

MEMORANDUM

TO: Hon. Arlander Keys

FROM: Matthew Barge

DATE: February 5, 2019

RE: CONFIDENTIAL: CPD/Anti-Defamation League Implicit Bias Training

This short memorandum summarizes my impressions of and reactions to the Chicago Police Department training on Implicit Bias, designed and conducted by the Anti-Defamation League, that we observed together on September 18, 2018.

The training represented a solid overview of concepts relating to subconscious bias. In particular, the curriculum incorporates a number of different types of exercises and various learning modalities. That is consistent with best practices in adult education, which reflect that adults tend to learn best when they have an opportunity to apply new concepts and connect material to their everyday lives and pre-existing value structures. The general content was consistent with the general best thinking on subconscious bias, and the instructors with whom we interacted with were passionate and energetic.

The Anti-Defamation League training left me with a number of concerns – some of which I attempted to gently voice at the conclusion of the training session in September. First, the Anti-Defamation League representatives indicated that the training would be conducted by pairs of non-sworn volunteers. The lack of a dedicated instructor who is a police officer runs the risk of making this training much less effective. Seeing a sworn officer with credibility instruct on sensitive and potentially charged material like bias creates a very different environment than non-sworn instructors. Even if the Anti-Defamation League instructors are highly experienced and well-trained, police officers – and officers within the Chicago Police Department, in particular – may represent an especially challenging student population for this material.

Second, the training failed to provide officers with a sufficient detailed “toolkit” of strategies for combating or mitigating the effects of implicit bias. The best implicit bias training programs for police officers that I have seen take the frame that most police officers will be expressly committed to treating people equally. Indeed, most will represent that they want to and do, in fact, treat individuals the same regardless of their race, ethnicity, gender, sexual orientation, or the like. This allows seasoned, sworn instructors to provide officers with a set of dedicated techniques that officers can use to ensure that subconscious associations do not influence their decision-making in a way that is contrary to their state values. This might include slowing situations down to gather more person-specific information, calling for backup or more resources when time and

circumstances permit, and using techniques of more expressly analyzing or playing “devil’s advocate” to various judgments – such as those that might animate the decision to stop a subject.

In short, the Anti-Defamation League training did not connect the concepts of implicit bias as much as it should to everyday police work and to practical strategies that officers might use to help reduce the effects of implicit bias.

Third, the Anti-Defamation League training did not address a rich line of research about the effects of implicit bias on law enforcement professionals. This literature is a standard part of the leading implicit bias programs (“Fair and Impartial Policing” by Dr. Lorie Fridell and the Center for Policing Equity’s implicit bias training by Dr. Phillip Goff).

For instance, a subject’s race appears to influence a police officer’s threat assessment. In “shoot/don’t shoot” scenarios, officers are quicker to react to a black subject exhibiting a weapon than a white one, as the association between a black subject and a threat, or to “crime,” is stronger and more immediate than the association between a white subject and a threat. This is a problem not only in terms of fairness and equity but also with respect to officer safety – as officers may be slower than they should be in responding to a threat that a white subject poses.

Crucially, this same line of research established that police officers are not alone in having race subconsciously affect threat assessment. When non-sworn individuals proceeded through the same “shoot/don’t shoot” scenarios, the civilians not only exhibited the same bias but it was, in fact, more pronounced. That is, police officers – perhaps because of their training and experience – were subject to the effects of race on threat assessment but the effects were actually somewhat reduced from non-police officers put into the same situations. This fact gives instructors an important way of articulating a message that was also missing from the Anti-Defamation League training: that everyone has implicit biases and that police professionals, because of the nature of their work, are simply in a position where they might impact their work in ways that they do not want or intend. There are other, similar lines of research about the effects of implicit bias on law enforcement decision-making.

Finally, some of the curriculum seemed a bit padded and further afield from the core concepts of fairness and implicit bias. Especially in the latter hours of the training, some activities were interesting but not as directly applicable to officer experience as possible. It was telling that relatively little content, and few of the activities, focused on the unique roles and responsibilities of police officers but instead seemed to be aimed at a general audience. Although training for police professionals should incorporate the best elements of implicit bias training for other groups, police officers are, again, in a unique position when it comes to these issues. Training should address the policing function and provide scenarios, activities, and examples of enforcement activity that may be subject to bias and discriminatory policing.

Overall, I was underwhelmed by the Anti-Defamation League training. While certainly not a harmful or “bad” training, subject to the caveats above about the risks of not having sworn personnel as primary instructors, the training nonetheless was a missed opportunity. It simply did not address as specifically as it should the particular roles, responsibilities, and challenges of law enforcement in this area. Given that in-class training for officers in a department of the size of the Chicago PD is extraordinarily expensive, this training appears to me to constitute a missed opportunity to influence and shape future behavior. As currently constructed, I suspect that many officers will participate in the training, go home, and not think much of it – or have it influence their behavior in any appreciable way – during their subsequent shifts.