



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



October 18, 2016

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

Dear Supervisors:

**THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT REPORT BACK  
REGARDING TRAINING GUIDELINES RELATED TO IMPLICIT BIAS AND  
CULTURAL COMPETENCY TRAINING INSTRUCTION**

On August 16, 2016, the Board requested the Los Angeles County (County) Sheriff's Department (Department) in collaboration with the Chief Executive Officer (CEO) and Inspector General, to summarize required training guidelines for deputy sheriff trainees mandated by Peace Officer Standards and Training related to implicit bias and cultural competency instruction, and outline the continuous education for Department personnel through in-service training.

- Summarize the required training guidelines for deputy sheriff recruits (Recruits) mandated by the Peace Officer Standards and Training related to implicit bias and cultural competency.

Currently, the California Commission on Peace Officer Standards and Training (POST) has no specific required training within the Regular Basic Course (RBC) in the areas of implicit bias or cultural competence. Additionally, there is no formal mention or recognition of the term "cultural competence" in any POST mandated training or administrative policies. Although the term "cultural competence" is not mentioned, the definition is similar to the POST Racial Profiling training that has been mandated for many years. Racial Profiling training has been taught in the RBC curriculum since approximately 1999 and is specifically addressed in the 16 hours of instruction to recruits during Learning Domain (LD) #42: Cultural Diversity/Discrimination. This LD includes a trip to the Los Angeles Museum of Tolerance.

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In 2014, the Department self-implemented additional training in the RBC curriculum during the facilitation of LD #1: Ethics, Leadership, and Professionalism. The curriculum change was affected in order to educate students in the areas of Constitutional Policing, Procedural Justice, Police Legitimacy, and Bias (Explicit and Implicit).

In an effort to continue our leadership role in law enforcement training, as well as recognize the fact that training needs to be in a constant and fluid state of revision, the Department's Training Bureau will be adding a new course of study to the RBC training curriculum titled, "Communication and Police Legitimacy." This course will focus on interpersonal communication, while also relating it to managing conflict, relationship building, escalation and de-escalation, problem solving, constitutional policing, procedural justice, bias (explicit & implicit), and police legitimacy. We anticipate incorporating this course of instruction within the next year.

- Outline the continuous education and certification opportunities for Department personnel through in-service training.

The Department's Training Bureau currently addresses constitutional policing in all advanced officer training courses, and familiarizes students with procedural justice, bias (explicit and implicit), and police legitimacy in the following courses:

- Security Officer Academy
- Patrol School (Field Operations Training Program – Orientation)
- Field Training Officer (FTO) Course
- Sergeant Supervisory Course
- Use of Force and Police Legitimacy Course
- Adaptive Policing Course

In an effort to further broaden the subject matter knowledge base of principle curriculum designers for the above Departmental training, two POST Master Instructors assigned to the Department's Training Bureau attended the California Department of Justice (DOJ), POST-certified, Principled Policing and Implicit Bias (Train-the-Trainer) Course on September 21, 2016 through September 22, 2016, in Sacramento, California. This will further aid the organization in adapting to current trends, lessons learned, and best practices in the knowledge domain. This will also assist in being able to create and design new training to be implemented that will address the needs of the Department and the communities we serve.

This two-day (16-hour) course provides a "how to" on teaching policing approaches that emphasize respect, listening, neutrality, and trust (Procedural Justice), while also addressing the common implicit biases that can be barriers to these approaches (Implicit Bias). Law enforcement can improve trust and relationships



between law enforcement agencies and their communities by using these principles to evaluate their policies, procedures, and training within their departments. The course covers instruction on how law enforcement agencies can prepare to teach the one-day (8-hour) course "Principled Policing: A Discussion of Procedural Justice & Implicit Bias" with a focus on ensuring an effective and high-quality training. We anticipate presenting the course to Department personnel beginning in November 2016.

On April 28, 2015, the Department entered into a settlement agreement with the United States Department of Justice (USDOJ) regarding policing practices in the Antelope Valley. As a result of the agreement, the Department and USDOJ are working jointly to develop training that will have curriculum related to implicit bias and bias free policing.

The training given to recruits in the Regular Basic Academy course and the continued in-service training that our personnel receive throughout their careers, directly supports the Department's commitment to constitutional policing as outlined in the Department's Manual of Policy and Procedures section 5-09/520.00 Constitutional Policing and Stops.

In an effort to capture adherence to Constitutional Policing Practices the Department will utilize multi-dimensional performance measurements. Many of the courses in which implicit bias and cultural competency concepts are taught are mandatory for Department personnel so compliance is easily tracked through the Department's Learning Management System. The Department's Personnel Performance Index and the forthcoming upgrade to the system are viable tools in detecting potential patterns of bias, as well as highlighting exemplary service of Department personnel.

Should you have any questions or require additional information, please contact Captain Scott Gage, Training Bureau, at (323) 307-8600.

Sincerely,



JIM McDONNELL  
SHERIFF

# DEFINITIONS

## IMPLICIT BIAS AND

## CULTURAL COMPETENCE

### Procedural Justice

Fundamentally, procedural justice concerns the fairness and the transparency of the processes by which decisions are made, and may be contrasted with distributive justice (fairness in the distribution of rights or resources), and retributive justice (fairness in the punishment of wrongs). Hearing all parties before a decision is made is one step which would be considered appropriate to be taken in order that a process may then be characterized as procedurally fair.

Some theories of procedural justice hold that fair procedure leads to equitable outcomes, even if the requirements of distributive or restorative justice are not met. It has been suggested that this is the outcome of the higher-quality interpersonal interactions often found in the procedural justice process, which has shown to be stronger in affecting the perception of fairness during conflict resolution.

### Police Legitimacy

Police legitimacy reflects the belief that the police ought to be allowed to exercise their authority to maintain social order, manage conflicts, and solve problems in their communities. Legitimacy is reflected in three judgments.

1. The first is **public trust** and confidence in the police. Such confidence involves the belief that the police are honest, that they try to do their jobs well, and that they are trying to protect the community against crime and violence.
2. Second, legitimacy reflects the willingness of residents to defer to the law and to police authority, i.e. their sense of obligation and responsibility to **accept police authority**.
3. Finally, legitimacy involves the belief that police actions are **morally justified** and appropriate to the circumstances.



Research consistently shows that minorities are more likely than whites to view law enforcement with suspicion and distrust. Minorities frequently report that the police disproportionately single them out because of their race or ethnicity. This perception about the lawfulness and legitimacy of law enforcement are an important criterion for judging policing in a democratic society. Lawfulness means that police comply with constitutional, statutory, and professional norms. Legitimacy is linked to the public's belief about the police and its willingness to recognize police authority.

Racial and ethnic minority perceptions that the police lack lawfulness and legitimacy, based largely on their interactions with the police, can lead to distrust of the police. Distrust of police has serious consequences. Most importantly, it undermines the legitimacy of law enforcement. Without legitimacy, police lose their ability and authority to function effectively.

# DEFINITIONS

## IMPLICIT BIAS AND

## CULTURAL COMPETENCE

### Bias

The practice of fair and impartial policing is built on understanding and acknowledging human biases, both explicit and implicit. All human beings have biases or prejudices as a result of their experiences, and these biases influence how they might react when dealing with unfamiliar people or situations.

### Explicit Bias

An explicit bias is a conscious bias about certain populations based upon race, gender, socioeconomic status, sexual orientation, or other attributes. Common sense shows that explicit bias is incredibly damaging to police-community relations.

### Implicit Bias

There is a growing body of research evidence that shows that implicit bias (the biases people are not even aware they have) are harmful as well. *implicit bias* is the bias in judgment and/or behavior that results from subtle cognitive processes (e.g., implicit attitudes and implicit stereotypes) that often operate at a level below conscious awareness and without intentional control. The underlying implicit attitudes and stereotypes responsible for implicit bias are those beliefs or simple associations that a person makes between an object and its evaluation that "...are automatically activated by the mere presence (actual or symbolic) of the attitude object" (Dovidio, 2002; Banaji, 2010). Although automatic, implicit biases are not completely inflexible: They are malleable to some degree and manifest in ways that are responsive to the perceiver's motives and environment (Blair, 2002).

### Defining Implicit Bias

Also known as implicit social cognition, implicit bias refers to the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Residing deep in the subconscious, these biases are different from known biases that individuals may choose to conceal for the purposes of social and/or political correctness. Rather, implicit biases are not accessible through introspection.

The implicit associations we harbor in our subconscious cause us to have feelings and attitudes about other people based on characteristics such as race, ethnicity, age, and appearance. These associations develop over the course of a lifetime beginning at a very early age through exposure to direct and indirect messages. In addition to early life experiences, the media and news programming are often-cited origins of implicit associations.

### A Few Key Characteristics of Implicit Biases

# DEFINITIONS

## IMPLICIT BIAS AND CULTURAL COMPETENCE

- Implicit biases are **pervasive**. Everyone possesses them, even people with avowed commitments to impartiality such as judges.
- Implicit and explicit biases are **related but distinct mental constructs**. They are not mutually exclusive and may even reinforce each other.
- The implicit associations we hold **do not necessarily align with our declared beliefs** or even reflect stances we would explicitly endorse.
- We generally tend to hold implicit biases that **favor our own ingroup**, though research has shown that we can still hold implicit biases against our ingroup.
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Implicit biases are **malleable**. Our brains are incredibly complex, and the implicit associations that we have formed can be gradually unlearned through a variety of de-biasing techniques.

**Cultural Competence:** <http://www.businessdictionary.com/definition/cultural->

A set of behaviors, policies, and attitudes which form a system or agency which allows cross-cultural groups to effectively work professionally in situations. This includes human behaviors, languages, communications, actions, values, religious beliefs, social groups, and ethic perceptions. Individuals are competent to function on their own and within an organization where multi-cultural situations will be present.

### **Constitutional Policing:**

An agency performs Constitutional Policing when its policies, procedures, and actions are in harmony with the United States Constitution and provide safeguards, accountability, and oversight to ensure implementation and adherence to such policies, procedures and actions.

### **POST Procedural Justice and Police Legitimacy:**

<https://post.ca.gov/procedural-justice-and-police-legitimacy.aspx>

### **POST Procedural Justice and Police Legitimacy Resources:**

<https://post.ca.gov/procedural-justice-and-police-legitimacy-resources.aspx>

### **The President's Task Force on 21st Century Policing:**

<http://ric-zai-inc.com/ric.php?page=detail&id=COPS-P341>