HOW TO ERADICATE RACIAL PROFILING?

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The purpose of this paper is to present a model of organizational changes in law enforcement agencies to end racial profiling. The paper begins with a brief discussion on the prevalence of racial profiling and why ending it is critical. It is then followed by a presentation of the model with four pillars: strategic leadership; research; human resource management; and stakeholder engagement. In each of these pillars, components with high potentials to end racial profiling will be discussed.

PREVALENCE OF RACIAL PROFILING

Disproportionate minority contacts by the law enforcement officers have been noted in the U.S., Australia and European countries. (Fitzgerald and Carrington, 2011: 451) In Canada, human rights commissions including the Alberta Human Rights Commission (2012) and the Ontario Human Rights Commission (2003, 2014) reported allegations of racial profiling (such as police stops, unreasonable questioning, requests for identification, retaining personal information) and Ontario court cases.

WHY RACIAL PROFILING SHOULD END?

Racial profiling must end because it:

- Violates human rights legislation (Ontario Human Rights Commission, 2003: 1, 3)
- Is offensive to civil liberty (Bahdi, Parson and Sandborn, 2010)
- Is an ineffective law enforcement strategy (Bourgue, *et al.*, 2009: 5-9, 80-81)
- Heightens racial tensions and destabilizes society (Wortley and Owusu-Bempah, 2009)
- Has adverse impact on racialized minorities (Ontario Human Rights Commission, 2003, 2014)

ENDING RACIAL PROFILING

This paper proposes a model for bias-free policing and focuses on what police services can do at their organizational level. The model is supported by recommendations from experts, police associations and governments, as well as concrete examples of what had already been put in place in the law enforcement sector.

The model has four pillars which aim at ending racial profiling in a multi-pronged manner:

- Strategic leadership
- Research
- Human resources management
- Stakeholder engagement

Key components in each of these pillars will be highlighted to illustrate how they can drive police services to a bias-free policing level, thus ending racial profiling simultaneously. These components are not meant to be exhaustive or complete, but they are considered pivotal in making policing bias-free.

PILLAR 1: STRATEGIC LEADERSHIP

Strategic leaders are committed to create a conducive organizational environment for the success of a bias-free policing strategy; planning and carrying out the strategic changes based on evidence-based information; engaging people and mobilizing resources to execute the strategy; and ensuring the sustainability of a systemic approach to bias-free services. (Leach, 2006: 167)

Strategic leaders effect change in three priority areas — corporate value, policy and culture — in fostering a fertile environment for ending racial profiling.

- Value of accountability — "Accountability means holding officers responsible for their conduct", making sure that their behavior advances the departmental goals, and making the actions of the officers and the leaders answerable to the wider community". (McDevitt, Farrell, and Wolff, 2008: 7)

- Anti-racial profiling policy — Law enforcement leaders are responsible for developing a policy framework prohibiting the practice of racial profiling. (Leah, 2006: 153-191) This policy respects people's right and procedural justice, protection of civil liberty, and alignment with legal standards.

- Culture of guardianship — Leaders are responsible to change the police culture from warriors to guardianship. There is a need to shift the fighting mindset (based on "we" versus "them" mentality and a "compliance to rules" model) to one of guarding democracy, building accountability, trust and legitimacy.

These areas of change have been recommended by governments and associations of police chiefs, and had been put in practice by police services in Canada and the U.S. Anti-racial profiling policy is now commonplace in most law enforcement agencies in the U.S. (Leach, 2006: 159)

PILLAR 2: RESEARCH

There are three priority areas for examining racial profiling: police actions; police workforce and human resources management; and policing strategies. Appropriate solutions for ending racial profiling have to be evidence-based.

- Police actions — Interventions such as traffic and pedestrian stops could be studied by collecting quantitative data on who got stopped and qualitative information on the nature of complaints and public perception. Quantitative data may be compared with external benchmarks and/or internal benchmarks over time. Qualitative information on issues related to treatment, dispositions, and circumstances may be reviewed.

- Police workforce and human resource management — data based on analyses of the racial composition of police workforce, and reviews of strategies and methods of recruitment, selection, hiring, promotion, training, development, professional standards, succession planning and performance management are needed for verifying allegations, community dialogues, and finding solutions.

- Policing strategies — resources allocation and deployment strategies of police officers, or community policing strategies (as in confliction resolution and liaison) could be studied for their contribution to community perception and social impacts.

Both governments and police chiefs highly recommended research data as a base for problem-solving, planning, and community dialogues. Research on racial profiling is already a common practice in many police services in the U.S. As an example, more than 1,000 police services in Texas and nearly 1,000 police services in Illinois had already collected and analyzed traffic stop data back in 2004. (Hussey, 2006: 209-212, 216-230; Leach, 2006: 160, 167)

PILLAR 3: HUMAN RESOURCE MANAGEMENT

In ending racial profiling, several human resource activities are useful in enabling employees to achieve the organizational goal of bias-free policing. They are staffing, training, and performance management.

- Staffing — The historical distrust that simmered through time between racialized minority communities and police services may be reduced through an equitable representation in the police workforce. (McDevitt, Farrell, and Wolff, 2008:15) While having more racial minorities in the police workforce does not automatically end racial profiling, it provides a neces-

sary step in restore community trust and legitimacy.

- Training — When the policing sector determines to eliminate racial profiling in its activities, the focus on bias-free community policing is in order. Accordingly, the roles of police officers have to be changed from traditional law enforcement to peacekeeping and community service in addition to the traditional ones. To accomplish this, the training approach, contents and skills development priorities have to be changed. (Meese, 1993: 2, 6-7)

- Performance management — A performance management model which focuses on the principles of community policing and procedural justice is critical for ending racial profiling because it enables supervisors to provide feedback to officers on their performance, detect their biases, develop measures to improve their performance, and/or empower them to adopt a value-guided approach in community policing. Its success is also based on the prevalence of internal procedural justice in police services, an early intervention system (which provides early warnings about racial profiling patterns), and an encouragement system (which rewards bias-free community policing behaviours).

Both governments and associations of police chiefs highly recommended a diverse police workforce and bias-free police training. Numerous police services in the U.S. and Canada have already put them in practice. Performance management based on the principles of community policing and procedural justice has only been recently recommended by the U.S. government, and several police services in the U.S. have started putting it in practice. Only a few police services in the U.S. have put in place the early intervention system to detect officers' racial profiling tendency. No data on the adoption of an encouragement system is available.

PILLAR 4: STAKEHOLDER ENGAGEMENT

The purposes of engaging stakeholder groups are to solicit opinions from them, work together to identify problems and find solutions, foster better accountability, and create an emotional attachment and sense of ownership for all stakeholders. It is considered to be critical in ending racial profiling. (Bayley, Davis and Davis, 2015: 9-10).

- Community engagement - community engagement means a shift in the current policing culture from one that focuses on fighting against criminals to "engaging with communities". The onus is on police services to keep community members about their work. Community members have an obligation to voice their concerns and put forward their suggestions. (Leach, 2006: 153-191)

- Employee engagement - In order to ensure that police officers are aligned with organizational priority in addressing the issue of racial profiling, they need to be involved in all stages of anti-racial profiling initiatives. Civilians working in police organizations responsible for communication, public liaison, legal issues, data system and technology have to also be on board on anti-racial profiling issues.

Governments and associations of police chiefs are very supportive of community engagement as a way to build bias-free police services. They, along with numerous police services, established joint-partnerships in driving bias-free policing.

CONCLUSION

The four pillars of the model — strategic leadership, research, human resource management, and stakeholder engagement — have to be supportive of each other so as to maximize its impact on ending racial profiling.

Police services in Canada and the U.S. have been developing policies, programs and initiatives to end racial profiling and to promote bias-free policing. There is a growing momentum of pushing for change in that direction from the community and an increased acknowledgement from the governments and the policing sector that bias-free policing is the way to go.

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