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READING ROOM

CIVIL RIGHTS

COMPLIANCE REVIEW

MANUAL

FOR

POLICE AGENCIES

Office of Civil Rights Compliance  
Law Enforcement Assistance  
Administration  
U. S. Department of Justice

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Page No.

Section 1 - INTRODUCTION AND BACKGROUND

1.1 - Purpose of Manual	1
1.11 - Statement of Purpose of the Office of Civil Rights Compliance	1
1.12 - Difference Between Compliance Reviews and Complaint Investigations	1
1.13 - Purpose of Compliance Reviews	2
1.14 - Manual as "Guideline to Reviews"	3
1.2 - Legal Premise of Reviews	3
1.21 - Omnibus Crime Control and Safe Streets Act of 1968	3
1.22 - Civil Rights Act of 1964	5
1.23 - Code of Federal Regulations	7
1.24 - Prohibited Practices	9
1.3 - Enforcement Policy	10
1.31 - Voluntary Compliance	10
1.32 - Judicial Enforcement	10
1.33 - Administrative Procedures for Suspension, Termination or Refusal of Federal Financial Assistance	11
1.4 - Standards of Conduct	11

Section 2 - STEPS IN THE REVIEW PROCESS

2.1 - Initiation of Review	13
2.2 - Arrangement and Conduct of Preliminary Visit	14
2.3 - Preparation for Field Work	16
2.4 - On-Site Team Visit	17

2.5 - Notification of Findings 18

2.6 - Compliance Follow-Up 18

Section 3 - REVIEW CONTENT AND PROCEDURES 20

3.1 - Field Procedures 20

3.11 - Interviews and Observations 20

3.12 - Recording and Reporting 21

3.13 - Staff Conferences 22

3.2 - Review Content and Areas of Inquiry 23

3.21 - General Departmental Information --  
Checklist 24

3.22 - Entrance Standards and Selection  
Procedures -- Checklist 26

3.23 - Personnel Recruitment -- Checklist 28

3.24 - Employment and Utilization of Females --  
Checklist 29

3.25 - Assignment and Transfer -- Checklist 31

3.26 - Promotion -- Checklist 32

3.27 - Training and Education -- Checklist 33

3.28 - Internal Disciplinary Procedures --  
Checklist 35

3.29 - Service to the Community -- Checklist 36

Appendix I A - Preliminary Visit Information Request

Exhibit I B - Data Tape Specifications

Appendix I C - Employee Profile -- Sworn/Civilian

Appendix I D - Data on Noncommissioned Personnel

Appendix I E - Interview Recap Sheet

Appendix I F - Interview Recap Continuation

## 1 INTRODUCTION AND BACKGROUND

### 1.1 Purpose of Manual

#### 1.11 Statement of Purpose of the Office of Civil Rights Compliance

The Law Enforcement Assistance Administration of the U. S. Department of Justice is required under Title VI of the Civil Rights Act of 1964, as amended, and Equal Employment Opportunity Regulations of the Department of Justice -- LEAA, as amended, to conduct reviews and investigations of LEAA funded agencies to assure compliance with civil rights statutes, orders, rules and regulations. To functionally achieve this mandate, the Office of Civil Rights Compliance was created within LEAA for the purpose of conducting compliance reviews and complaint investigations; reporting and evaluating findings; recommending and negotiating relative to voluntary corrective actions; providing data and making recommendations for enforcement of compliance responsibilities of recipients of LEAA Federal assistance funds.

#### 1.12 Difference Between Compliance Reviews and Complaint Investigations

This manual is designed to be comprehensive; however the scope is narrowed to focus on the process of conducting compliance reviews within law enforcement agencies by staff of the Office of Civil Rights Compliance. As such, the first

thing that must be understood is the difference between a compliance review and a complaint investigation.

The compliance review is a periodic and systematic inspection of activities to determine whether recipients of funds are complying with all aspects of relevant legislation, rules and regulations. It is detailed, broad in scope and designed to identify either full compliance with the obligatory provisions or to establish the nature and degree of any non-compliance.

A complaint investigation, on the other hand, is triggered by a specific allegation or complaint of discrimination and is conducted within a narrow scope, based upon the complaint or allegation.

#### 1.13 Purpose of Compliance Reviews

An LEAA civil rights compliance review is a detailed and systematic investigation of the activities of a law enforcement agency receiving LEAA funds. Its purpose is to:

1. Determine the agency's degree of compliance with existing statutes regarding civil rights with court decisions interpreting those statutes and with rules and regulations implementing those statutes.
2. Recommend ways by which an agency may achieve compliance in problem areas.

It is not the function of a compliance review to make general recommendations concerning the management practices of an agency unless those practices affect its compliance status.

#### 1.14 Manual as "Guideline to Reviews"

This manual has been prepared as a guide to establish a standardized process for the preparation and conduct of a compliance review. Each user must recognize that all situations will not appear here as they might occur in the actual functional process. However, any modifications to meet unique circumstances must be made within the scope of applicable legislation, this Manual, and policy of the Office of Civil Rights Compliance.

#### 1.2 Legal Premise of Reviews

Two basic legal authorities exist which authorize and/or require that LEAA establish regulations that relate to grant programs.

##### 1.21 Crime Control Act of 1973

Sec. 501 - Authorizes the Law Enforcement Assistance Administration to issue rules, regulations and procedures necessary to exercise the functions of the Act.

Sec. 518(c),(1) - Prohibits the exclusion from participation, denial of benefits or practice of discrimination based on race, color, national origin or sex in any program or activity funded in whole or in part by this Act.

Sec. 518(c),(2) - Provides that the Administration is authorized to exercise powers and functions of this Act; of the Civil Rights Act of 1964; or initiate civil action in a State government or any unit of general local government which has failed to comply with Sec. 518(c),(1).

Sec. 518(c),(3) - Provides that the Attorney General may bring a civil action in a U. S. District Court to seek appropriate relief, including injunctive relief against State government or units of local government where the Attorney General has reason to believe that there is a pattern of practice in violation of Sec. 518 of this Act.

1.22 Civil Rights Act of 1964

Title VI requires that nondiscrimination exist in federally assisted programs. Within Title VI, four sections are of major importance in civil rights compliance, they are Sections 601, 602, 603 and 604.

Sec. 601 - Mandates the elimination of discrimination based on race, creed or national origin in the benefits of, or participation in programs or activities receiving Federal financial assistance.

Sec. 602 - Requires that each agency providing Federal funding develop regulations which will assure that provisions of Sec. 601 can be complied with as well as providing procedures to achieve compliance, and enforcement of compliance responsibility of recipients believed to be in noncompliance.

Sec. 603 - Provides for judicial review of any action taken under Sec. 602.

Sec. 604 - Provides for direct enforcement action on discriminatory employment practices in those cases where the primary objective of the Federal funding is to provide employment. Additional enforcement action may come under Title VI



if discriminatory employment practices affect the kind and quality of services provided by the federally funded agency.

Title VII extends the requirement for compliance with the Fair Employment Practice Law to all State and local governments and establishes the following as unlawful practices:

Sec. 703(a),(1) - To fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin;

Sec. 703(a),(2) - To limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

### 1.23 Code of Federal Regulations

Operationally, the benchmark for conducting a Civil Rights Compliance Review is to be found in Title 28, Chapter 1, Part 42, Subparts C, D and E of the Code of Federal Regulations. Selective sections of Subpart E are outlined below:

#### Sec. 42.302

Describes who is considered a recipient of LEAA assistance; which segments of the society are defined as minority persons; and under what conditions the recipient agency is required to formulate, implement and maintain an Equal Employment Opportunity Program relating to minority persons and women.

#### Sec. 42.303

Identifies the major areas within the recipient agency, cognizant Civil Service Commission or similar agency, which should be evaluated for employment practices as they relate to minorities and women.

#### Sec. 42.304

Designates those elements of the recipient agencies' Equal Employment Opportunity Program which must be in writing. Included herein is the requirement that

items for evaluation under Sec. 42.302 (employment policies and practices) should be in detailed narrative form. Of special note under this section is the requirement to designate specific personnel to implement and maintain the EEO Program.

Sec. 42.305

Requires that the Equal Employment Opportunity Program, plus documenting records, be maintained for audit or review by either the State planning agency or LEAA.

Sec. 42.306

Provides for recipient agency self-evaluation on a continuing basis to determine whether policies and procedures impact either directly or indirectly to deny equal employment opportunity to minority individuals and women. Also indicates some of the conditions prompting LEAA compliance reviews and the expectation that necessary program modification will be forthcoming where appropriate independent corrective actions are encouraged.

Sec. 42.307

Stipulates the period of time recipient agencies are obligated to comply with these guidelines.

Sec. 42.308

Identifies further sanctions for failure to comply with the guidelines.

1.24 Prohibited Practices

Prohibited practices will change as judicial decisions are made, however the following are some specific practices which if based on race, color or national origin are prohibited under Title VI of the Civil Rights Act and Equal Employment Opportunity Regulations of the Department of Justice.

- Denial to an individual of any service, financial aid, or other benefit provided under the program.
- Distinction in quality, quantity, or manner in which the benefit is provided.
- Segregation or separate treatment in any part of the program.
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others.
- Different standards or requirements for participation.
- Methods of administration which directly or through contractual relationships would defeat or substantially impair the accomplishment of effective nondiscrimination.
- Discrimination in any activities conducted in a facility built in whole or in part with Federal funds.

- Any employment practice which discriminates on the basis of race, color, sex or national origin.

### 1.3 Enforcement Policy

#### 1.31 Voluntary Compliance

When a recipient agency is found not to be in full compliance with the Civil Rights Act of 1964 or Department of Justice Regulations regarding nondiscrimination, the law requires that the Office of Civil Rights Compliance make all practical efforts to obtain voluntary compliance. No effort to refuse, suspend or terminate LEAA financial assistance can be made until fully documented efforts to achieve voluntary compliance have been made. In practice, the Office of Civil Rights Compliance takes the following steps to bring about voluntary compliance when deficiencies within a recipient agency are noted:

- Recommend procedural and policy changes to remove the area of noncompliance.
- Discuss and suggest timetables for actions recommended.
- Review efforts to comply.
- Provide technical assistance to design and implement recommended changes.

#### 1.32 Judicial Enforcement

In those cases where voluntary compliance efforts are unduly protracted or an impasse has been reached, the law provides for judicial action to eliminate noncompliance.

1.33 Administrative Procedures for Suspension, Termination or Refusal of Federal Financial Assistance

As an alternate action, the Office of Civil Rights Compliance may recommend an order to suspend, terminate or refuse to continue LEAA financial assistance of a noncomplying recipient agency.

1.4 Standards of Conduct

The business of the Federal Government must be conducted with a high degree of integrity. In levels of importance, only professional competence is its equal. Vast resources and much credibility may be lost in the single act of a Government representative who falls victim to being overwhelmed by his importance.

All information and material gathered in relation to a compliance review is to be considered confidential. The review and its contents are confidential between the agency under review and the Office of Civil Rights Compliance. Any press inquiries are referred to the LEAA Office of Public Information. Unauthorized disclosure shall make the employee involved subject to appropriate disciplinary action which shall be in addition to any penalty which might be prescribed by statute or regulation.

Rules concerning conduct of LEAA employees are covered in Title 28, Chapter 1, Part 45 of the Code of Federal Regulations and the Law Enforcement Assistance Administration, Instruction No. 1551.2. Of specific note are the following sections contained in LEAA Instruction No. 1551.2, Restrictions

on Employees. Each section must be read in its entirety for full understanding.

Sec. 5,j - Misusing official position

Sec. 5,k - Accepting free transportation from persons doing  
business with Department of Justice

Sec. 5,l - Accepting food and refreshments

Sec. 5,m - Accepting gifts and entertainment

## 2 STEPS IN THE REVIEW PROCESS

### 2.1 Initiation of Reviews

Selection of recipient agencies for a post-award compliance review will be made in accordance with Title 28, Chapter 1, Part 42, Sec. 42.306 of the Code of Federal Regulations; based on data made available to the Office of Civil Rights Compliance. Once the selection has been made, the following series of steps shall be taken:

- (1) Notification of the appropriate LEAA Regional Office of the agency selected and invite its participation in compliance review process. Normally such participation will include assistance in making arrangements for the initial contact with the State Planning Agency.
- (2) Notification of the appropriate State Planning Agency of the agency selected, with the reasons therefore, and invite its participation in the compliance review process. Normally such participation will include assistance in making arrangements for the initial contact with the recipient agency to be reviewed.
- (3) Notification of the appropriate United States Attorney of the pending compliance review of the selected agency, giving him the reasons for that selection.
- (4) Notification of the recipient agency of the impending compliance review, citing legal authority and stating intent. Notification to the recipient agency must also include a request for available information to begin evaluation of those areas indicated in Title 28, Chapter 1, Part 42, Section 42.303. Attached as



Appendix I A and Appendix II A are checklists for specific materials related to police agencies which should be requested for evaluation.

## 2.2 Arrangement and Conduct of Preliminary Visit

The Office of Civil Rights Compliance, together with the Regional Office, LEAA and the State Planning Agency will establish a mutually agreeable date to meet with officials of the recipient agency to discuss the impending compliance review. If the United States Attorney has expressed an interest in learning more about the review, arrangements will be made to meet with him also.

The preliminary visit with officials of the recipient agency is designed to accomplish several points as outlined below and shall be conducted by the person assigned the overall responsibility for the compliance review:

- Provide a clear understanding, among all parties concerned, of the reasons for conducting a compliance review.
  - Assure officials of the recipient agency that confidential treatment is afforded all aspects of the compliance review.
  - Provide assurance that all work related to the compliance review will be carried out in a manner that will interfere as little as possible with ongoing department operations.
- Compliance review staff will be available to assemble data from departmental record sources whenever this is desirable.

- Elicit full support from all principal parties.
- Establish a liaison contact within the agency to be reviewed.
- Obtain location and name of supervisor for each field office or district office which is to be visited during the review.
- Obtain name, address and phone for each community organization that will be questioned about recipient agency services.
- Request from the agency such information as is necessary to begin evaluation of those areas indicated in Title 28, Chapter 1, Part 42, Section 42.303. Attached as Appendix I A through I D is a checklist and data collection forms for use in acquiring specific materials related to police agencies.
- Obtain any such material which may then be available for evaluation and arrange for remaining materials to be sent to the compliance review team leader as soon as it is prepared by the agency. Data in computer storage in particular, must be arranged for promptly because of the length of time usually involved in developing appropriate outputs.
- Attend to other logistics needs of the review team, i.e., housing, transportation, office space and clerical support.
- Establish a date to begin the on-site compliance review, such date to be no less than 30 days from the date of the preliminary visit.

In establishing the dates for both the preliminary visit and the on-site compliance review, each must be confirmed in writing from the Office of Civil Rights Compliance.

### 2.3 Preparation for Field Work

Areas of responsibility will be assigned to each member of the compliance review team. Such assignments are to be made by the team leader based on his estimate of individual capabilities, the complexity of the area, and the amount of time available. (See Section 3.2 for a listing of review content categories). Team members work under the general direction of the team leader but are expected to exercise initiative and responsibility in carrying out the field work in their area(s) of assignment.

The size of the site visit team should vary according to the size of the recipient agency to be reviewed and the time allocated to conduct the review. It is generally safe to conclude that a small jurisdiction with less than 100 employees could be satisfactorily reviewed by a three person team over a five-day period. Agencies with 500 or more employees should generally require a team of eight people for the same five-day period to adequately complete the on-site segment of the compliance review. Agencies employing in excess of 1,000 persons require a team and time frame built around the estimated volume of files to be researched.

Preliminary information which has been received from the recipient agency will be divided out and assigned for study to persons who will be

making the site visit. For example, information on rank, race, ethnicity and sex qualification standards should be transmitted to the team member(s) who will be responsible for conducting interviews and cross-checking data submitted in the area of personnel administration. Beat maps and response times should be transmitted to team members who will be responsible for interviewing and cross-checking data submitted on the delivery of services.

Upon completion of the in-house evaluation of material, the entire team will meet with the team leader to discuss their findings and needs for any additional information. This now forms the basis for primary areas to be covered at the time of the site visit.

Data received from the Bureau of Census must be prepared in the form of overlay maps which will roughly correspond to districts when reviewing police agencies. This allows the delivery of services to be correlated to racial/ethnic and economic patterns of the community being serviced. Other Bureau of the Census data will be used in connection with other elements of the review.

When data tapes are submitted by the recipient agency in response to checklist information, it is always necessary to cross-check procedures for standardized input and sources. Quite often, individual discretion is found to play a major role in what gets into the system.

#### 2.4 On-Site Team Visit

On-site visits are conducted for the purpose of corroborating and supplementing information and data collected at previous steps in

the compliance review process. Through the process of planned interviews and manual search of files, new findings and observations are recorded that will be used to determine full compliance or the nature and degree of any noncompliance.

Upon completion of all necessary tasks, each team member will prepare a summary report of significant accomplishments and/or deficiencies noted within the area of responsibility. Where areas of noncompliance have been noted, each team member will prepare a statement of recommended corrective action. This summary report along with any recommended action will be given to the team leader before departure on the final day of the review.

#### 2.5 Notification of Findings

Ordinarily, within ten working days from the completion of the on-site visit, the team leader shall prepare a letter to the director of the recipient agency for review and transmittal by the Director of the Office of Civil Rights Compliance. The letter shall set forth the findings of the compliance review, along with recommendations for corrective action where deficiencies were identified. When appropriate, the letter will suggest a joint conference to review the findings and may offer technical assistance to the jurisdiction in instituting the recommended changes.

#### 2.6 Compliance Follow-up

The summary of findings and recommendations sent to the jurisdiction will normally indicate relative priorities among the

recommendations and will establish a time frame for the planning and completion of the recommended improvements. The Office of Civil Rights Compliance will make a determination as to the agencies' subsequent compliance activities. This determination will be made through such correspondence, reports and/or follow-up on-site visits as may be appropriate. If further enforcement steps prove necessary, they will be as set forth in Section 1.3 of this Manual.

### 3 REVIEW CONTENT AND PROCEDURES

#### 3.1 Field Procedures

The purpose of the on-site field work is to determine, on a first-hand basis, whether the department under review has any policies or practices which have a discriminatory effect on minority group members or women -- and if such effects are found, to determine their nature and extent.

A major portion of the data and information needed for the review will have been received as a result of the team leader's preliminary visit, but it is the responsibility of the individual team member to see that all the information needed for his area of assignment is acquired.

All field procedures will be carried out under the general direction of the team leader. They are to be performed in a manner that not only accomplishes the review objectives but that do so in a way that, as stated earlier, assures full confidentiality to the material and information acquired and that does not cause interference with any of the department's ongoing functions.

#### 3.11 Interviews and Observations

Interviewing and observation are the major tools whereby sufficient information is acquired for making the determinations required in the study. The purpose of the interviewing and observing is twofold: (1) to acquire any needed data and

information that was not acquired prior to the field work, and (2) to see whether actual practices and procedures are consistent with written departmental descriptions and statements.

Initial interviews by team members will normally be decided on and arranged with the help of the team leader and the departmental liaison person. Planned interviews will usually be scheduled sequentially from higher levels in the departmental hierarchy to lower levels in recognition of degrees of responsibility and to acquire appropriate administrative and supervisory clearances.

The interviews should be conducted in a friendly, business-like manner. As much as possible the interviewing, questioning and observing should relate in some identifiable manner to the stated objectives of the review. General management improvements that are not related to civil rights laws and regulations are not within the scope and purpose of compliance reviews.

Detailed suggestions for the conduct of individual interviews are set forth in a pamphlet on "Compliance Interviewing Techniques" available in the Office of Civil Rights Compliance.

### 3.12 Recording and Reporting

Written records are a very important part of the field review work. They serve both as a means of transmitting



information to other team members and as supporting documentation for review summaries and reports.

During interviews, notes should be taken by the team member if this is helpful and if it is not distracting or uncomfortable for the interviewee. Whether or not notes are taken, it is essential that interview report forms (see Exhibit I E and F) be completed after each interview. These serve not only to help the interviewer consolidate thinking and remember facts, but serve as part of the review project's central record and data collection system.

Reports should be turned in at the end of each working day to the team leader, who will review them and see that they are filed in the review files for easy access whenever needed.

### 3.13 Staff Conferences

The team leader will normally have held at least one staff conference with all member of the on-site review team in advance of the on-site field review. At such conferences he will have reviewed with the team member the nature of the preliminary data available and will have distributed relevant materials to individual team members in accordance with their assigned areas of responsibility.

During the on-site review, all members of the review team will meet with the team leader at the conclusion of each

day's field work to review progress and problems and to plan for subsequent work. At this time, the team leader will evaluate progress and priorities and will adjust assignments and field procedures as necessary to accomplish the review task with maximum efficiency and effectiveness.

The team leader will call such other team conferences as he determines to be necessary in the course of the field work.

### 3.2 Review Content and Areas of Inquiry

The following sections are designed to assist review team members in the acquisition of information relevant to their areas of assignment and to aid them in their appraisal and evaluation of the information acquired.

These informational checklists and areas of inquiry serve as guidelines only, and are expected to be modified and supplemented in the course of the review process.

Checklist items marked with an asterisk will normally have been requested as a part of the preliminary on-site visit by the team leader or through other advance data collection procedures. Other items on the list will normally be acquired during the on-site team work. If items with an asterisk were not acquired in advance of the field work, it will be necessary for the team member to attempt to acquire these during the on-site review.

Interviews and observations are expected to be a significant part of each area of review and therefore are not specifically included in the review content listings.

Although team members are assigned to specific areas of review, each team member has responsibility for remaining alert to information and data that would be useful to the other areas of review and should convey the knowledge to the appropriate team member(s) at the team conferences. (e.g., with respect to the employment and utilization of females, in that team members assigned to other areas -- recruitment, selection, assignment, promotion, etc. -- are expected to collect information and data on female employment as well as minority group information.)

If the department has developed a written Equal Employment Opportunity Program, each team member should be fully familiar with its contents as related to his area(s) of assignment.

3.21 General Departmental Information  
Information and Material Checklist

Departmental Annual Reports*	_____
Legal Basis of Police Function*	_____
Departmental Manual*	_____
Departmental Rules and Regulations*	_____
Department Minority and Sex Statistics* (Form A and Form B)	_____
Relevant Census Data*	_____

\* See Section 3.2 for explanation of asterisk.

### Areas of Inquiry and Evaluation

Does the department have a written Equal Employment Opportunity Program developed in accordance with LEAA guidelines? If so, what is it, is it adequate, and how well has it been working? Are there any other departmental policies, rules and regulations or administrative programs that affirm equality of treatment of employees or potential employees, or that appear to have potential for interference with equal treatment or opportunity? If so, what are these and what is their effect?

Do the minority group statistics on sworn personnel presently on the department compare satisfactorily with minority group representation in the general population (i.e., Is the percentage of a minority group in the employment of the agency at least 70% of the percentage of that minority in the work force population in the relevant geographic area?)

Do the statistics on civilian (noncommissioned) personnel show minority group members to be employed at rates reasonably comparable to their percentages of the relevant geographic area work force? Are they employed proportionately in the Professional-Technical, Clerical and Maintenance-Custodial classifications?

### 3.22 Entrance Standards and Selection Procedures

#### Information and Material Checklist

Civil Service Rules\* \_\_\_\_\_

Employee Handbook\* \_\_\_\_\_

Employment Procedure Description\* \_\_\_\_\_

Application Forms\* \_\_\_\_\_

Official Listing of Entrance  
Standards (Exam Announcement,  
Civil Service Rules, etc.) \_\_\_\_\_

Copy of Written Test(s)\* \_\_\_\_\_

Copies of other selection techniques  
in use (e.g., interview forms,  
medical standards)\* \_\_\_\_\_

Examination statistics in  
pass/fail by week for last  
two years for each step in  
the selection process\* \_\_\_\_\_

Written Medical Standards \_\_\_\_\_

#### Areas of Inquiry and Evaluation

What agency or unit is responsible for police personnel  
selection?

How and where are applications filed, and is this  
convenient to candidates?

Does application require information about convictions  
rather than arrests?

Is application lengthy, complicated and/or otherwise  
potentially discouraging to applicants?

\*See Section 3.2 for explanation of asterisk.

What are the entrance restrictions as to age, sex, height, weight, education, arrests, convictions, etc.? Is there any evidence of the reasonableness of their restrictions? Have any validation studies been made? Are waivers granted?

Do any of the steps in the selection process (written test, medical tests, agility tests, background check, etc.) have a disparate effect on the success rate of minority group and female candidates? If so, are there any validation studies supporting the continuance of the selection step(s) in question? Is retesting conducted?

Are successful candidates employed in the order of their ranking by the tests or is the order of their employment affected by some other factor?

Are successful candidates employed promptly or is there extensive delay between passing of the tests and being employed?

Are examinations held frequently enough and processed rapidly enough so as not to be discouraging to persons needing reasonably prompt employment?

### 3.23 Personnel Recruitment

#### Information and Material Checklist

Recruitment brochures, applicant information sheets, radio announcements, etc. \_\_\_\_\_

Official examination announcements \_\_\_\_\_

Departmental reports on any special recruitment efforts \_\_\_\_\_

Statistics on police applicants, by race, ethnicity and sex for last two years\* \_\_\_\_\_

Census data on racial and ethnic percentages of area's work force\* \_\_\_\_\_

#### Areas of Inquiry and Evaluation

What agency is legally responsible for the recruitment of police applicants (police department, Civil Service Commission, other?). Is there adequate participation and involvement on the part of the police department?

What special recruitment programs or procedures are used to attract minority group and female applicants?

Are advertisements and announcements placed in minority and/or bilingual newspapers, or on radio and television stations with primarily minority audiences?

Are recruitment brochures or flyers printed in Spanish for distribution if the city has a sizable Spanish speaking population?

\* See Section 3.2 for explanation of asterisk.

What use is made of police organizations or outside associations (Urban League, Chamber of Commerce, National Organization of Women, G.I. Forum, League of United Latin American Citizens) in the recruitment of minority group and female applicants?

What success has there been in recruiting minority group and female applicants (How does the percentage of minority group applicants compare to their percentage in the area work force)?

What factors on the local scene appear to be contributing to the success or failure of minority group and female recruitment (e.g., police image held by local minority groups, department reputation for wanting or not wanting minority group and female personnel, etc.)?

Does further attention to minority group and female recruitment appear necessary and, if so, what form should it take?

3.24 Employment and Utilization of Females  
Information and Material Checklist

Department Manual\*

Organization Chart\*

Assignments of females

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\* See Section 3.2 for explanation of asterisk.



Entrance and promotional  
qualifications information\* .

\_\_\_\_\_

Policies and data on females  
taking entrance and promotional  
tests

\_\_\_\_\_

Relevant departmental orders  
and directives\*

\_\_\_\_\_

Areas of Inquiry and Evaluation

Do females take the same examination as males for  
entrance into the department? Has there been any  
validity study of entrance requirements for females?

Are females appointed from a separate eligible list?

Do female officers have an equitable opportunity for  
promotion in the department? Are they given the  
same tests and judged by the same standards?

Are special titles like Policewoman, Sergeant of  
Policewomen, etc., in use in the department and do  
these serve to restrict females from police tasks and  
assignments?

Are females assigned to operational units of the  
department in reasonable proportion to their number in  
the department? If not, is progress being made in  
this direction?

\* See Section 3.2 for explanation of asterisk.

3.25 Assignment and Transfer

Information and Material Checklist

Departmental organization chart

\_\_\_\_\_

Assignment information (Form A or  
relevant computer printout)

\_\_\_\_\_

Transfer request form

\_\_\_\_\_

Transfer request statistics

\_\_\_\_\_

Relevant departmental orders and  
directives

\_\_\_\_\_

Areas of Inquiry and Evaluation

Are minority group members and females disproportionately represented in any division or major unit of the department? Is this circumstance reasonable in terms of both equitable personnel treatment and the needs of the police service?

Are minority group members and females proportionately represented in assignments which carry premium pay or are generally recognized as desirable in the department?

Is there a transfer request form and/or procedure that provides the requesting officer an explanation for denial of a transfer in instances when transfer request is denied?

Is transfer request data available that would show whether transfer requests of minority group members and females

are denied less or more frequently than other members of the department? If so, is there disparate treatment of minority group members or females?

3.26 Promotion

Information and Materials Checklist

Promotional examination announcements \_\_\_\_\_

Standards of eligibility for  
promotion examination \_\_\_\_\_

Promotion procedure description\* \_\_\_\_\_

Performance evaluation data by  
race, ethnicity and sex for the  
several rating periods (if such  
ratings are a factor in promotion  
or other personnel action) \_\_\_\_\_

Promotional data by rank, race,  
ethnicity, sex and previous  
assignment for last two years\* \_\_\_\_\_

Areas of Inquiry and Evaluation

Are there promotional eligibility requirements that have a disparate effect on minority group or female candidates? If so, what are these and are they validated?

Are performance ratings a factor in promotions (or other personnel action)? If so, is there any statistical disparity in the ratings given to minority group or female candidates?

\* See Section 3.2 for explanation of asterisk.

Does the promotional written examination have a disparate effect on the success of minority group or female promotional candidates? Has the examination been validated?

Does any other factor in the promotional process (oral interview, disciplinary records, etc.) have a disparate effect on minority group or female candidates? Has this factor been validated?

Is there adequate evidence of the test security and proper processing of examination papers and materials?

Are eligibles promoted in the order of their ranking by the promotional examination or does some other factor affect the order of promotion? If some other factor has effect, is it equitable and has it been validated?

3.27 Training and Education

Information and Materials Checklist

Recruit training outline or syllabus \_\_\_\_\_

In-service training outlines or  
syllabus \_\_\_\_\_

Training unit staffing pattern,  
including racial, ethnic and sex  
identifications \_\_\_\_\_

Relevant departmental orders and directives, including arrangements and/or incentives for in-service education (shift assignments policy, pay or promotion incentives, etc.)

Statistical data, including race, as to personnel presently taking or having completed in-service education programs

#### Areas of Inquiry and Evaluation

Is there any evidence of disparate treatment of minority group members or females in any aspect of the recruit or in-service training programs? If so, what are these and how can they be corrected?

Is the coverage of police-community relations and racial relations in recruit and in-service programs adequate to the need?

Is the racial composition of the staff of the training unit in line with departmental minority group and female percentages? Are there enough minority group members and females actually involved in direct training (classroom) activities?

Is there any evidence of disparate treatment of minority group members or females in connection with educational programs and practices? If so, what is the evidence and what needs to be done?

3.28 Internal Disciplinary Procedures

Information and Material Checklist

Description of the department's  
disciplinary procedure \_\_\_\_\_

Relevant departmental orders and  
directives \_\_\_\_\_

Statistical data on disciplinary  
actions by offense categories  
and by race, ethnicity and sex\* \_\_\_\_\_

Areas of Inquiry and Evaluation

Are the department's internal disciplinary procedures  
clearly set forth in departmental orders and/or  
regulations? Do they provide for a prompt and fair  
investigation and evaluation of charges?

Do all disciplinary actions get recorded in a central  
file?

Does the data on either minor infractions (summary  
punishment cases, at the unit level) or more serious  
offenses (complaint register cases, at the departmental  
level) show minority group or female officers to have a  
significantly higher number of charges placed against  
them than other officers do? If so, is there a reasonable  
explanation of the higher rate and what, if anything, needs  
improvement?

\* See Section 3.2 for explanation of asterisk.

In summary punishment (unit level) cases, does the officer receiving punishment have an adequate and prompt avenue of appeal?

In cases where the charge is sustained, do the minority group and female officers get the same type and amount of punishment as other officers do for the same offense or infraction?

Is there anything else in the design and operation of the department's disciplinary procedure that results in inequitable treatment of minority group or female members? If so, what corrective action can be taken?

3.29 Service to the Community

Information and Material Checklist

Beat map with racial and ethnic data\* \_\_\_\_\_

Census data for the jurisdiction\* \_\_\_\_\_

Response time data by beat\* \_\_\_\_\_

Manpower allocation data\* \_\_\_\_\_

Description of citizen complaint  
procedure \_\_\_\_\_

Citizen complaint statistics\* \_\_\_\_\_

Departmental procedures for  
arrest, detention and booking \_\_\_\_\_

Other relevant department orders and  
directives\* \_\_\_\_\_

\* See Section 3.2 for explanation of asterisk.

### Areas of Inquiry and Evaluation

Is there evidence of disparity in response times among patrol beats? If so, does this appear related to beat data on minority group population?

What is the basis for allocation of patrol manpower?

Is allocation made on the basis of objective data as to need for police service?

Is there any evidence of disparity of treatment by race or sex in the department's arrest, detention, booking and/or other arrest related procedures? If so, what are these and what corrective action needs to be taken?

Does the citizen complaint investigation procedure provide for prompt action by the department and for an adequate and timely report of findings to the complaint?

Does an analysis of complaints show that complaints against minority group or female officers are sustained at a higher rate than complaints against other officers? If so, what justification is there for this, and what departmental action needs to be taken?

What is the nature of the reputation of the police department in the community, particularly among the minority group and female members of the community? If the reputation and relationship has some negative aspects, what causes this, and what can be done to bring about improvement?



PRELIMINARY VISIT  
INFORMATION REQUEST

1. Legislative Authority. Copy of State legislation authorizing police and defining the police function. Copy of city charter provisions related to police powers and functions. Copy of any local ordinances affecting the police service.
2. Equal Employment Opportunity Program. A copy of any written Equal Employment Opportunity Program that the department may have developed in accordance with LEAA guidelines for such programs.
3. Annual Reports. Police Department Annual Reports for the last two years.
4. Organization Chart. An organization chart of the department including (or supplemented by) information as to position titles and number of personnel in each unit. Indicate on chart the names of higher level personnel.
5. Manuals and Directives. Copy of the Departmental Manual, the department's Rules and Regulations, departmental standard operating procedures (if not included in the Departmental Manual), Civil Service rules, employee handbook, and any General Orders or other departmental directives related to employment, discipline, training, transfer, promotion, work hours, leaves, or other conditions of employment.

6. Beat Map. A map of the city showing the boundaries of the patrol districts. Indicate the number of persons by race and ethnicity residing in each patrol district.
7. Computer Output Capability. An explanation of the kinds of data stored in the computer (see Exhibit I B) and the kind of printouts the department uses on a regular basis, including personnel data, data on crime by district, data on citizen complaints and internal disciplinary actions, data on response time on calls for police service. (This explanation of computer capability will probably influence the nature and form of the data supplied in connection with some of the remaining items on this request list).
8. Employment Procedures. For sworn personnel, a detailed description of all requirements for employment and all steps in the hiring process, including information on tests, their content and passing scores, and information on oral interviews and background checks. Include copies of application forms, oral interview and background investigation forms or checklists, and all other relevant forms. Also include information about any validation studies of the written examination and of any other steps in the selection process. Indicate employment standards and procedures for males and females.
9. Applicant Information. The number of applicants, by race, ethnicity and sex for police officer positions during each of the past two calendar years, and the number, by race, ethnicity and sex employed by the department. For each year indicate, by race, ethnicity and

sex, the number of applicants rejected at each stage in the selection process (e.g., written test, oral interview, medical/physical examination, etc.)

If female candidates to become police officers are processed separately, give similar information for female candidates.

10. Citizen Complaint. A description of departmental procedures for investigating and disposing of citizen complaints of police misconduct. Include the total number of complaints received by each patrol district or other unit of assignment in each of the last two calendar years, and their disposition (sustained, not sustained, etc.). If the department classifies complaints by type (e.g., verbal abuse, physical abuse, etc.), provide this information for each of the categories in use.
11. Response Time. Data for each patrol district or beat showing number of calls for police service and average response time.
12. Training Program Content. Copies of departmental training course outlines or course syllabuses.
13. Female Employees. The number, rank, race/ethnicity and unit of present assignment of all sworn female employees of the department.
14. General Personnel Data. Complete the attached forms (Form A and Form B) on sworn and civilian personnel.

EXHIBIT I B

IT IS REQUESTED THAT ALL DATA TAPES BEING RETURNED TO LEAA MEET THE FOLLOWING CONFIGURATIONS AS CLOSELY AS POSSIBLE.

UNLABELED  
9 TRACK  
ODD PARITY  
800 or 1600 BPI DENSITY

PLEASE INDICATE BELOW THE INFORMATION ON THE DATA TAPES:

TYPE COMPUTER \_\_\_\_\_  
LABEL INFORMATION \_\_\_\_\_  
TRACK \_\_\_\_\_  
PARITY \_\_\_\_\_  
DENSITY \_\_\_\_\_

ALSO IF POSSIBLE PLEASE INCLUDE THE APPROPRIATE DOCUMENTATION FOR PROCESSING THESE DATA TAPES SUCH AS:

RECORD LAYOUT(S)  
DESCRIPTION OF CODES UTILIZED IN THE LAYOUT, ETC.  
CUMP OF THE HEADER AND FIRST FEW RECORDS FROM THE DATA TAPE(S)

IF THERE ARE ANY QUESTIONS ON THE ABOVE, PLEASE CONTACT

DATA PROCESSING  
LEAA  
202:386-5353

Legend: W = White

0 = Other (American Indian, Asian)

B = Black

S = Spanish Heritage

Chief's  
Office

W B S O W B S O W B S O W B S O W B S O W B S O W B S O

Asst. Chief

Policewoman

**TOTALS**

W B S O W B S O W B S O W B S O W B S O W B S O W B S O

Asst. Chief

Policewoman

TOTALS

\*Note: Complete the listing of ranks in the left-hand column in accordance with your present rank structure. Fill in the column headings with the names of all bureaus, divisions, etc., in your present organization. This form is only a suggested format for the data. If this data is already available in another format, this would be equally acceptable.

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Totals

INTERVIEW RECAP SHEET

Location: \_\_\_\_\_ Date: \_\_\_\_\_

Persons Interviewed:

1. Name \_\_\_\_\_ Title \_\_\_\_\_

2. Name \_\_\_\_\_ Title \_\_\_\_\_

3. Name \_\_\_\_\_ Title \_\_\_\_\_

Purpose of Interview: \_\_\_\_\_

Summary of Information and Observations: \_\_\_\_\_

Time: Start \_\_\_\_\_ Finish \_\_\_\_\_ Interviewer: \_\_\_\_\_





**END**

7 pages more