

States of the Union

MINORITY HIRING AND THE POLICE

BY RICHARD J. MARGOLIS



RECENTLY a black policeman in Detroit, highly placed and highly skilled, recalled how he almost failed to get on the police force back in 1947: "I'd been working for the telephone company collecting from coin boxes, but there was no future in that and my wife was pregnant, so I decided to apply for a job on the police force.

"Well, I passed all the tests and

This is the first of a three-part series based on a study prepared for the U.S. Commission on Civil Rights by Richard and Diane Margolis.

all the interviews, but then they sent me a letter saying I'd been rejected. They told me I had tuberculosis. You know, when I got that letter my wife was in the hospital having our first baby, and I remember just sitting alone in our dark living room thinking I was going to die. But after a while I had another thought: 'What the hell—I'm not even coughing.' "

Later, with the help of a set of chest x-rays taken by his own physician, he forced the police department to accept his application. "That's how I became a cop," he recalls. "With separate but equal x-rays."

It would have been relatively easy in those days immediately following World War II for police and fire departments to recruit minority members—just as it would have been relatively easy for colleges to attract black students, for industry to hire black personnel, and for builders to sell to black homebuyers. Many re-

turning black veterans, having risked their lives for America, were ready to stake their futures on the American system and to share in both its hazards and its opportunities. But the white majority kept pretending that blacks, Puerto Ricans, and Mexican-Americans had social tuberculosis.

Today that policy of raw discrimination and overt exclusion is generally discredited. The ghetto riots of the '60s taught us that our big-city police departments were in deep ethnic trouble. Black militants compared the police to an occupying colonial army, and there was enough truth in the assertion both to startle and irritate white America. More moderate civil rights spokesmen, meanwhile, demanded that the police put their house in order. They called for an end to police brutality and harassment in the ghetto, for better police protection of ghetto residents, and for new hiring policies aimed at bringing minority members into police departments.

In response, most police officials began to reshape their thinking, if not their policies. There was a flurry of benevolent activity—new "com-

munity relations" efforts to draw policemen and ghetto residents closer together; sensitivity sessions aimed both at exposing and expunging racism among white policemen; elaborate programs designed ostensibly to persuade minority group members to pursue police careers. Unfortunately, many of the programs are studies in frustration; several are little better than public relations schemes aimed at improving a department's image without upsetting its prejudices. Thus the essential task of integrating our disaffected citizens into society's system of law enforcement remains largely unfinished, even in cities and states where commitments have been made and programs mounted.

ON THE other hand, encouraging trends have emerged. Forty years ago, according to Gunnar Myrdal, there were only 1,500 black policemen in the entire nation; there are almost that many in the city of Washington today. Other police departments, often in cities that have never won a brotherhood award, are beginning to reappraise their racist tendencies. In Dallas recently, Police Chief Frank Dyson announced he had suspended efforts to recruit white policemen. "I want qualified applicants, but I want some blacks and browns," he explained. "Our ratio is quite low; we have . . . about 50 [blacks and browns] out of 1,740. So we intend to bring that up considerably with all means possible."

It will not be easy. Every big-city police department has an intricate obstacle course for prospective employees. By and large, these obstacles have been placed there for the best of reasons—to insure the screening out of unqualified candidates. In practice, however, they have frequently worked as a discriminatory mechanism. What follows, in roughly descending order of importance, is a description of some of the procedural requirements making it difficult for blacks and browns to become policemen.

The written test. This is the toughest hurdle. In some cities fewer than 10 per cent of black applicants are able to surmount it. Typically, the examination is a shortened version of the Army General Classification Test (AGCT) or of any of several other standard intelligence tests—e.g., Otis-Quick, the California Short Form, the Wonderlic Personnel Test. These usually include problems in logic, arithmetic, vocabulary, and spatial relationships. Police and civil service officials tend to equate a man's score with his "native intelligence," the implication being that persons who do poorly are intellectually inadequate.

Yet the tests are often arbitrary and, in some cases, discriminatory. "The usual multiple-choice written test is one of the most discriminatory instruments against culturally disadvantaged people," notes Dr. Felix Lopez, an authority on manpower training. "A better indication of success on the job is the actual personal accomplishment of the applicant—what he did with what he was given. A high school graduate from a white, middle-class background might be an underachiever, while the completion of high school by a Negro youth from the ghetto might be a real expression of drive and motivation."

Indeed, many of the test questions seem to stack the deck against anyone who has grown up in an urban ghetto. Here are some examples:

1. *True or false: R.S.V.P. means "reply not necessary"?*

2. *High yields of food crops per acre accelerate ——— of soil nutrients.*

A. depletion B. erosion C. cultivation D. fertilization E. conservation

3. *The opposite of natural is:*

A. superficial B. strange C. injurious D. artificial E. foreign

4. *A club that accepts only rich members is said to be:*

A. snobbish B. exclusive C. conservative D. Republican E. un-American

It seems clear that a black slum dweller might answer such questions

differently from a middle-class white man, and partly as a consequence of this, thousands of black and Spanish-speaking police applicants are being rejected. The upshot is that the minority community sees the tests as a slick, exclusionary gimmick, while the police cite them to prove that an extremely limited number of ghetto men are qualified to join their ranks.

Attempts to devise an exam that would also be fair to minorities are generally shouted down by the rank-and-file as a "lowering of standards." But standards are precisely what the tests lack, since they have not been shown to predict an applicant's performance as a policeman—or very much else that is relevant, for that matter. AGCT test "norms," for example, were established by use of a sample that included neither women nor blacks. "This research offers little, if any, value to present-day consumers of the AGCT," notes Dr. Bert A. Goldman in *Mental Measurements Yearbook* (sixth edition).

Departments that equate fairer tests with lower standards are, in effect, torpedoing minority recruitment efforts. Few local governments have faced up to this melancholy fact, but several are questioning their old assumptions. Detroit's police department is seeking the research funds to develop a new, nonbiased test (it now uses the Wonderlic, said to be among the most culturally biased); Washington is writing a new test; and the California Personnel Division is making a study of the kinds of questions minority members frequently get wrong, with an eye to eliminating unfair questions from standard tests. These are small, tentative steps on one segment of the long road to justice in police hiring practices.

The background investigation. In some cities this eliminates a higher proportion of seemingly qualified blacks and Mexican-Americans than whites. Moreover, many blacks voluntarily drop out of the race before a background check can be made, being aware that the "weaknesses"

investigators look for are precisely those which are more common to ghetto communities.

Investigators apply a whole set of vague middle-class standards. In home interviews with the applicant, for instance, the investigator takes note of the prospect's clothes and appearance, his tone of voice, the condition of his living quarters, and the attitude of his wife. (The wife is expected to be enthusiastic about her husband's police career.) Here are some typical comments from Detroit police investigators:

opportunities for prejudiced evaluations (unintentional or otherwise), particularly since nearly all police investigators are white and middle-class. Such arbitrary values as neatness, enthusiasm and overall personal pleasingness can vary, depending on one's life situation. The crowded ghetto family, living in two or three rooms, may be compelled to endure a clutter that is beneath police standards; and the black man who holds two low-paying jobs in order to support his family may be too weary to impress the interrogators.

Still, a long arrest record—even if devoid of convictions—is viewed as suspicious, and in some instances is automatically disqualifying. One cannot argue with the premise that criminals make bad policemen, but there is reason to wonder how many blacks and browns, having been falsely or frivolously arrested, are subsequently disqualified.

The same holds true for driving violations. Few policemen would admit publicly what a Detroit lieutenant conceded to me privately: "I've been on the force long enough to know that a colored man in a car is going to get stopped a lot more often than a white man." The lieutenant was explaining why the Detroit Police Department, along with several others around the country, had recently liberalized its hiring standards by increasing the allowable number of moving violations.

On the whole, though, police background and character investigations fail to take into account the special problems of the ghetto residents, including their frequently trouble-filled relations with the police. Perhaps more important, the vague criteria used in some cases create possibilities for discrimination where none need exist; and they generate suspicion and distrust in minority communities, discouraging prospective applicants from taking the deep plunge.

The medical examination. This has a long history of spurious uses in the interest of prejudice, as suggested by the story of the Detroit policeman who was falsely informed he had tuberculosis. But in most cities that is ancient history, and incidents of raw discrimination in medical examinations are rare. One such rarity may have occurred recently in Miami, when a black veteran, who had served in Vietnam as a member of the Military Police, was rejected by the Miami Police Department on the grounds that one of his legs was one-half inch shorter than the other one. When the applicant lodged a formal complaint, the decision was reversed.



"Subject said he had no hobbies."

"His mother took an active part in the precedings." (*Sic.*)

"Applicant was very slow in holding a conversation."

"Subject's house was neat, clean, well-maintained."

"Applicant's wife does not object to his being a policeman."

"Applicant appears financially sound."

Police officials, in defending these interviews, point to the need for thoroughness: "We can't afford to take chances on applicants. We want to find out as much as we can." At the same time, they offer endless op-

A more serious element in the background investigations—and certainly a greater bar to minority group members—is the applicant's police record. But consistency is lacking. Some states automatically eliminate applicants with a felony conviction record. Many police departments overlook juvenile records if they are free of assault convictions. In general, police departments are willing to forgive and forget minor crimes committed in the relatively dim past. As a Miami police personnel officer remarked, "I don't think there's a single applicant who hasn't stolen something in his life."

The black man who somehow manages to leap all these hurdles may nevertheless be rejected, and for reasons over which he has little control. If he has never learned how to drive, and many ghetto residents have not, he will get no further than reading an application blank. Similarly, if he has never learned how to swim, he cannot be a policeman in Miami or in a number of other cities where swimming is felt to be a necessary police skill. Neither of these small handicaps would seem beyond solving: The police training academies that new recruits must attend for 12-16 weeks could easily include swimming and driving in their curricula. (The Michigan State Police Department does teach swimming.) A modest reform of this kind could in fact be an effective gesture of good faith toward the minority community and would cost very little. As for the time involved, surely it takes no longer to teach a man to swim or to drive than it does to teach him to shoot a gun properly.

The training academy marks the next-to-last step on the way to becoming a permanent member of the force. The recruit who gets through the academy is usually placed on probation for a year prior to becoming a full-fledged officer.

Unhappily, minority group members flunk out of the academies in a higher proportion than whites. This is not surprising. The black recruit, often the only one in his class, suddenly finds himself in a paramilitary white world of spit-and-polish and strict discipline. At most academies he will search in vain for a black teacher or counselor, or for anyone who will understand his life in the ghetto.

In state police academies the isolation is all the more shattering because recruits are barracked there and are not, as a rule, permitted to go home during the entire training period. "We don't seem to be able to attract Negroes from the ghetto," notes a Michigan State Police personnel official. "I don't think they

feel secure outside their own community. The few Negro recruits we manage to get have lived and grown up with white people. You might say they're already integrated."

When a black trainee enters an academy he is told, in effect, to look white. A typical manual notes that the recruit "is expected to have a short military type haircut without long sideburns, mustache or beard." This initial impression is reinforced by the pictures on the academy reception room walls of past graduating classes and of former commanders and chiefs. Nearly all are white.

During the next 12 weeks he is given, typically, 50 hours in firearms training, 18 hours in first aid, 12 hours in criminal law, seven hours in boxing, and eight hours (it used to be four) in human relations. "Human Relations," recalls one white recruit, "was the gut course. They had outside speakers come in and talk about brotherhood. We could relax."

The stringent discipline and the whirlwind routine are hard on everyone, but they are especially hard on the black recruit with no one to talk to. "You got to have a black man there telling him how he's doing," says Lieutenant Smith, who is black and in charge of the Miami Police Department's personnel division. The lieutenant tells of a black recruit who was flunking his tests on the rifle range. Smith visited the academy one day and got the recruit to practice on the range. In less than an hour his score improved dramatically. "I can't explain it," says Smith, "but somehow my being there gave him confidence. That's why I keep asking at the academy how the brothers are doing. If there's any problem, I get out there fast." But a few months ago Smith was horrified to learn that three black men had flunked out. No one at the academy had warned him.

TRAINÉES are required to take dozens of written examinations, and the grades they get either make or break them. Like the original "intelligence" tests,

however, the many subsequent tests given at the academies have not been shown to be of strict relevance to essential police functions. In addition, although it would seem obvious, for example, that today's policeman is called upon to use his "human relations" skills more frequently than his "firearms" skills, the amounts of training given in each area imply precisely the opposite priorities. Thus the training academies, with their heavy emphasis on written tests, their psychological pressures and their white-lifestyle norms, put an undue burden on black and Spanish-speaking recruits while failing to produce results that would justify that burden: namely, policemen pertinently and demonstrably trained for the job they must perform.

True, most of the hurdles the black man or Spanish-American must scale to become a policeman are, strictly speaking, no higher than those confronting the white applicant. Yet given the special conditions the minority-group member carries into the competition, the hurdles are virtually unscaleable. The written tests, the character investigations and the training academy all combine to fulfill the minority applicant's most saturnine expectations—that he has been made the victim of an elaborate white put-on, a system that recruits him with one hand and rejects him with the other.

The question that police departments and municipal governments must soon answer is whether or not the complex and frequently meaningless gauntlet they have constructed for all applicants is worth the trouble. Does a prospect's getting over the barriers accurately foreshadow competent on-the-job performance? If not, what can be done to upgrade—not lower—the standards so that they more reasonably relate to a policeman's duties and at the same time become acceptable to the minority community? The next article in this series, which deals with police minority recruitment programs in five cities, suggests some answers.