SPSSI on the Hill: Glaser Speaks on Biased Policing

Jack Glaser, Associate Professor and Associate Dean at the Goldman School of Public Policy at the University of California, Berkeley, spoke on April 8, 2015 as part of SPSSI’s Congressional Seminar Series on the causes and consequences of biased policing. Organized by the Society for the Psychological Study of Social Issues (SPSSI) and sponsored by Representative Jim McGovern, the series aims to inform some of today’s most important policy discussions with the latest psychological research. Glaser’s book, Suspect Race: Causes and Consequences of Racial Profiling, was recently published by Oxford University Press.

Racial disparities are endemic in the criminal justice system, Jack Glaser told an audience of policymakers on Capitol Hill in early April—and at the root of these disparities are psychological processes that are part of normal human cognition. Glaser noted that more than 30 percent of black males born in 2003 are likely to be incarcerated during their lifetime, and that black men are six times more likely to be imprisoned than white men. (Hispanics generally represent an intermediate case in criminal justice statistics.)

Blacks are much more likely than whites to be stopped by a police officer, and hence more likely to be frisked. As a result, they are arrested and sentenced at disproportionate rates. The most common reason police have for stopping pedestrians is that the suspect engaged in “furtive movement”—a term vague enough to give individual police officers virtually complete discretion over whom to stop and when. (There is no nationwide data collection program for police, so data about stoppages and arrests come from a patchwork of national, state and local jurisdictions. The data regarding police stops comes from the New York City Police Department.)

From these statistics and others it is clear, Glaser said, that police engage in widespread racial profiling. That is, they use race or ethnicity in deciding which cars or pedestrians to stop and search. Are these disproportionate stoppages justified by greater criminality among minority groups? Do they constitute an efficient use of police resources? Glaser explained the results of two simulations he ran comparing the effects of disparate treatment on majority and minority populations. In them, he showed what would happen if members of the minority were stopped four times as frequently as the majority.
The results in the first case were not a surprise: when both groups offend at the same rate, the minority group would be incarcerated at a higher rate, the majority group at a lower rate, and there would be fewer criminal captures than there would be if police were not profiling. (Police would be expending their energies chasing diminishing returns among the minority group rather than seeking out criminals in the majority group.) But what if the minority group had an offending rate four times that of the majority? In that case the incarceration rate for minority group members would rise to over seven times the majority, and the net, long-term effect would be very little gain in criminal captures.

It should not be a surprise that police use stereotypes, said Glaser. Holding and using stereotypes is part of normal human cognition. Stereotypes constitute cognitive shortcuts, and help us make judgments when we have insufficient information. But the associations that stereotypes represent—for instance, blacks with criminality—are often spurious or exaggerated. Even if they are accurate, they often lead to discriminatory behavior toward members of the stigmatized group.

Psychological science has shown how subtly stereotypes can enter our mind, how pervasively they can affect our judgment, and how difficult they are to overcome. Partly this is because they are stored, activated, and applied outside of conscious awareness and control. Decades of research demonstrates that we have beliefs (stereotypes) and preferences (prejudice) that operate implicitly and influence our judgments and behaviors (discrimination) despite our conscious intentions.

The implicit association of blacks with criminality is one of the strongest and most widespread stereotypes in the US. Evidence shows that police are not immune to this stereotype. For example, “priming” police with images of black faces makes them faster to identify objects as potential weapons. In an online video task, they are also quicker to shoot black suspects holding guns than they are to shoot whites. This association also probably helps explain why, in cases where off-duty or plainclothes officers are mistakenly shot by other officers, the victims are almost always black.

The disparate treatment of African Americans not only has a direct, tangible impact on those affected, but also entails a host of collateral impacts, including loss of income and wealth, lasting barriers to employment, destabilized families and communities, vote disenfranchisement, and dire community health effects.

Unfortunately, it is not yet clear what policies will alleviate these disparities. Simply banning profiling does not appear to have much effect; nor have training programs been shown to work. What is clear is that police cannot just ignore race and ethnicity. It is preferable to acknowledge the salience of these continuing divides and move toward an active “Intent to not discriminate” standard based on data-driven accountability.