

COMMENTARY

Identifying I-O and HRM practices is necessary but not sufficient for lasting change

Kyle E. Brink 

Grand Valley State University, Grand Rapids, MI, USA
Email: BrinkK@gvsu.edu

The focal article (Dhanani et al., 2022) discusses practices and recommendations in several important I-O domains. Regarding staffing (i.e., recruitment and selection), the authors implicitly assume (and rightfully so) that increasing diversity in law enforcement should reduce police officers' disproportionate use of force against people of color, and they present recruitment and selection recommendations for doing so. I will explore, in more detail, issues related to staffing strategies for increasing law enforcement diversity.

I-O practitioners have been actively working in the area of law enforcement staffing (especially hiring and promotion) for decades. Indeed, many I-O consulting firms specialize in public safety staffing. Published scholarly I-O research in this niche is scant, so I appreciate the authors' broad and timely discussion of this important topic and their goal of disseminating information more widely. However, I suspect that most I-O practitioners who work in this niche are already aware of the recruitment and selection recommendations offered in the focal article, and many have some experience implementing these strategies. I-O practitioners also have experience applying scholarly research from other types of jobs, industries, and organizations to this setting. They also perform their own applied research in this setting, often published in the form of confidential or proprietary technical reports.

In addition, the federal government has launched initiatives focusing specifically on first responder diversity. For example, the U.S. Department of Justice and Equal Employment Opportunity Commission published the "Diversity in Law Enforcement: A Literature Review" report in 2015. They also launched a research initiative focusing on barriers and best practices related to recruitment, hiring, and retention in law enforcement, culminating in the "Advancing Diversity in Law Enforcement" report (U.S. Department of Justice & Equal Employment Opportunity Commission, 2016); this report included research and subject matter expert input from I-O psychologists. Similarly, the U.S. Department of Labor commissioned the "Promising Practices for Increasing Diversity Among First Responders" report (Miller et al., 2016), providing research and best practices related to increasing diversity in law enforcement, firefighting, and emergency management services. These reports offer detailed discussions of barriers to diversity as well as research and evidence-based practices that foster law enforcement diversity. Finally, many law enforcement and public safety professional associations, journals, and magazines have published articles and other materials on these topics.

Several practices, tools, and tactics for increasing law enforcement diversity have been identified, even if few have been published in I-O journals. Despite the availability of these best practices, progress related to law enforcement diversity is modest, at best. Although the diversity of the overall law enforcement workforce has steadily increased since the 1980s, substantial gaps remain between the demographic representations of local departments and the communities they serve (Maciag, 2015; U.S. Department of Justice & Equal Employment Opportunity Commission, 2016).

Several lessons can be learned from the lack of progress. None of the following strategies are sufficient for attaining a diverse workforce:

- complying with nondiscrimination law,
- explicitly valuing diversity in word (e.g., in mission and values statements) but not in deed (i.e., changing practices, allocating resources, building in accountability),
- changing or adding one or two practices,
- temporary one-time solutions.

It seems that a more comprehensive transformational systems approach to diversity, equity, and inclusion (DEI) is needed. Furthermore, although it is important to identify staffing and HRM practices that foster DEI, understanding and applying change management principles related to implementing these tactics is just as important.

A transformational approach for institutionalizing diversity, equity, and inclusion

Professional associations representing women, people of color, and other underrepresented groups have long advocated for increasing diversity. One such organization in the context of law enforcement is the National Black State Troopers Coalition (NBSTC). Working in partnership with the general counsel for NBSTC, we created a comprehensive strategy to a diverse, equitable, and inclusive workforce. It is a four-step approach.

Step 1 is to perform a diversity gap analysis. Leaders first set goals for the desired workforce demographics. Specific goals are more easily and accurately monitored and evaluated compared to vague goals such as “to be diverse,” “to value diversity,” “to increase diversity,” or “to reflect the community.” Next, analyze the demographic statistics of the current workforce. Finally, determine if there are any gaps between the desired and current demographics.

Step 2 is to perform a barrier analysis to identify any current practices that may undermine DEI and remove or revise any such practices. Step 3 is to identify new practices that will enhance DEI and implement said practices. Steps 2 and 3 require a comprehensive systems-wide approach that focuses on several important HRM practices such as DEI communication practices, employment branding, recruiting practices, hiring processes, onboarding, transfers and assignments to special projects or task forces, promotion processes, training and development opportunities, performance management/appraisals, total rewards/compensation practices, commendation and discipline practices, retention, and organizational culture. A comprehensive approach is needed because many of these HRM practices are interrelated. For example, a law enforcement agency’s employment brand, communication practices, and culture will influence the diversity of the applicant pool and may thwart the effectiveness of even the most state-of-the-art recruiting tactics. Similarly, diverse employees cannot be promoted to management ranks if they are not hired or retained. Because organizations vary in demographic composition, leadership, HRM practices, DEI progress, culture, and other organizational and environmental setting characteristics, it is important to recognize that a practice that works for one organization may not work for another.

Step 4 is to sustain DEI. Any successful DEI initiative requires top management support in both word and deed. Adequate resources must also be provided, including financial resources, human resources, the proper know how needed to implement Steps 1–4, and training. In addition, a methodology should be developed for assessing the progress and outcomes of changes, and results should be tracked on an ongoing basis. It is also important to build in accountability, identifying who will be held accountable and how. Finally, create a task force or assemble an external third party to review practices and progress on an ongoing basis.

This four-step approach to attaining a DEI workforce was presented to and endorsed by NBSTC in 2020 (National Black State Troopers Coalition, 2021).¹ In 2021, NBSTC shared the strategy nationally and distributed it to all state police agencies. Of course, no state police agency can be forced to adopt or implement the plan; it is up to each agency to choose if and how it wants to approach DEI. An organization can only take a comprehensive and transformational approach to DEI if it chooses to do so.

Change management principles are just as important as the HRM and staffing tactics

Many change efforts fail because of a lack of preparation related to implementation. For example, change tactics are often implemented without taking into account the forces of the broader system and context, and success is short lived because these forces cause the situation to regress back to the status quo. Even a state-of-the-art tactic will not likely succeed without selling the need for change, garnering commitment from leadership, securing needed resources, identifying and addressing resistance to change, and obtaining engagement and input from all levels and stakeholders. Although space does not allow a detailed discussion of change management principles, I will highlight key points related to driving forces and restraining forces for change that I have found to be salient in the context of law enforcement DEI.

Driving forces are those factors that support the case for increasing DEI. One typology for categorizing driving forces is to consider the legal case, social justice case, and business/public safety case for DEI.

There are compelling legal reasons for valuing DEI. Genuine and proactive attempts to increase diversity should aid departments and municipalities in complying with the requirements of equal employment opportunity, affirmative action, and nondiscrimination law. In turn, these efforts may help prevent litigation. Litigation can be very expensive, may tarnish the reputation of the department and municipality (further hindering their ability to recruit diverse applicants), and could result in significant internal conflict and strife. Given the prevalence of discrimination charges and court cases related to public safety agencies, this driving force should not be underestimated. At the time this was written, at least five state police agencies (i.e., 10% of states) have pending litigation against them related to racial discrimination or a racially hostile work environment.

A social justice case can also be made for law enforcement DEI. In brief, law enforcement departments should make genuine and proactive attempts to increase diversity because it is the ethical or socially responsible thing to do. Indeed, many law enforcement departments and/or their municipalities explicitly value diversity in their mission statements or similar proclamations.

Finally, regarding the “business” or public safety case, a diverse workforce can increase organization effectiveness (e.g., see U.S. Department of Justice & Equal Employment Opportunity Commission, 2015, 2016). Diversity leads to more innovation and creativity and results in more effective decisions and actions. A diverse law enforcement department also fosters community relations and builds trust (U.S. Department of Justice & Equal Employment Opportunity Commission, 2016). Law enforcement is referred to as public safety—a public service organization that serves the entire community and depends on the community for funding. As such, the department may benefit by reflecting the community being served. Importantly, research is beginning to show the significance of diversity as it relates to police violence and the use of force. Recent research suggests that racial diversity in law enforcement reduces racially disproportionate use of force (Ba et al., 2021), officer killings of African Americans (Legewie & Fagan, 2016), and police killings of non-White civilians (Cox et al., 2022).

¹See pages 1 and 21-23 of the NBSTC 2021 Fall/Winter newsletter.

Restraining forces are those factors that resist change or work against increasing DEI. Resistance occurs at the organizational level because organizations are, by nature, complex and inherently stable entities that resist change. Organizational systems have several elements in place that are designed to maintain stability. This is one reason why, as noted earlier, it is so important that a DEI strategy must take a systems approach. One small change to one part of the system will be resisted by the other elements of the system.

Another restraining force is the lack of resources. Any change effort will fail if the organization does not allocate sufficient funding, time, or personnel to make the change. Therefore, when developing (and prior to implementing) such a strategy, it is imperative to identify and allocate the resources that are needed. When law enforcement agencies have budgets and contracts that allow for it, many reputable I-O firms have delivered the practices recommended by Dhanani, Wiese, Brooks, and Beckles such as the criterion-centric approach, high-fidelity assessments, assessment centers, and so forth. On the other hand, when budgets or contracts do not allow for it, and the law enforcement agency solicits bids for suboptimal selection procedures, these same firms are happy to oblige. Furthermore, these same firms often find themselves defending the suboptimal selection procedures (boosting their revenue through expert witness fees) after the law enforcement agency is sued for discrimination, presenting some interesting dilemmas. Consent decrees can be effective for increasing diversity because they often mandate the use of more optimal HRM practices and require budget allocations for doing so. However, when the consent decree and oversight ends, things often fall back to the way they were, and diversity gains often begin to disappear. The difficult reality is that many law enforcement agencies do not have the budget, staffing levels, or know how required to implement and sustain many of the practices recommended by Dhanani et al. and others.

Organizational restraining forces may also come in the form of agreements with other constituencies. In some instances, law enforcement agencies may be bound to the policies of their city, county, or state government. For example, they may be required to follow civil service rules or rely on a civil service commission/department to recruit applicants, develop/administer selection procedures, and provide lists of eligible candidates. Ironically, although civil service is often put in place to prevent bias, the recruiting and selection practices that are used may sometimes be less than optimal with regard to fostering DEI, even if they are perceived as “fair.”

State laws may also need to be considered. For example, some states have more restrictive discrimination laws (including protected classes that are not covered by federal law) whereas other states place limits on affirmative action and preferential treatment. Some states have laws or policies regarding selection procedures. In a previous court case that I was involved in, a defendant (which was a municipality defending its promotion procedures) claimed it could not use less discriminatory selection/promotion practices such as assessment centers because state law prohibited it. The judge ultimately ruled that the municipality’s promotion practices were discriminatory under federal law. Regardless of the state law’s legitimacy or the city’s intent, this was a barrier to diversity for several years prior to the discrimination lawsuit.

Agreements with unions or other employee associations may also place restraints on change initiatives. Sometimes local collective bargaining agreements dictate practices and procedures that do not foster, and even work against, DEI. For example, according to Barrett:

[M]ultiple-choice . . . tests are used more by civil service jurisdictions than by private employers as the primary selection procedure. They are often used for promotion decisions in fire and police departments and other sites where unions are strong enough to impose their will that no decisions may be made based on ratings of performance. (1998, p. 37)

There have been recent discrimination cases in public safety where local union chapters have been named as codefendants, suggesting that some local chapters/agreements may act as DEI restraining forces.

Obviously, there is nothing inherently wrong with civil service, state law, and collective bargaining agreements, and there are no doubt several examples of where these agreements foster DEI. Nevertheless, any DEI strategy must assess the local agreements that are in place and the extent to which these agreements may resist change or place limits on autonomy. Furthermore, if these types of agreements are in place, it behooves the law enforcement agency to partner with these constituencies when developing a DEI strategy.

Conclusion

Racial bias in law enforcement, especially as it relates to the racially disproportionate use of force and police killings, is an important and persistent issue that must be addressed. It is largely an HRM problem that requires HRM solutions. The problem, in part, is a result of institutionalized staffing and HRM practices that maintain the demographic status quo, which is another important and persistent issue that must be addressed. History shows that it is time for a more comprehensive and transformational approach. Nevertheless, at the end of the day, the law enforcement agencies must want to change and must make the investment required to successfully implement, sustain, and institutionalize the change. Identifying practices that increase DEI and reduce racial bias and police violence in law enforcement is an important endeavor. However, getting law enforcement agencies to adopt, implement, and institutionalize these practices in a manner that leads to transformational change is an equally important endeavor. We should not naively believe that identifying HRM/staffing practices and tactics will solve the problem—it is only the first step.

References

- Ba, B. A., Knox, D., Mummolo, J., & Rivera, R. (2021) The role of officer race and gender in police-civilian interactions in Chicago. *Science*, 371(6530), 696–702. doi: [10.1126/science.abd8694](https://doi.org/10.1126/science.abd8694)
- Barrett, R. S. (1998) *Challenging the myths of fair employment practices*. Quorum Books.
- Cox, R., Cunningham, J. P., & Ortega, A. (2022, February 13) *The impact of affirmative action litigation on police killings of civilians*. Working paper.
- Dhanani, L.Y., Wiese, C.W., Brooks, L., & Beckles, K. (2022) Reckoning with racialized police violence: The role of I-O psychology. *Industrial and Organizational Psychology: Perspectives on Science and Practice*, 15(4), 554–577.
- Legewie, J., & Fagan, J. (2016) Group threat, police officer diversity and the deadly use of police force. *Columbia Public Law Research Paper No. 14-512*. Retrieved from <https://ssrn.com/abstract=2778692>
- Maciag, M. (2015) Where police don't mirror communities and why it matters. *Governing*. <https://www.governing.com/archive/gov-police-department-diversity.html>
- Miller, A., Clery, S., Richardson, S., Topper, A., Cronen, S., Lilly, S., Hinkens, E., & Yin, M. (2016) Promising practices for increasing diversity among first responders. *U. S. Department of Labor*. <https://www.dol.gov/agencies/oasp/evaluation/completed-reports/promising-practices-for-increasing-diversity-among-first-responders>
- National Black State Troopers Coalition. (2021) NBSTC Newsletter Fall/Winter Edition. <https://www.mungoatlaw.com/news>
- U.S. Department of Justice, & Equal Employment Opportunity Commission. (2015) *Diversity in law enforcement: A literature review*. Authors.
- U.S. Department of Justice, & Equal Employment Opportunity Commission. (2016) *Advancing diversity in law enforcement*. Authors. <https://www.justice.gov/crt/policediversity>

Cite this article: Brink, KE. (2022). Identifying I-O and HRM practices is necessary but not sufficient for lasting change. *Industrial and Organizational Psychology* 15, 578–582. <https://doi.org/10.1017/iop.2022.78>