responding officer's reaction. The suspect's level of resistance to the officer marked the beginning of a sequence, and the officer's subsequent actions towards the suspect marked the ending. The level of force was coded and measured on a scale of 0 to 6.

The suspect's action towards the third party was also indexed, and towards themselves, when it did not involve a responding officer, were also coded on a 0 to 6 scale. This statistical model would be used to test the hypothesis regarding whether Latinos or blacks are susceptible to the use of force earlier in their interactions with law enforcement authorities as opposed to white suspects (Kimberly Barsamian Kahn, 2017). The patterns in use of force across time for different racial group averages

during interactions between the suspect and the police were plotted based on the 50th percentile of the total number of sequences. These discrete sequences revealed a better understanding by breaking down suspect-police interactions by revealing how the police's use of force is impacted by the suspect's race.

Study Case 2: Racial and Cultural Stereotypes

For this study, data was compiled and collected from 2014 to 2017 by a team of trained researchers over a period of three years who shared ride-along with police officers in a major metropolitan area's jurisdiction in the Southeast. A data template was structured to record the events in a systematic way that happened during formal citizen-police interactions, observed directly by officers assigned to traffic, patrol and their department's crime suppression units. The interactions that were citizen-initiated or officer-initiated were both included, whether they were on foot or in vehicles. The ride-along was planned in a way so that all hours of the day and days of the week would be included, and all areas within the jurisdiction were allowed access. Actual data collection was restricted to the events where an actual crime occurred that required a formal police action against the suspect, and the interactions were studied. The template was designed in a way that allowed the researcher to record all the fine details of the suspect's physical appearance, such as the age, attire, sex, race, and grooming, as well as the officer's demographics like age, race or sex.

It also contained spaces to record the incident's outcomes, such as citation, verbal warning, no action or arrest. Each officer's interpretation of key factors that help examine multiple aspects of the citizen-police interaction was also recorded by the research assistants, which included how the officer rated the offense's seriousness, whether the officer was aware of the prior criminal history of the suspect and if the department's policies were responsible in shaping the incident's outcome, for e.g. an arrest policy or mandatory search. Further data recorded included the behavior of the suspect, whether it was non-compliant, belligerent or combative. A suspicious vehicle's presence was also observed, such as if it had large speakers, aftermarket paint jobs large rims, etc. All data were systematically recorded by the 23 team members assigned to their respective officers. Smartphones were used to record the survey data to upload it into the central database in real time. In the course of the research, about 934 interactions that can be classified as formal between the citizens and the officers were recorded over a period of 35 months of the data collection period. Another prior research was carried out in the jurisdiction to study its demographics in a general way. The findings suggested that the area was 82.4% African-American, with a Hispanic population of 7.5% and the remaining 8% comprised of Asian/Pacific Islanders or Whites (Dean A. Dabney, 2017). The variables of the outcomes were divided according to how the suspect-officer interaction occurred, whether the suspect was given a verbal warning or if nothing happened, whether he was issued a written citation, or if the suspect was arrested, released, or taken into custody. Each outcome was coded as 0, 1, 2 respectively.

Results And Findings

In the findings of the study (Kimberly Barsamian Kahn, 2017) that were obtained from actual use-of-force data from police-suspect interactions and took into account relevant case and suspect variables, the findings indicated that both Latino and Black suspects had been subjected to greater levels of police force, and earlier than others during the interactions. The White suspects also were subjected to the use of force, at sometimes greater rates compared to what other racial minorities experienced in initial interactions. The initial rates of force were higher for Latinos and Blacks, and the results of the survey suggest that racial stereotypes are partly responsible for playing a role in that. The survey results also indicate that danger was associated with racial stereotypes that led to bias in perceptions at the interaction's early stages. Therefore, it made the suspects appear more threatening in the officer's judgment or see a greater need for force to control them. These stereotypes are likely to have an effect in shaping behaviors and perceptions, especially when the situation is ambiguous or unclear, and in cases where the officers lack any special individuating information, they may be more likely in their initial interaction to be influenced by those stereotypes, that lead to the results that have been found in previous studies as well as with present data in this study (Kimberly Barsamian Kahn, 2017).

The findings also reveal that racial stereotypes can lead officers to anticipate noncompliance or resistance in an encounter, or they feel the need to take an early charge when interacting with racial minorities. To do so, they may initiate with higher levels of force to establish the power dynamic and be able to proactively control the situation. The threat perception of the officer may also be enhanced due to the anticipated resistance that the officer may feel, which again leads to a bias in the interaction, leading toward the application of more severe forms of force. This threat perception or anticipation of resistance may be grounded in implicit bias or racial stereotypes. Furthermore, the study findings suggest the possibility of stereotyping and implicit bias rather than explicit bias, which may lead to this bias and discrimination with regard to suspect races. This is suggested because if the bias was overt and explicit, the racial disparities in force may be exhibited throughout the interaction and remain consistent or lead to further aggravation as the interaction continues. The notion that contemporary bias is implicit in nature is complemented by the patterns found in this research (Kimberly Barsamian Kahn, 2017). Furthermore, the results of the findings reveal that the officers had not taken discretion with racial minority suspects to the same extent as they did with white suspects. They exhibited less requirement of developing certainty in judgment before making a decision to draw lethal weapons against black suspects.

The same patterns that are exhibited by racially biased shooters were seen. The results show that more clarity was sought in the case of White suspects than what was exercised when needed to engage Latinos or Blacks with force. Therefore, the white suspects had a delayed onset in this regard. Further racial disparities were noted in how the officers reacted to the level of resistance exhibited by suspects in interactions. Then, Latino or Black suspects resisted; they became the subject of a largely more forceful application of force compared to when resistance was shown by white suspects. This

pattern is again noticed due to the view developed by officers that see Latinos and blacks as more dangerous or threatening, due to which they predict or expect more resistance from them or see a greater need to set them under order or control (Kimberly Barsamian Kahn, 2017).

In the findings of the study (Dean A. Dabney, 2017), individuals who appeared more to be associated with hip-hop culture were shown to be highly more likely to get arrested (23%) compared to those who did not appear to dress and behave like such (8.7%). The number of suspects who received citations, as a result, was greater too, 21% compared to 13.4% who did not appear to be following the hip-hop subculture, respectively. Furthermore, the multivariate analysis of the findings also suggests that the hip-hop culture appearance decreases the chances ($p < .001$) to a great extent for an officer to only give a warning or do nothing ($OR = .33$), compared to issuing a citation ($OR = .31$) versus arresting the suspect. It showed that a hip-hop-cultural exhibition increases the likelihood of getting arrested by three (3.03) times as opposed to no action and a further three times (3.23) as compared to being issued a citation. Crimes of a more serious nature led towards higher likelihoods of arrest instead of only being given a warning ($OR = .87$) or being issued a citation ($OR = .80$). If the suspects had a criminal history prior to the interaction, that led to an even higher odds of getting arrested than being issued a citation or warning. The arrest was also related to the suspect demeanor.

Even though this study does not indicate that race as a variable alone is a likely predictor of arrest, the study strongly suggests that cultural stereotypes and characteristics associated with the African-American race, such as a hip-hop appearance, increase the likelihood of arrest a significantly greater amount. This also indicates that interracial distinctions are at play when hip-hop characteristics are seen to appear in the judgment and evaluations of the officers when they are assessing the decision to arrest. Therefore the dress and physical appearance traits related to the sub-culture of hip-hop contribute towards a greater likelihood of arrest in that decision-making process (Dean A. Dabney, 2017). This study also reinforces the view of the previous study that has been noted by a number of scholars earlier as well, that there exist certain implicit biases and stereotypes associated with race that are present in a lot of people, which eventually lead to the widespread racial disparities that have been observed. Hip-hop appearance may have been becoming more associated with repeated offenses (Dean A. Dabney, 2017) or being a danger to society, that are leading towards this perception since those African Americans that did not exhibit such characteristics had notably different results, though there still disparity (Kimberly Barsamian Kahn, 2017).

Conclusions And Implications

From the results of both studies, it can be observed how differential changes are caused by suspect race and how they shape the interaction between the suspects and law enforcement officers. The implicit bias or reliance on racial stereotypes may develop the tendency of the officer to misjudge the threat perception in his interaction. He may misjudge the level of resistance in racial minorities, which can lead to a greater use of force subsequently. The officer's jurisdiction-specific knowledge and past experiences influence his judgment when dealing with the public, and in case of a misperception or

absence of reliable information, it can lead to the officer acting on implicit biases and stereotypes, even if there is no actual intention of acting with bias. The implication for policymakers is that police training should incorporate guidelines on interactions with different racial minorities and the stereotypes associated with race or subcultures that can have an impact on the decision, be explained to the officers. The initial interaction, if not influenced by racial stereotypes or bias, will lead toward fair interactions and equitable treatment. The perceived threats or perceptions of resistance from certain races must also be a part of the training that can potentially occur in different situations to address the racial disparities currently found. De-escalation techniques or information-gathering techniques that help individuate information before the use of force, especially in the case of African-American or Latino minorities, must be emphasized in training and may prove highly effective in addressing the problems currently found in these studies.

Police departments should make solid efforts in addressing these disparities whether they are born out of an implicit bias, outward bias, or cultural stereotyping. There is growing evidence to suggest that proper training can lead to better decision-making for law enforcement officers in general and can positively influence their decision-making capabilities. This would be beneficial in ensuring that people are treated equally and are able to put greater faith in the law enforcement system of the country, and the benefits officers will receive will also be worthwhile.

References

BBC. (2015, May 26). *Why do US police keep killing unarmed black men?* Retrieved March 19, 2018, from BBC News: <http://www.bbc.com/news/world-us-canada-32740523>

Boston University School of Medicine. (2018, February 5). *Police shootings reflect structural racism, study finds*. Retrieved from Science News: <https://www.sciencedaily.com/releases/2018/02/180205134232.htm>

COPS. (2015, March 23). *U.S. Department of Justice releases reports on Philadelphia Police Department's use of deadly force*. (US Department of Justice) Retrieved March 19, 2018, from Community Oriented Policing Services: <https://cops.usdoj.gov/Default.asp?Item=2787>

Dean A. Dabney, B. T. (2017). Policing in a Largely Minority Jurisdiction: The Influence of Appearance Characteristics Associated with Contemporary Hip-Hop Culture on Police Decision-Making. *Justice Quarterly*, 34(7), 1310-1338. doi:10.1080/07418825.2017.1382557

Kimberly Barsamian Kahn, J. S. (2017). How Suspect Race Affects Police Use of Force in an Interaction Over Time. *Law and Human Behavior*, 41(2), 117-126. doi:10.1037/lhb0000218