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in the Criminal Justice System

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AFFIRMATIVE ACTION EQUAL EMPLOYMENT OPPORTUNITY IN THE CRIMINAL JUSTICE SYSTEM

A Selected Bibliography

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INTRODUCTION

Implementing an affirmative action/equal employment opportunity program is a high priority of the criminal justice system. Although some controversy still exists, Congress has set basic affirmative action/equal employment opportunity guidelines. Agencies that do not comply with these guidelines face potential loss of federal funds from the Law Enforcement Assistance Administration and the Office of Revenue Sharing. There is no longer any question of whether to bring women and minorities into the criminal justice system, but how to do it most effectively.

Two fundamental pieces of affirmative action/equal employment opportunity legislation in the criminal justice field are the 1973 amendment to the Omnibus Crime Control and Safe Streets Act and the Jordan amendment. The first bars discrimination in police departments, courts, juvenile agencies, correctional institutions, drug treatment programs, and other law enforcement programs. The second provides "triggers" that initiate administrative procedures for the cutoff of funding. Many organizations are in a state of flux regarding affirmative action. Agencies are at varying stages of clarifying guidelines, developing policy statements, and implementing programs. Thus, information about the quality of these efforts remains to be collected and evaluated.

This bibliography has been compiled to provide information and assistance to criminal justice agencies as they strive to implement effective affirmative action/equal employment opportunity programs. The citations are presented in five areas of interest:

- **Affirmative Action/Equal Employment Opportunity.** Discussions of the general nature of AA/EEO, including problems and policy manuals for action programs, policy statements, background information on employing women, minorities, and senior citizens.
- **Criminal Justice System.** Publications that focus on AA/EEO in criminal justice agencies, with information about compliance, recruitment, and other relevant topics.
- **Police.** AA/EEO issues specific to law enforcement agencies, including women police officers, minority recruitment, career development, and community relations.
- **Courts.** Studies of AA/EEO progress in the courts, including program descriptions, personnel plans, and minority employment.
- **Corrections.** Personnel recruitment, selection, and assignment in correctional institutions, and special problems that stem from the nature of these institutions.

All of the citations have been selected from the collection of the National Criminal Justice Reference Service, and information about how to obtain the documents is presented on the following page.

For individuals seeking further information, several lists of resource agencies are presented as an Appendix. Organizations that can provide assistance or specialized information are listed in the same categories as the chapters: general information, criminal justice system, police, courts, and corrections.

HOW TO OBTAIN THESE DOCUMENTS

The documents in this bibliography are part of the National Criminal Justice Reference Service (NCJRS) collection and are available to the public in the NCJRS Reading Room on weekdays between 9 a.m. and 5 p.m. The NCJRS Reading Room is located in Suite 211, 1015 20th Street, NW., Washington, DC.

For researchers who prefer to obtain personal copies, a sales source is identified whenever possible. For periodical literature, there are several potential sources of reprints: Original Article Tear Sheet Service (Institute for Scientific Information, 325 Chestnut Street, Philadelphia, PA 19106) and University Microfilms International (Article Reprint Department, 300 North Zeeb Road, Ann Arbor, MI 48106). Document availability changes over time and NCJRS cannot guarantee continued availability from publishers and distributors.

In addition to the following frequently cited sources, many of the documents may be found in public and organizational libraries.

Documents From GPO

The letters "GPO" after a citation indicate that copies may be purchased from the Government Printing Office. Inquiries about availability and cost should include stock number and title and be addressed to:

Superintendent of Documents
U. S. Government Printing Office
Washington, DC 20402

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The letters "NTIS" after a citation indicate that copies may be purchased from the National Technical Information Service. Inquiries about availability and cost should include publication number and title and be addressed to:

National Technical Information Service
5285 Port Royal Road
Springfield, VA 22161

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NCJRS Microfiche Program
Box 6000
Rockville, MD 20850

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Most of these documents may be borrowed from the National Criminal Justice Reference Service on interlibrary loan. Documents are not loaned directly to individuals. To borrow documents from NCJRS, specify the title and NCJ number and ask your librarian to submit a standard interlibrary loan form to:

NCJRS Document Loan Program
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**AFFIRMATIVE ACTION/EQUAL EMPLOYMENT
OPPORTUNITY**

AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY

1. AMACOM AMERICAN MANAGEMENT ASSOCIATION, 135 WEST 50TH STREET, NEW YORK NY 10020. HOW TO ELIMINATE DISCRIMINATORY PRACTICES—A GUIDE TO EEO (EQUAL EMPLOYMENT OPPORTUNITY) COMPLIANCE. 91 p. 1975. NCJ-59243

DIRECTED TO TOP MANAGEMENT, PERSONNEL STAFF, AND LINE MANAGERS, THIS MANUAL SHOWS HOW TO AVOID SYSTEMIC DISCRIMINATION BY ANALYZING THE TOTAL EMPLOYMENT PROCESS. DISCRIMINATION OCCURS BOTH ON THE LEVEL OF THE PERSONAL BIAS OF AN INDIVIDUAL IN AUTHORITY, AND ON THE LEVEL OF THE SYSTEM OF POLICIES, PRACTICES, SELECTION CRITERIA, AND DECISIONMAKING CRITERIA WHICH AFFECT THE PROTECTED CLASSES NEGATIVELY. THIS LATTER ASPECT, SYSTEMIC DISCRIMINATION, IS ADDRESSED IN THIS MANUAL, WHICH IS INTENDED TO HELP EMPLOYERS LOCATE SUCH DISPARITIES THROUGH A METHOD OF SELF-ANALYSIS. AS THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) VIEWS IT, DISCRIMINATION ON THE BASIS OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN IS DISCRIMINATION AGAINST THE CLASS OF PEOPLE WITH THE CHARACTERISTIC IN COMMON. THEREFORE, A STATISTICAL DISPARITY AT ANY STEP OF THE EMPLOYMENT PROCESS AMPLY SERVES EITHER AGENCY AS A PRIMA FACIE INDICATION OF DISCRIMINATORY PRACTICE. THE FIRST PART OF THE MANUAL IS AIMED AT TOP MANAGEMENT. IT COVERS SUCH GENERAL CONSIDERATIONS AS HOW SYSTEMIC DISCRIMINATION ENTERS THE PERSONNEL SYSTEM AND ITS SUBSYSTEMS, CITING CASES BEARING UPON ITS DEFINITION (THE GRIGGS V. DUKE POWER COMPANY DECISION); AND REMEDIES FOR SYSTEMIC DISCRIMINATION BY DESCRIBING TYPICAL RESULTS OF A SELF-AUDIT, AND INDICATING HOW AN EMPLOYER CAN GO ABOUT DEVELOPING REMEDIAL PROGRAMS. A BRIEF DESCRIPTION OF WHAT IS NEEDED IN AN AFFIRMATIVE ACTION PLAN IS INCLUDED, AS WELL AS AN EXPLANATION OF THE EEOC VOLUNTARY COMPLIANCE AGREEMENT. THE SECOND PART OF THE MANUAL IS TECHNICAL AND METHODOLOGICAL, WRITTEN PRIMARILY FOR PERSONNEL STAFF AND LINE MANAGERS, AND COMPRISES THE FOLLOWING: INSTRUCTION FOR THE COLLECTION OF DATA (BUT NOT THE ANALYSIS OF THOSE DATA); MEASUREMENTS OF PARITY (COMPARISONS OF THE INTERNAL DISTRIBUTION OF THE WORK FORCE TO THE APPROPRIATE EXTERNAL LABOR MARKET); IDENTIFICATION OF SPECIFIC PERSONNEL PRACTICES; ESTABLISHMENT OF PRIORITIES FOR LATER WORK, AND IDENTIFICATION OF OTHER POTENTIAL MAJOR COMPLIANCE ISSUES; OUTLINE OF THE STEPS NECESSARY TO IDENTIFY DISCRIMINATION IN RECRUITMENT, HIRING, PROMOTION, TRANSFER, AND TERMINATION; AND DISCUSSION OF THE PRINCIPLES OF

THE EEOC'S 'THEORY OF RELIEF' RELATIVE TO THE DEVELOPMENT OF SPECIFIC REMEDIES AND THE SETTINGS, OF GOALS AND TIMETABLES. A GLOSSARY OF EEOC COMPLIANCE TERMS, A DESCRIPTION OF SECTION 60-2.11 REVISED ORDER NO. 4, AND SELECTED READINGS ARE INCLUDED. TABLES SUPPORT THE TEXT.

2. AMERICAN ENTERPRISE INSTITUTE FOR PUBLIC POLICY RESEARCH, 1180 17TH STREET, NW, WASHINGTON DC 20036. AFFIRMATIVE ACTION—THE ANSWER TO DISCRIMINATION? 40 p. 1975. NCJ-59287

LAWYERS, ACADEMICIANS, AND JOURNALISTS DISCUSS THE LEGAL AND MORAL CONSEQUENCES OF AFFIRMATIVE ACTION, A FEDERAL PROGRAM FOR COMBATING DISCRIMINATION. THE TRANSCRIPT OF THE PANEL DISCUSSION IS PRESENTED WITHOUT EDITORIAL COMMENT. THE DEBATE CENTERS AROUND THESE BROAD QUESTIONS: HOW FAR SHOULD THE GOVERNMENT INTRUDE INTO THE PRIVATE SECTOR IN DICTATING GOALS TO ELIMINATE DISCRIMINATION? SHOULD PERFORMANCE CAPABILITIES BE THE SOLE CRITERION IN HIRING? DO AFFIRMATIVE ACTION PROGRAMS ENTAIL PREFERENTIAL TREATMENT? IF SO, IS PREFERENTIAL TREATMENT CONSTITUTIONAL? IS THERE A DISTINCTION BETWEEN GOALS AND QUOTAS? HAS THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE BEEN SUCCESSFUL IN ITS ENFORCEMENT OF AFFIRMATIVE ACTION GUIDELINES? THE PANEL, MODERATED BY RALPH K. WINTER, JR., OF THE YALE LAW SCHOOL, INCLUDES OWEN FISS, PROFESSOR OF LAW AT THE YALE LAW SCHOOL; RICHARD POSNER, PROFESSOR OF LAW AT THE UNIVERSITY OF CHICAGO LAW SCHOOL; VERA GLASER, SYNDICATED COLUMNIST FOR KNIGHT NEWSPAPERS AND WTOP RADIO COMMENTATOR; WILLIAM RASPBERRY, COLUMNIST FOR THE WASHINGTON POST; AND PAUL SEABURY, PROFESSOR OF POLITICAL SCIENCE AT THE UNIVERSITY OF CALIFORNIA AT BERKELEY. THE DISCUSSION WAS HELD AT AN AMERICAN ENTERPRISE INSTITUTE FOR PUBLIC POLICY RESEARCH ROUND TABLE HELD ON MAY 28, 1975. (AUTHOR ABSTRACT MODIFIED)

Supplemental Notes: AEI (AMERICAN ENTERPRISE INSTITUTE) ROUND TABLE HELD AT WASHINGTON, DC, MAY 28, 1975. PARTICIPANTS INCLUDED RALPH K. WINTER, JR., AS MODERATOR, AS WELL AS OWEN FISS, RICHARD POSNER, VERA GLASER, WILLIAM RASPBERRY, AND PAUL SEABURY.

Availability: AMERICAN ACADEMY OF PEDIATRICS, INC, 1801 HINMAN AVENUE, EVANSTON IL 60204.

3. **M. E. BAHER. PRACTITIONER'S VIEW OF EEOC (EQUAL EMPLOYMENT OPPORTUNITY COMMISSION) REQUIREMENTS WITH SPECIAL REFERENCE TO JOB ANALYSIS.** UNIVERSITY OF CHICAGO INDUSTRIAL RELATIONS CENTER, CHICAGO IL 60637. 38 p. 1978.

NCJ-58283

ONE OF THE TRENDS EVIDENT IN CIVIL RIGHTS LEGISLATION SINCE THE CIVIL RIGHTS ACT OF 1964 HAS BEEN THE EXTENSION OF TECHNICAL REQUIREMENTS FOR VALIDATION OF EMPLOYMENT PRACTICES. THIS PAPER DEALS WITH VALIDATION OF EMPLOYMENT PROCEDURES AND SPECIFICALLY WITH THE FIRST STEP IN THE TOTAL VALIDATION PROCESS--THE JOB ANALYSIS. AFTER OUTLINING THE KEY PHASES IN A VALIDATION PROCESS, IT PRESENTS STEP-BY-STEP SUMMARIES OF SOME OF THE PRACTICES AND INNOVATIONS THAT HAVE BEEN INTRODUCED AT THE INDUSTRIAL RELATIONS CENTER OF THE UNIVERSITY OF CHICAGO, ILL., TO CONFORM TO VALIDATION GUIDELINES. THE REVIEW OF STUDIES SHOWS THAT THERE IS INCREASED ACCEPTANCE OF CONTENT AND CONSTRUCT VALIDITY IN JOB ANALYSIS WHERE A COMPREHENSIVE DESCRIPTION OF PERFORMANCE DOMAIN IS PRESENT. A TREND TOWARDS MULTIUNIT OR CONSORTIUM VALIDITY IS OCCURRING IN WHICH A DEMONSTRATION OF THE 'TRANSPORTABILITY' OF THE VALIDITY'S TEST BATTERY WOULD BE A REQUIREMENT FOR IMPLEMENTATION. UNDER THIS TYPE OF SITUATION, AN ORGANIZATION WHICH HAS NOT PARTICIPATED IN VALIDATION WOULD HAVE TO PROVE THAT ITS APPLICANT POPULATION AND ITS REQUIREMENTS FOR SUCCESSFUL JOB PERFORMANCE ARE SIMILAR TO THOSE FOR CORRESPONDING JOBS IN PARTICIPATING ORGANIZATIONS. A STANDARDIZED AND QUANTIFIED JOB ANALYSIS INSTRUMENT HAS BEEN DEVELOPED TO REPLACE THOSE THAT COULD NOT BE IMPLEMENTED BY ORGANIZATIONAL PERSONNEL DURING TESTS. THE INSTRUMENT HAS BEEN ABLE TO DIFFERENTIATE BETWEEN VARIOUS JOBS AND HAS PRODUCED INFORMATION MAKING INTERPRETATION ABOUT JOB DEMANDS POSSIBLE. THE INSTRUMENT APPLIES THE SKILLS AND ATTRIBUTES INVENTORY AND THE FORCED-NORMAL-DISTRIBUTION CARD SORT FORM, TO DETERMINE THE DEGREE OF IMPORTANCE OF EACH JOB SKILL OR ATTRIBUTE TO PERFORMANCE ON THE JOB. TABULAR DATA, GRAPHS, AND REFERENCES ARE INCLUDED.

Supplemental Notes: OCCASIONAL PAPERS SERIES PAPER PRESENTED AT SYMPOSIUM AT AMERICAN PSYCHOLOGICAL ASSOCIATION CONVENTION, WASHINGTON, DC, SEPTEMBER 6, 1978.

Availability: UNIVERSITY OF CHICAGO INDUSTRIAL RELATIONS CENTER, CHICAGO IL 60637.

4. **S. BEHMAN. AFFIRMATIVE ACTION POSITION.** COMMERCE CLEARINGHOUSE, INC. 4025 WEST PETERSON AVENUE, CHICAGO IL 60648. *LABOR LAW JOURNAL*, V 27, N 8 (AUGUST 1978), P 490-497.

NCJ-58848

FOCUSING ON THE AFFIRMATIVE ACTION POSITION VIS-A-VIS USE OF THE SENIORITY SYSTEM IN LAYOFFS, THIS ARTICLE NOTES THE PROS AND CONS OF THE DEBATE AND SUGGESTS SEVERAL ALTERNATIVES TO GUTTING THE SENIORITY SYSTEM. THE ECONOMIC RECESSION IN THE MID-1970'S PUT INTO SHARP FOCUS THE CONFLICT BETWEEN SENIORITY PROVISIONS IN LABOR-MANAGEMENT CONTRACTS AND NATIONAL LABOR POLICY CONTAINED IN TITLE VII OF THE 1964 CIVIL RIGHTS ACT. SPECIFICALLY, ORGANIZATIONS REPRESENTING MINORITIES AND WOMEN CLAIM THAT LAYOFFS UNDER LAST-HIRED, FIRST-FIRED SENIORITY PROVISIONS NEGATED GAINS MADE UNDER TITLE VII IN THE LATE 1960'S WHEN EMPLOYMENT WAS EXPANDING. SENIORITY LAYOFF PROVISIONS HAVE COME UNDER ATTACK BECAUSE UNDER CERTAIN CIRCUMSTANCES LAYOFFS REFLECT ORIGINAL DISCRIMINATORY HIRING. IT SHOULD BE NOTED, HOWEVER, THAT THE AFFIRMATIVE ACTION PROVISION DOES NOT ADVOCATE ABOLISHMENT OF THE SENIORITY SYSTEM AS A LAYOFF DETERMINANT. RATHER, AWARDING OF CONSTRUCTIVE SENIORITY IS IMPLIED (I.E., WRONGED GROUPS WOULD BE PLACED IN THEIR RIGHTFUL PLACE IN THE SENIORITY HIERARCHY). THE POSITION OF THE COURTS IN RELATION TO THIS CONSIDERATION IS CLEAR: IN THE TRANSITION PERIOD FROM UNEQUAL TO EQUAL

EMPLOYMENT OPPORTUNITY WHERE PREVIOUS HIRING PRACTICES HAVE AFFECTED MINORITIES AND WOMEN. NATIONAL LABOR POLICY EMBODIED IN THE CIVIL RIGHTS ACT, AS AMENDED IN 1972, TAKES PRECEDENCE OVER PRIVATE COLLECTIVE BARGAINING CONTRACTS. AMONG PROPOSALS MADE TO ENABLE IDENTIFIABLE MINORITY AND NONMINORITY GROUPS TO SHARE THE BURDEN ARE ALTERNATIVE LAYOFF SYSTEMS AND WORKSHARING PLANS. WORKSHARING PROPOSALS INCLUDE REDUCED WORKWEEKS AND A CORRESPONDING PAY CUT FOR ALL EMPLOYEES, ELIMINATION OF OVERTIME, AND PAYLESS HOLIDAYS, WHILE ALTERNATIVE LAYOFF SYSTEMS INVOLVE ROTATIONAL OR ALTERNATING LAYOFFS, LAYOFFS BY LOT, AND PLACING EMPLOYEES ON LAYOFF ROSTERS BY RACE AND SEX AND THEN LAYING OFF PERSONS IN PROPORTION TO THEIR PRESENCE ON THE WORK FORCE. CREATIVE COLLECTIVE BARGAINING IS PERHAPS THE KEY: WHERE PAST DISCRIMINATORY HIRING PRACTICES HAVE OCCURRED, THE EMPLOYER AND UNION SHOULD VOLUNTARILY MODIFY THE SENIORITY SYSTEM RATHER THAN HAVE THE GOVERNMENT IMPOSE A SYSTEM. JUDICIAL DECISIONS AND OTHER REFERENCES ARE FOOTNOTED.

5. **P. BURSTEIN. EQUAL EMPLOYMENT OPPORTUNITY LEGISLATION AND THE INCOME OF WOMEN AND NONWHITES.** AMERICAN SOCIOLOGICAL REVIEW, 49 SHERIDAN AVENUE, ALBANY NY 12210. *AMERICAN SOCIOLOGICAL REVIEW*, V 44, N 3 (JUNE 1979), P 387-391.

NCJ-58987

THE AIM OF THIS ARTICLE IS TO GAUGE THE NATIONAL-LEVEL IMPACT OF EQUAL EMPLOYMENT OPPORTUNITY (EEO) LAWS ON THE INCOMES OF WOMEN AND NONWHITES RELATIVE TO THOSE OF WHITE MEN. THE FOCUS OF THE ARTICLE IS ON THE FOUR LAWS MOST DIRECTLY RELATED TO EMPLOYMENT IN THE CIVILIAN LABOR FORCE--THE EQUAL PAY ACT OF 1963, TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AND THE 1972 LAWS AMENDING EACH OF THEM. THE ANALYSIS DIFFERS FROM OTHERS PUBLISHED ON THE SUBJECT BY COMPARING ALL GROUPS WITH WHITE MEN, INCLUDING CHANGES IN ATTITUDES IN THE ANALYSIS, AND BY DEALING IN DETAIL WITH ENFORCEMENT OF THE LAWS. THE MODEL DEVELOPED IS SEEN TO WORK WELL WHEN USED TO EXAMINE INCREASES IN THE NONWHITE INCOME, BUT DOES NOT DEAL EFFECTIVELY WITH THE INCOME OF WHITE WOMEN. THE ARTICLE ARGUES FOR THE INCLUSION OF CHANGES IN ATTITUDES IN THE STUDY OF ALTERATIONS IN THE ECONOMIC SITUATION OF WOMEN AND NONWHITES. IT STRESSES THAT THERE SHOULD BE REALISM IN THE EXAMINATION OF THE EEO LAW'S IMPACT AND THAT THE ECONOMIC STATUS OF ALL GROUPS PROTECTED BY EEO LEGISLATION SHOULD BE COMPARED WITH THE STATUS OF WHITE MEN AS A CRITERION GROUP. THE STUDY FOUND THAT ALTHOUGH NONWHITE MEN AND WOMEN HAVE MADE MAJOR GAINS RELATIVE TO WHITE MEN IN RECENT YEARS, THE INCOME GAPS ARE STILL VERY LARGE. THE GAINS HAVE ALSO BEEN VERY EASY ONES, INVOLVING THE MOST BLATANT FORMS OF DISCRIMINATION. AS DISCRIMINATION BECOMES MORE SUBTLE AND AS STRUCTURAL DISCRIMINATION BECOMES MORE IMPORTANT, FURTHER GAINS WILL BECOME MORE DIFFICULT TO ACHIEVE. EXTENSIVE TABULAR DATA AND REFERENCES ARE PROVIDED. (AUTHOR ABSTRACT MODIFIED)

Supplemental Notes: EARLIER VERSION WAS PRESENTED AT THE 1979 ANNUAL MEETING OF THE EASTERN SOCIOLOGICAL SOCIETY, NEW YORK.

6. **M. J. R. CALVERT. AFFIRMATIVE ACTION--A COMPREHENSIVE RECRUITMENT MANUAL.** GARRETT PARK PRESS, GARRETT PARK MD 20756. 390 p. 1979.

NCJ-58355

A MANUAL FOR EMPLOYERS WANTING TO DEVELOP AN EQUAL OPPORTUNITY EMPLOYMENT PROGRAM, THIS VOLUME PRESENTS DATA ON THE STATUS OF MINORITY EMPLOYMENT, RECRUITING SOURCES, CAMPAIGNING, INTERVIEWING, AND HIRING MINORITIES. THE TEXT OPENS WITH A DETAILED ANALYSIS OF MINORITY GROUPS--ASIANS, AMERICAN INDIANS AND ALASKAN

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NATIVES, BLACKS, HISPANICS--AND THEIR EMPLOYMENT STATUS NATIONWIDE, THROUGH HISTORY, AND IN VARIOUS TYPES OF PROFESSIONS AND SKILLS. THEN IT TURNS TO THE DEVELOPMENT OF RECRUITMENT AND EMPLOYMENT PROGRAMS, DISCUSSING EMPLOYMENT QUOTAS, THE AFFIRMATIVE ACTION PLAN, DETERMINATION OF LABOR MARKET AVAILABILITY, AND TRAINING FOR RECRUITMENT AND EMPLOYMENT. A CHECKLIST OF ERRORS GENERALLY MADE BY PERSONNEL OFFICERS OR SUPERVISORS TO THE DETRIMENT OF MINORITY APPLICANTS IS PROVIDED ALONG WITH A LIST OF TRAINING AND EMPLOYMENT STANDARDS AND JOB CLASSIFICATION REQUIREMENTS. RECRUITMENT OF MINORITIES THROUGH COLLEGES AND UNIVERSITIES IS CONSIDERED IN A SECTION WHICH CONTAINS A STATE-BY-STATE LISTING OF COLLEGES ALONG WITH THEIR CONCENTRATIONS OF MINORITY ENROLLMENTS; AND INFORMATION ON, AND A DIRECTORY OF, PREDOMINANTLY BLACK COLLEGES AND UNIVERSITIES AND THOSE WITH A LARGE ENROLLMENT OF OTHER MINORITIES ARE INCLUDED. STATE-BY-STATE INFORMATION ALSO IS PRESENTED ON MINORITY MEDIA, USEFUL IN RECRUITING MINORITIES, ALONG WITH A BIBLIOGRAPHY OF MINORITY PUBLICATIONS AND RADIO AND TELEVISION STATIONS WITH LARGE MINORITY APPEAL. DATA ON OTHER RECRUITING SOURCES, SUCH AS MINORITY ORGANIZATIONS, FEDERAL AND STATE PROGRAMS, SKILLS BANKS, AND JOB AND CAREER FAIRS, ARE FURNISHED. FINAL SECTIONS TOUCH ON THE INTERVIEWING AND APPRAISAL OF MINORITY APPLICANTS AND OFFER LISTS OF INTERVIEW QUESTIONS AND APPRAISAL CHECKPOINTS, INFORMATION ON BOTH THE LEGAL ASPECTS OF EQUAL EMPLOYMENT AND OF TESTING OF APPLICANTS, AND A DISCUSSION ON EMPLOYING AND RETAINING MINORITY PERSONS. THIS MATERIAL INCLUDES A DIRECTORY OF EQUAL EMPLOYMENT AGENCIES AND COMMISSIONS--LOCAL, STATE, FEDERAL, A LIST OF ORGANIZATIONS PROVIDING HOUSING TO MINORITIES, AND DIRECTORIES OF MINORITY-OWNED FIRMS AND BUSINESSES AND MINORITY PROFESSIONAL ORGANIZATIONS. A BIBLIOGRAPHY IS PROVIDED.

Availability: GARRETT PARK PRESS, GARRETT PARK MD 20788.

7. B. G. CEBULSKI. AFFIRMATIVE ACTION VERSUS SENIORITY--IS CONFLICT INEVITABLE? UNIVERSITY OF CALIFORNIA BERKELEY INSTITUTE OF INDUSTRIAL RELATIONS, BERKELEY CA 94720. 57 p. 1977.

NCJ-68410

THE CONFLICT BETWEEN TRADITIONAL SENIORITY SYSTEMS AND EFFECTIVE AFFIRMATIVE ACTION PROGRAMS IS EXAMINED, WITH A VIEW TO PROVIDING PUBLIC SECTOR EMPLOYERS AND EMPLOYEE ORGANIZATIONS WITH ALTERNATIVES TO CONFLICT. THE FOCUS OF THIS MONOGRAPH, THE SECOND IN A SERIES ON PUBLIC EMPLOYEE RELATIONS ISSUES IN CALIFORNIA, IS THE PROBLEM THAT ARISES WHEN LAYOFFS BY SENIORITY CUT INTO EMPLOYMENT GAINS MADE BY MINORITIES AND WOMEN UNDER AFFIRMATIVE ACTION. THE CONCEPT OF AFFIRMATIVE ACTION AND ITS INCEPTION IN LEGISLATION AND NATIONAL EQUAL EMPLOYMENT OPPORTUNITY POLICY ARE DISCUSSED. THE INTER-RELATIONSHIP OF AFFIRMATIVE ACTION AND LAYOFFS BY SENIORITY IN AN ECONOMIC SETTING THAT BOTH NECESSITATES LAYOFFS AND HEIGHTENS THE NEED FOR AFFIRMATIVE ACTION ON BEHALF OF DISADVANTAGED WORKERS IS EXAMINED. SENIORITY PRINCIPLES IN THE PUBLIC SECTOR AND HOW THEY DIFFER FROM THOSE IN THE PRIVATE SECTOR ARE CONSIDERED. CASE LAW PERTAINING TO THE AFFIRMATIVE ACTION/SENIORITY ISSUE IN BOTH THE PRIVATE AND PUBLIC SECTORS IS ANALYZED IN DEPTH. A CALIFORNIA CASE STUDY ILLUSTRATES THE PRACTICAL, AS OPPOSED TO THE THEORETICAL OR LEGAL, ASPECTS OF THE AFFIRMATIVE ACTION/SENIORITY PROBLEM FOR LOCAL GOVERNMENT. THE MONOGRAPH CLOSSES WITH SUGGESTIONS FOR ALTERNATIVES TO CONFLICT--WAYS THAT PUBLIC EMPLOYERS AND EMPLOYEE ORGANIZATIONS MIGHT CO-OPERATE IN RECONCILING THE DUAL PRESSURES FOR BUDGETARY RESTRAINT AND FOR FAIR TREATMENT OF BOTH CAREER EMPLOYEES AND NEW ENTRANTS INTO THE WORK FORCE. A

NUMBER OF PERSONNEL COST-SAVING DEVICES ARE CONSIDERED, SUCH AS PAYLESS VACATIONS, PAYLESS WORKDAYS, WAIVER OF FRINGE BENEFITS, EARLY RETIREMENT, ELIMINATION OF OVERTIME, TEMPORARY LEAVE WITHOUT PAY, SELECTIVE FILING OF VACANCIES, AND A VARIETY OF WORK-SHARING DEVICES (E.G., CHANGING ONE FULL-TIME JOB INTO TWO HALF-TIME POSITIONS), AND LAYOFF STRATEGIES (E.G., LAYOFF BY LOTTERY). (AUTHOR ABSTRACT MODIFIED)

Supplemental Notes: CPER (CALIFORNIA PUBLIC EMPLOYEE RELATIONS) PROGRAM MONOGRAPH SERIES.

Sponsoring Agency: US CIVIL SERVICE COMMISSION, 1900 E STREET, NW, WASHINGTON DC 20415.

Availability: UNIVERSITY OF CALIFORNIA BERKELEY INSTITUTE OF INDUSTRIAL RELATIONS, BERKELEY CA 94720.

8. J. A. CRAFT. EQUAL OPPORTUNITY AND SENIORITY--TRENDS AND MANPOWER IMPLICATIONS. COMMERCE CLEARINGHOUSE, INC. 4025 WEST PETERSON AVENUE, CHICAGO IL 60648. LABOR LAW JOURNAL, V 28, N 12 (DECEMBER 1975), P 750-758. NCJ-68761

TRENDS IN THE USE OF SENIORITY IN MANPOWER MANAGEMENT DECISIONMAKING SINCE THE ADVENT OF A PROACTIVE NATIONAL POLICY ON EQUAL EMPLOYMENT OPPORTUNITY ARE REVIEWED AND THEIR IMPLICATIONS DISCUSSED. IN ATTEMPTS TO ELIMINATE ILLEGAL EMPLOYMENT DISCRIMINATION, THE COURTS, VARIOUS FEDERAL AND STATE ADMINISTRATIVE AGENCIES, AND LABOR ARBITRATORS HAVE RENDERED DECISIONS, DECREES, AND GUIDELINES AFFECTING THE USE OF SENIORITY IN PERSONNEL MANAGEMENT. THE EFFECTS HAVE INVOLVED PRIMARILY THE UNIT OF SENIORITY (THE RANGE OF POSITIONS WITHIN WHICH AN EMPLOYEE MAY EXERCISE SENIORITY RIGHTS), AND THE USE OF SENIORITY AS A BASIS FOR DECIDING WHO IS TO BE LAID OFF DURING A REDUCTION IN AN EMPLOYER'S WORK FORCE. IT APPEARS THAT, IN MANY INDUSTRIES, PLANTWIDE SENIORITY UNITS WILL REPLACE TRADITIONALLY NARROWER DEPARTMENTAL OR OCCUPATIONAL UNITS AS THE BASIS FOR MANPOWER ALLOCATION DECISIONMAKING. PLANTWIDE SENIORITY APPEARS TO BE A USEFUL AND MINIMALLY DISRUPTIVE APPROACH TO HELPING MINORITIES ATTAIN BETTER POSITIONS IN CERTAIN ORGANIZATIONS. HOWEVER, THE CHANGE TO PLANTWIDE SENIORITY IS LIKELY TO MEAN INCREASED COSTS FOR EMPLOYERS, AS WELL AS NEW PERSONNEL PROBLEMS (LOWERED MORALE, RACIAL ANIMOSITY AMONG EMPLOYEES, INSTABILITY IN LABOR UNIONS THAT COULD AFFECT COLLECTIVE BARGAINING RELATIONSHIPS). WITH REGARD TO LAYOFFS, WHERE COLLECTIVE BARGAINING AGREEMENTS EXIST, THE TREND (IN 1975) APPEARS TO HAVE TURNED IN FAVOR OF USING PLANTWIDE SENIORITY SYSTEMS AS A BASIS FOR LAYOFF DECISIONS. THE PROPOSED ALTERNATIVE--USING SOME MECHANISM (E.G., SEPARATE SENIORITY LISTS FOR WHITES AND MINORITIES, WORK SHARING, PAYLESS HOLIDAYS) TO REDUCE THE DISPROPORTIONATE IMPACT OF RECESSION-INDUCED LAYOFFS ON MINORITIES RECENTLY HIRED UNDER AFFIRMATIVE ACTION PROGRAMS--APPEARS NOT TO HAVE GAINED MUCH GROUND.

9. B. E. DELURY. EQUAL JOB OPPORTUNITY FOR THE HANDICAPPED MEANS POSITIVE THINKING AND POSITIVE ACTION. COMMERCE CLEARINGHOUSE, INC. 4025 WEST PETERSON AVENUE, CHICAGO IL 60648. LABOR LAW JOURNAL, V 28, N 11 (NOVEMBER 1975), P 678-685. NCJ-68448

THIS DISCUSSION OF THE RAMIFICATIONS OF THE REHABILITATION ACT OF 1973 AND SPECIFICALLY SECTION 503 STRESSES THE NEED FOR AFFIRMATIVE ACTION IN THE HIRING OF THE HANDICAPPED IN THE FEDERAL GOVERNMENT. SECTION 503 OF THE REHABILITATION ACT STATES THAT ANY EMPLOYER WITH A FEDERAL CONTRACT OR SUBCONTRACT MUST TAKE AFFIRMATIVE ACTION TO HIRE AND PROMOTE QUALIFIED PHYSICALLY AND MENTALLY HANDICAPPED PERSONS. THIS MEANS PLANNING AND IMPLEMENTING AN OUTREACH PROGRAM SO THE HANDICAPPED ARE SCREENED IN, RATHER THAN SCREENED OUT, BY

EMPLOYERS. AFFIRMATIVE ACTION MUST ALSO ENLIST THE ASSISTANCE AND SUPPORT OF RECRUITING SOURCES SUCH AS THE STATE EMPLOYMENT SERVICES AND SOCIAL SERVICE ORGANIZATIONS SERVING THE HANDICAPPED. THIS COULD INCLUDE REVIEWING EMPLOYMENT RECORDS TO DETERMINE IF THE SKILLS OF THE CURRENT HANDICAPPED EMPLOYEES ARE BEING FULLY UTILIZED AND DEVELOPED. IT MIGHT INVOLVE MODIFYING CERTAIN TOOLS SO A HANDICAPPED EMPLOYEE CAN DO THE JOB. THIS ARTICLE, BY ASSISTANT SECRETARY OF LABOR FOR EMPLOYMENT STANDARDS, DETAILS HOW THE SECTION 503 PROGRAM DEVELOPED AND HOW A CONTRACTOR CAN TAKE AFFIRMATIVE ACTION. IDEAS SUGGESTED ARE POSITIVE RECRUITMENT EFFORTS, ACCOMMODATIONS TO THE LIMITATIONS OF REEVALUATION OF PHYSICAL STANDARDS REQUIRED FOR THE JOB, FOR THE JOB COMPENSATION POLICY, AND INTERNAL AND DISSEMINATION OF AFFIRMATIVE ACTION POLICY. A DISCUSSION OF HOW SECTION 503 IS ENFORCED FOLLOWS, WITH ADVICE ON THE PROCEDURES COMPLAINANTS SHOULD USE TO FILE GRIEVANCES WITH THE DEPARTMENT OF LABOR. A SECTION DEALS WITH PENALTIES FOR VIOLATING SECTION 503. LASTLY, THE PROBLEMS THAT STILL REMAIN IN IMPLEMENTING THE PROGRAM ARE OUTLINED, AND EMPLOYERS ARE URGED TO PROVIDE GREATER JOB OPPORTUNITY FOR THE HANDICAPPED.

10. **H. T. EDWARDS. ARBITRATION OF EMPLOYMENT DISCRIMINATION CASES—A PROPOSAL FOR EMPLOYER AND UNION REPRESENTATIVES.** COMMERCE CLEARINGHOUSE, INC., 4025 WEST PETERSON AVENUE, CHICAGO IL 60648. *LABOR LAW REVIEW*, V 27, N 5 (MAY 1976), P 265-277. NCJ-500196

A DISCUSSION OF ARBITRATION OF EMPLOYMENT DISCRIMINATION CASES CONCLUDES THAT THE PUBLIC INTEREST WILL BEST BE SERVED BY EXCLUDING DIFFICULT EMPLOYMENT DISCRIMINATION CASES FROM ARBITRATION. THE ARTICLE STATES THAT DEVELOPMENT OF THE LAW UNDER TITLE VII (EMPLOYMENT DISCRIMINATION) IS A JOB FOR THE EQUAL EMPLOYMENT OPPORTUNITIES (EEO) COMMISSION AND THE COURTS, NOT FOR PRIVATE JURISTS. SINCE EEO IS A FUNDAMENTAL HUMAN RIGHT, ITS ENFORCEMENT SHOULD BE ACHIEVED IN A PUBLIC FORUM, IN FULL VIEW OF THE PUBLIC ITSELF. RESULTS IN EMPLOYMENT DISCRIMINATION CASES MUST ALSO BE COMPLETE AND CONSISTENT. REMEDY DUE TO VICTIMS OF EMPLOYMENT DISCRIMINATION SHOULD BE GIVEN WITHOUT COMPROMISE. IT IS STATED THAT THE DEVICE OF COMPROMISE TRADITIONAL IN COLLECTIVE BARGAINING IS IRRELEVANT IN TITLE VII CASES. HOWEVER, ARBITRATION OF EMPLOYMENT DISCRIMINATION CASES SHOULD NOT BE FORBIDDEN. ARBITRATORS SHOULD BE VIEWED, INSTEAD, AS LIMITED PARTNERS IN THE ENFORCEMENT EFFORT. FOR DIFFICULT AND IMPORTANT CASES, THE BULK OF THE WORKLOAD MUST BE CARRIED BY THE EQUAL EMPLOYMENT OPPORTUNITIES COMMISSION AND BY THE COURTS. (AUTHOR ABSTRACT MODIFIED)

11. **B. FISCHER. SENIORITY IS HEALTHY.** COMMERCE CLEARINGHOUSE, INC., 4025 WEST PETERSON AVENUE, CHICAGO IL 60648. *LABOR LAW JOURNAL*, V 27, N 8 (AUGUST 1976), P 497-503. NCJ-500900

ARGUING THAT MOVES TO SCUTTLE LAST-HIRED/FIRST-FIRED LAYOFFS CHALLENGE THE ROOTS OF AMERICAN LABOR PRACTICES, THIS ARTICLE SUGGESTS THAT THE RESULTING SHORT-TERM GAINS TO MINORITIES FALL SHORT OF EXISTING LONG-TERM BENEFITS. SENIORITY AS USED IN LABOR-MANAGEMENT AFFAIRS IS A MAJOR BENEFIT GREATLY PRIZED BY WORKERS, ESPECIALLY INDUSTRIAL WORKERS. WHILE RECENT ECONOMIC DOWNTURNS HAVE EMPHASIZED THE VALUE OF SENIORITY IN THE EYES OF WORKERS, SOME NONLABOR ELEMENTS, PANICKING OVER LAYOFFS, ARE ADVOCATING DEVICES TO CUT SENIORITY, SUBSTITUTING RACE AND SEX QUOTAS TO GOVERN LAYOFFS. THESE MOVES ARE FOUNDED ON A SHALLOW AWARENESS OF THE FACTS; FOR MANY YEARS THE CHIEF WEAPON TO COMBAT EMPLOYMENT DISCRIMINATION IN MAJOR AMERICAN INDUSTRIES HAS BEEN SOME SYSTEM OF

UNION-PROMOTED SENIORITY GOVERNING LAYOFFS, RECALLS, PROMOTIONS, TRANSFERS, AND JOB ASSIGNMENTS. ANTISENIORITY PROPOSALS MADE BY SOME PROFESSIONAL CIVIL RIGHTS PRACTITIONERS ATTACK A WHOLE WAY OF LIFE, BECAUSE THEY SUGGEST THAT WORKERS RECENTLY HIRED BE RETAINED DURING DEPRESSED PERIODS AND THAT EMPLOYEES WITH LONGER SERVICE BE LAID OFF. IT IS AXIOMATIC THAT SENIORITY PROVIDES ADVANTAGES TO LONGER SERVICE EMPLOYEES AND THEREFORE IS DETRIMENTAL TO NEW EMPLOYEES, AT LEAST UNTIL THEY ACCUMULATE A MEASURE OF SENIORITY FOR THEMSELVES. AN ADDITIONAL PROBLEM INHERENT IN ANTISENIORITY INITIATIVE IS THE QUESTION OF GUIDELINES. TO SADDLE LABOR AND MANAGEMENT WITH GOVERNMENT-DICTATED LAYOFF RULES WOULD REQUIRE AN IMPOSSIBLE SERIES OF PROJECTIONS AND SPECULATIONS AND WOULD CREATE AN IMPOSSIBLE COMPLIANCE PROBLEM. NO REFERENCES ARE CITED.

12. **GENERAL SERVICES ADMINISTRATION NATIONAL ARCHIVES AND RECORDS SERVICE OFFICE OF THE FEDERAL REGISTER, 1100 L STREET, NW, WASHINGTON, DC 20005. EMPLOYEE SELECTION PROCEDURES—ADOPTION OF QUESTIONS AND ANSWERS TO CLARIFY AND PROVIDE A COMMON INTERPRETATION OF THE UNIFORM GUIDELINES.** *FEDERAL REGISTER*, V 44, N 42 (MARCH 2, 1979), PART 4, P 11908-12006. NCJ-50047

ANSWERS TO QUESTIONS ABOUT THE FEDERAL GOVERNMENT'S UNIFORM GUIDELINES ON NONDISCRIMINATION IN EMPLOYEE SELECTION POLICIES AND PRACTICES ARE PRESENTED. THE UNIFORM GUIDELINES WERE ISSUED IN SEPTEMBER 1978 BY AGENCIES WITH PRIMARY RESPONSIBILITY FOR ENFORCING FEDERAL EQUAL EMPLOYMENT OPPORTUNITY LAWS, THE PURPOSE BEING TO ESTABLISH A SINGLE FEDERAL POSITION ON PROHIBITION OF DISCRIMINATION IN EMPLOYMENT PRACTICES. THE BASIC PRINCIPLE OF THE GUIDELINES IS THAT SELECTION PROCEDURES WHICH HAVE AN ADVERSE IMPACT ON THE EMPLOYMENT OPPORTUNITIES OF ANY RACE, RELIGION, SEX, OR ETHNIC GROUP ARE UNLAWFUL UNLESS THE VALIDITY (I.E., JOB-RELATEDNESS) OF THE PROCEDURES IS ESTABLISHED. THE GUIDELINES PROVIDE DIRECTION FOR EMPLOYERS IN DETERMINING WHETHER ADVERSE IMPACT EXISTS, IN VALIDATING SELECTION PROCEDURES, AND IN DOCUMENTING THESE EFFORTS. RECOGNIZING THE NEED FOR A COMMON INTERPRETATION OF THE GUIDELINES AND THE DESIRABILITY OF PROVIDING ASSISTANCE TO EMPLOYERS, PSYCHOLOGISTS, COMPLIANCE OFFICERS, AND OTHERS WHO WILL USE THE GUIDELINES, THE ISSUING AGENCIES COMPILED ANSWERS TO 90 QUESTIONS ABOUT THE RATIONALE, SCOPE, AND APPLICATION OF THE GUIDELINES. INCLUDED ARE QUESTIONS IMPLIED BY THE GUIDELINES THEMSELVES AND SUGGESTED BY THE COMMENTS RECEIVED IN THE COURSE OF DEVELOPING THE GUIDELINES. THE QUESTIONS AND ANSWERS COVER IN DETAIL THE PURPOSE AND GENERAL PRINCIPLES OF THE GUIDELINES; ADVERSE IMPACT DETERMINATIONS AND VALIDATION PROCEDURES; TECHNICAL STANDARDS PERTAINING TO CONTENT, CONSTRUCT, AND CRITERION-RELATED VALIDATION STRATEGIES; AND DOCUMENTATION AND RECORD-KEEPING.

Availability: NCJRS MICROFICHE PROGRAM.

13. **E. A. GRIGGS, R. W. BOYD, R. J. SAYER, and L. K. PEKANER. CONDUCTING CIVIL RIGHTS COMPLIANCE REVIEWS—A MANUAL DRAFT.** UNIVERSITY RESEARCH CORPORATION, 5330 WISCONSIN AVENUE, WASHINGTON DC. 153 p. 1978. NCJ-50061

A STANDARDIZED FORMAT FOR SELECTING LEAA GRANT AND FUND RECIPIENT AGENCIES FOR CIVIL RIGHTS COMPLIANCE REVIEWS AND FOR CONDUCTING THESE REVIEWS IS PRESENTED IN THIS MANUAL BY THE OFFICE FOR CIVIL RIGHTS COMPLIANCE (OCRC). THE MANUAL BEGINS WITH BACKGROUND MATERIAL ON THE PURPOSE OF THE CIVIL RIGHTS COMPLIANCE REVIEW (TO ENSURE THAT NO PERSON IS DISCRIMINATED AGAINST REGARDING PARTICIPATION IN, EMPLOYMENT WITH, OR RECEIVING BENEFITS FROM PROGRAMS OR ACTIVITIES FUNDED BY THE CRIME

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CONTROL OR JUVENILE JUSTICE ACTS. THEN THE FOUR ELEMENTS OF THE REVIEW PROCESS ARE DESCRIBED, I.E., SELECTION OF AN AGENCY FOR REVIEW, NOTIFICATION OF THE AGENCY OF ITS SELECTION, SITE VISITS TO THE AGENCY, AND CONVEYANCE OF FINDINGS OR RECOMMENDATIONS. INCLUDED IN THE MANUAL ARE SAMPLE ISSUE NOTIFICATION LETTERS, SCOPE OF REVIEW ENCLOSURES, INFORMATION REQUIRED ENCLOSURES, AND NOTIFICATION LETTERS TO STATE PLANNING AGENCIES. DISCUSSION OF THE FOLLOWING AREAS OF INQUIRY FOR SITE VISITS IS PROVIDED: AGENCY WORK FORCE, RECRUITMENT PROCESS, APPLICATION FORM, SELECTION PROCESS, APPOINTMENT, DISCIPLINE, PERFORMANCE EVALUATION, TRANSFER AND ASSIGNMENT, TERMINATING, AND CITIZEN COMPLAINTS. THE COMPLIANCE REVIEW REPORT OF FINDINGS WILL CONTAIN A STATEMENT OF THE ISSUE CONCERNED IN THE REVIEW, STATUTORY AUTHORITY FOR REVIEWING THE ISSUES, PRESENTATION OF FACTS RELATED TO IT, STATEMENT OF CONCLUSIONS, AND RECOMMENDED ACTIONS TO BE TAKEN. THE FULL TEXT OF STATUTORY PROVISIONS UNDER WHICH OCRC CONDUCTS COMPLIANCE REVIEWS IS FURNISHED AS WELL AS AN EASY-TO-UNDERSTAND SUMMARY OF THE LEAA SUBPART D AND E REGULATIONS REGARDING COMPLIANCE REVIEWS.

Sponsoring Agency: US DEPARTMENT OF JUSTICE, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

14. **B. R. GROSS. DISCRIMINATION IN REVERSE--IS TURN-ABOUT FAIR PLAY?** NEW YORK UNIVERSITY PRESS, WASHINGTON SQUARE, NEW YORK NY 10003. 184 p. 1978. NCJ-59728

ALONG WITH A CATALOG AND AN ANALYSIS OF EVERY ARGUMENT OFFERED IN FAVOR OF REVERSE DISCRIMINATION, THE CONCEPT OF REVERSE DISCRIMINATION AND ITS CONSEQUENCES ARE DISCUSSED PHILOSOPHICALLY. ACCORDING TO THIS ANALYSIS, ARGUMENTS IN FAVOR OF REVERSE DISCRIMINATION SHOULD BE OPPOSED BY SHOWING THAT (1) THEY ARE UNSOUND, (2) SOME OF THEIR PREMISES AND CONCLUSIONS VIOLATE THE PRINCIPLES WHICH MAKE POSSIBLE A LIBERAL AND DEMOCRATIC SOCIETY, AND (3) THE SUBSTANTIVE OUTCOME REVERSE DISCRIMINATION IS SUPPOSED TO YIELD IS UNLIKELY TO OCCUR. DIFFERENT KINDS OF DISCRIMINATION ARE DEFINED, SUCH AS REVERSE DISCRIMINATION AS IT CONFLICTS WITH 'POSITIVE DISCRIMINATION,' THE POLICY CURRENTLY USED IN ENGLAND TO PROVIDE UNEQUAL DISTRIBUTION OF GOVERNMENT FUNDS FOR SOCIAL SERVICES; E.G., COMPENSATORY EDUCATION. ARGUMENTS IN FAVOR OF POSITIVE DISCRIMINATION ARE PROPOSED, IN LIGHT OF SOCIETY'S INABILITY TO PRODUCE KNOWN AND WANTED SOCIAL OUTCOMES. SIMILARLY, ARGUMENTS FOR REVERSE DISCRIMINATION ARE PRESENTED. QUESTIONS ARE RAISED ABOUT THE PREMISES OF SOME, AND COMMENTS RANGE FROM POSITIVE, WHEN ARGUMENTS FAVOR OVERALL SOCIETAL BENEFIT, TO NEGATIVE, WHEN ARGUMENTS TURN ON MERE RUMOR. IN ADDITION, SOME ARGUMENTS FOR REVERSE DISCRIMINATION FOR GROUPS RATHER THAN FOR INDIVIDUALS ARE ANALYZED. IT IS A NECESSARY CONDITION OF REVERSE DISCRIMINATION, ACCORDING TO THE TEXT, THAT IT BE DIRECTED TO GROUPS, THUS DISTINGUISHING IT FROM PREFERENTIAL TREATMENT, WHICH IS NOT SO DIRECTED. MAJOR QUESTIONS RAISED CONCERNING THESE ARGUMENTS ARE LISTED, AND ARGUMENTS AGAINST REVERSE DISCRIMINATION ARE PRESENTED. NO ARGUMENT FOR OR AGAINST REVERSE DISCRIMINATION IS BY ITSELF DECISIVE. HOWEVER, THE BALANCE OF ARGUMENT IS HEAVILY AGAINST REVERSE DISCRIMINATION AND PREFERENTIAL TREATMENT BOTH FOR MORAL AND FOR PRACTICAL REASONS. FINALLY, COMMENTS ON THE JUSTICE OF REVERSE DISCRIMINATION AND ITS ADMINISTRATION ARE NOTED. NUMEROUS CASES ARE CITED ON REVERSE DISCRIMINATION, INCLUDING DEFUNIS V. OGEDAARD AND BAKKE V. BOARD OF REGENTS. REFERENCE NOTES AND A BIBLIOGRAPHY ARE INCLUDED.

Availability: NEW YORK UNIVERSITY PRESS, WASHINGTON SQUARE, NEW YORK NY 10003.

15. **G. HALL AND A. SALTZSTEIN. EQUAL EMPLOYMENT OPPORTUNITY FOR MINORITIES IN MUNICIPAL GOVERNMENT.** UNIVERSITY OF TEXAS PRESS, BOX 7812, AUSTIN TX 78712. SOCIAL SCIENCE QUARTERLY, V 67 (MARCH 1977), P 884-872. NCJ-59121

THIS STUDY EXAMINES THE DIFFERENCES IN EMPLOYMENT PATTERNS FOR BLACK AND MEXICAN AMERICANS IN MUNICIPAL GOVERNMENTS AND DELINEATES SOME OF THE CONDITIONS UNDERLYING RACIAL EMPLOYMENT PATTERNS. THE STUDY UTILIZED NEWLY AVAILABLE DATA ON 26 TEXAS CITIES WITH A POPULATION OF OVER 50,000. EMPLOYMENT DATA CONTAINED IN EQUAL EMPLOYMENT OPPORTUNITY-3 FORMS WERE AGGREGATED BY CITY TO CREATE TWO DEPENDENT VARIABLES FOR BOTH BLACK AND SPANISH-SURNAMED EMPLOYEES: (1) PERCENTAGE OF PROFESSIONALS IN CITY GOVERNMENT WHO BELONG TO EACH GROUP, (2) USE INDEX FOR EACH GROUP WHICH CONSIDERS BOTH A MINORITY GROUP'S REPRESENTATION IN AN ORGANIZATION AND ITS DISTRIBUTION ACROSS SALARY LEVELS. DESPITE THE SMALL SAMPLE SIZE AND ITS RESTRICTION TO TEXAS CITIES, THE FINDINGS SUGGESTED THAT UNEXPECTED COMPLEXITIES IN URBAN MINORITY EMPLOYMENT COULD AFFECT THE SUCCESS OF PERSONNEL POLICIES. POLICIES STRESSING EDUCATION AND TRAINING WERE FOUND MORE EFFECTIVE WITH SPANISH-SURNAMED POPULATION THAN WITH BLACK EMPLOYEES. IT WAS FOUND THAT FEDERAL STRATEGIES TO ENHANCE THE EMPLOYMENT STATUS OF MINORITIES IN MUNICIPAL GOVERNMENTS MUST TAKE INTO CONSIDERATION THE SPECIFIC GROUP REQUIRING ASSISTANCE. FURTHER RESEARCH IS NECESSARY TO DETERMINE WHICH PROGRAMS CAN BEST ALLEVIATE MUNICIPAL PROBLEMS OF ANY ONE GROUP. REFERENCES AND TABULAR DATA ARE INCLUDED.

Sponsoring Agency: UNIVERSITY OF HOUSTON INSTITUTE FOR URBAN STUDIES, HOUSTON TX 77004.

16. **L. G. HART. WORKING FOR YOU--A GUIDE TO EMPLOYING WOMEN IN NON-TRADITIONAL JOBS UNDER OPPORTUNITIES FOR WOMEN, INC. 1349 K STREET NW, WASHINGTON DC 20006. 28 p. 1977. NCJ-59249**

THIS TECHNICAL ASSISTANCE GUIDE FOR EMPLOYERS WANTING TO RECRUIT AND HIRE WOMEN FOR TRADITIONALLY MALE JOBS EMPHASIZES REAPPRAISING ATTITUDES ON FEMALE EMPLOYMENT AND CHANGING COMPANY POLICY. EMPLOYERS ARE TOLD HOW TO INTRODUCE WOMEN INTO NONTRADITIONAL JOBS SUCH AS PLUMBING, TRUCKDRIVING, AND MECHANICS. IMPORTANT STEPS INCLUDE DRAWING UP AN AFFIRMATIVE ACTION PLAN, MAKING A COMMITMENT TO HIRE WOMEN AND MAKING SURE THAT THIS COMMITMENT IS UNDERSTOOD COMPANYWIDE, ACTIVELY EXAMINING ONE'S OWN POSITION ON FEMALE EMPLOYMENT AND ENCOURAGING PERSONS IN MANAGEMENT TO DO THE SAME, AND EXPOSING EMPLOYEES TO FAIR EMPLOYMENT LAWS. RECRUITMENT OF WOMEN MUST BE ACTIVE. NEWSPAPER ADVERTISEMENTS, EMPLOYMENT AGENCIES, AND SIMILAR CHANNELS CAN BE USED. FEMALE APPLICANTS SHOULD BE SCREENED FOR BASIC ABILITIES AND FOR NONTRADITIONAL WORK EXPERTISE. A SECTION DEVOTED TO THE 'BREAK-IN' PERIOD INSTRUCTS EMPLOYERS ON HOW TO GIVE SUPPORT TO WOMEN IN A NONTRADITIONAL JOB. METHODS INCLUDE ADEQUATE TRAINING, SUPPORT IN HARASSMENT SITUATIONS, AND SHOW OF SYMPATHY WHEN ADJUSTMENT PROBLEMS OCCUR. LONG-TERM EFFECTS OF EMPLOYING FEMALES IN NONTRADITIONAL JOBS RANGE FROM INHOUSE MOBILITY TO ENLARGEMENT OF THE COMPANY'S LABOR POOL. THE GUIDE STATES THAT AFFIRMATIVE ACTION AND WOMEN IN NONTRADITIONAL JOBS MEANS FAIR TREATMENT FOR EVERYONE AND GENERALLY GOOD BUSINESS PRACTICES.

17. **H. HILL. AFFIRMATIVE ACTION AND THE QUEST FOR JOB EQUALITY.** RUTGERS UNIVERSITY TRANSACTION PERIODICALS CONSORTIUM, BRUNSWICK NJ 08903. REVIEW OF BLACK POLITICAL ECONOMY, V 6 (SPRING 1976), P 263-278. NCJ-59124

THIS ARTICLE ADVOCATES THE BROAD APPLICATION OF AFFIRMATIVE ACTIONS PROGRAMS THAT CAN BE MEASURED BY TANGI-

BLE RESULTS INCLUDING THE REDISTRIBUTION OF JOBS AND INCOME. THE RECORD OF 30 YEARS OF FAIR EMPLOYMENT PRACTICE LAWS AND EXECUTIVE ORDERS SHOWS THAT THE CONCEPT OF PASSIVE NONDISCRIMINATION IS INADEQUATE AND OBSOLETE. DISCRIMINATION IN EMPLOYMENT IS NOT THE RESULT OF RANDOM ACTS OF BIGOTRY, BUT IS THE CONSEQUENCE OF SYSTEMATIC INSTITUTIONALIZED PATTERNS THAT ARE ESTABLISHED IN SOCIETY. THUS, SWEEPING MEASURES ARE NECESSARY IF RACIAL EMPLOYMENT PATTERNS ARE TO BE FUNDAMENTALLY CHANGED. AFFIRMATIVE ACTION PROGRAMS BASED ON NUMERICAL GOALS AND TIMETABLES ARE AN ESSENTIAL COMPONENT IN ACHIEVING THIS CHANGE. FOLLOWING THE ENACTMENT OF THE CIVIL RIGHTS ACT OF 1964, THERE HAVE BEEN EFFORTS TO ERASE THE VERY MODEST GAINS MADE BY BLACK MEN AND WOMEN. AFFIRMATIVE ACTION PROGRAMS AND RACIAL QUOTAS HAVE BEEN CHARGED WITH CREATING 'REVERSE DISCRIMINATION.' A MAJOR SOURCE OF ORGANIZED OPPOSITION TO AFFIRMATIVE ACTION DEVELOPED IN LITIGATION UNDER THE CIVIL RIGHTS ACT, TITLE VII. LAWSUITS WHICH BASE THEIR CAUSE OF ACTION ON THE EXPLOITATION OF WHITE ETHNIC WORKERS OUGHT NOT TO FORGET THAT THE BLACK POPULATION HAS BEEN THE MOST SYSTEMATICALLY EXPLOITED GROUP IN AMERICAN SOCIETY. THE FEDERAL COURTS HAVE RECOGNIZED THAT EMPLOYMENT DISCRIMINATION IS CLASS DISCRIMINATION, THAT RELIEF MUST GO TO THE CLASS, AND THAT NUMERICAL QUOTAS ARE THE MOST EFFECTIVE MEANS OF RELIEF. THE U.S. SUPREME COURT HAS HELD THAT MATHEMATICAL RACIAL RATIOS COULD BE USED AS THE STARTING PLACE FOR REMEDIES. THE OPERATIONS OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ARE DISCUSSED. REFERENCES ARE PROVIDED.

18. B. HORAN. BLACKS VERSUS WOMEN—WHEN VICTIMS COLLIDE. WARREN, GORHAM AND LAMONT, INC, 210 SOUTH STREET, BOSTON MA 02111. *BUSINESS AND SOCIETY REVIEW*, (SUMMER 1974), P 71-77.

NCJ-58119

WHEN MINORITIES AND WOMEN COMPETE FOR EMPLOYMENT GAINS, A COALITION CAN ENLARGE THE BENEFITS FOR BOTH. A SEMINAR STRATEGY WHICH CUTS THROUGH STEREOTYPES AND HELPS MINORITIES AND WOMEN WORK TOGETHER IS DESCRIBED. EQUAL OPPORTUNITY EMPLOYMENT (EOE) PROGRAMS WERE FIRST AIMED AT BLACK MALES, THEN WERE EXPANDED TO INCLUDE OTHER MINORITIES, AND FINALLY WOMEN WERE ACCEPTED INTO THE EOE PROGRAM. THE HOSTILITIES AMONG THESE GROUPS OFTEN REACH EXPLOSIVE PROPORTIONS. A SEMINAR TO CUT THROUGH THESE HOSTILITIES STARTS WITH A SIMPLE DRAMATIZATION IN WHICH A RECEPTIONIST (USUALLY PLAYED BY A BLACK FEMALE) IS DENIED AN OPPORTUNITY TO BECOME AN ASSISTANT BUYER. IN THE RESPONSES OF THE BLACK WOMAN CAN BE SEEN THE TENSION BETWEEN RACIAL AND SEXUAL DISCRIMINATION. FURTHERMORE, ALL MINORITIES CLAIM WHITE WOMEN ARE RICH, WORKING JUST FOR AMUSEMENT. THE SEMINAR POINTS OUT THAT WOMEN ARE 50 PERCENT OF ALL GROUPS, 50 PERCENT OF BLACKS, 50 PERCENT OF THE POOR, 50 PERCENT OF THE RICH. LABOR DEPARTMENT STATISTICS ON MEDIAN EARNINGS OF FULL-TIME, YEAR-ROUND WORKERS SHOW THE EFFECTS OF BOTH RACISM AND SEXISM WITH SEXISM PRODUCING THE DOMINANT DIVISION: WHITE MALES EARN A MEAN OF \$10,918, BLACK MALES \$7,373, WHITE FEMALES \$6,172, AND BLACK FEMALES \$5,280. IN ADDITION TO THE PRESSURES BROUGHT BY THE VARIOUS MINORITY GROUPS, EQUAL OPPORTUNITY PROGRAMS MUST FACE PRESSURES FOR COOPERATION FROM MANAGEMENT. THE ANSWER TO THESE PRESSURES IS COALITION. IT IS ONLY BY WORKING TOGETHER THAT ALL GROUPS CAN SHARE EMPLOYMENT GAINS. STEPS THE SEMINAR USES TO BRING ABOUT ATTITUDE CHANGE AND FOSTER A SPIRIT OF COALITION ARE DETAILED.

19. W. H. HOLLEY and H. S. FIELD. EQUAL EMPLOYMENT OPPORTUNITY AND ITS IMPLICATIONS FOR PERSONNEL PRACTICES. COMMERCE CLEARINGHOUSE, INC, 4025 WEST PETERSON AVENUE, CHICAGO IL 60646. *LABOR LAW JOURNAL*, V 27, N 5 (MAY 1976), P 278-286.

NCJ-58847

PERSONNEL PRACTICE OF SOME PUBLIC AND PRIVATE ORGANIZATIONS ARE REVIEWED IN TERMS OF EQUAL EMPLOYMENT OPPORTUNITY (EEO) REQUIREMENTS. SINCE THE EXPENSES OF NOT COMPLYING WITH LEGAL REQUIREMENTS OF EQUAL OPPORTUNITY EMPLOYMENT ARE EXORBITANT, MANAGEMENT IS URGED TO BE COGNIZANT OF THE CURRENT LEGAL STATUS OF PERSONNEL POLICY. FOLLOWING THE WELL-PUBLICIZED CONSENT DECREAS IN CASES INVOLVING AMERICAN TELEPHONE AND TELEGRAPH AND THE STEEL INDUSTRY, AND THE CONSIDERABLE EXPENSES OF COURT COST, ATTORNEY FEES, BACK PAY, AND LOSS IN EXECUTIVE TIME, MANAGEMENT AT ALL LEVELS BEGAN TO DEVOTE MUCH ATTENTION TO EEO. THE REPORT CITES SPECIFIC CASES WHICH AFFECTED PERSONNEL PRACTICES AND WHICH DEPICT THE CURRENT INTERPRETATION OF THE LAWS. PERSONNEL PRACTICES ADDRESSED INCLUDE RECRUITMENT AND SELECTION, PROMOTION AND TRAINING, PERFORMANCE APPRAISAL, DISCIPLINE AND DISCHARGE, GRIEVANCE ADMINISTRATION, COMPENSATION AND BENEFITS, MATERNITY BENEFITS, AND LAYOFFS AND RECALLS. COURT CASES AND ADMINISTRATIVE DECISIONS ARE HELPING TO CLARIFY THE MEANING OF EEO TO PERSONNEL MANAGERS. AMONG THE CASES MENTIONED ARE MORROW V. CRISLER (1973) IN MISSISSIPPI IN WHICH THE COURT ORDERED THE STATE TO CONDUCT RECRUITMENT VISITS TO ACHIEVE MAXIMUM NONDISCRIMINATORY COVERAGE AND MAINTAIN APPROPRIATE RECORDS COVERING JOB APPLICATIONS AND EMPLOYEES. IN JONES V. LEE WAY MOTOR FREIGHT, INC., (1970) THE EMPLOYER'S REFUSAL TO GRANT REQUESTS FOR TRANSFERS FROM BLACK CITY DRIVERS TO OVER-THE-ROAD POSITIONS WAS DECIDED IN FAVOR OF THE PLAINTIFFS. IN SHULTZ V. WHEATON GLASS COMPANY (1970) THE COMPANY FOR COMPENSATING FEMALE EMPLOYEES AT 10 PERCENT LESS THAN THEIR MALE COUNTERPARTS, WAS ORDERED TO PAY BACK WAGES TO ALL FEMALE EMPLOYEES FOR EQUAL OR SAME TYPE OF WORK PERFORMED. TO AVOID LEGAL REPRIMAND UNDER EEO, ORGANIZATIONS ARE ADVISED TO SHOW THE JUSTIFICATION AND VALIDITY OF THEIR PERSONNEL PRACTICES.

20. D. JONGEWARD and D. SCOTT. AFFIRMATIVE ACTION FOR WOMEN—A PRACTICAL GUIDE FOR WOMEN AND MANAGEMENT. ADDISON-WESLEY PUBLISHING COMPANY, INC, JACOB WAY, READING MA 01867. 352 p. 1977.

NCJ-58850

INFORMATION BEARING UPON EQUAL EMPLOYMENT OPPORTUNITIES FOR WOMEN IS PRESENTED IN A GUIDE DIRECTED BOTH TO WOMEN WHO ARE SEEKING NEW DIRECTIONS AND TO MANAGERS INTERESTED IN AFFIRMATIVE ACTION. A SURVEY OF CHANGES IN THE LIFESTYLES AND WORK ROLES OF WOMEN OPENS THE GUIDE. REASONS FOR WOMEN'S LACK OF ACHIEVEMENT ARE THEN EXPLORED THROUGH THE CONCEPTS OF TRANSACTIONAL ANALYSIS, WITH REFERENCE TO PSYCHOLOGICAL, CULTURAL, AND ORGANIZATIONAL 'SCRIPTS' THAT HAVE PLACED LIMITS ON WOMEN. LAWS AND GOVERNMENT REGULATIONS THAT AFFECT WORKING WOMEN AND THEIR EMPLOYERS ARE INTERPRETED, AND AVENUES OPEN TO WOMEN WHO FEEL THEY ARE BEING DISCRIMINATED AGAINST ON THE JOB ARE IDENTIFIED. THE STATUS OF WOMEN IN GOVERNMENT SERVICE AND IN ORGANIZED RELIGION IS ASSESSED, AND THE UNIQUE PROBLEMS OF BLACK WOMEN IN THE WORK FORCE ARE EXAMINED. OTHER CHAPTERS OUTLINE A STRATEGY FOR EMPLOYEES INTERESTED IN ENHANCING OPPORTUNITIES FOR WOMEN IN THEIR ORGANIZATIONS, AND DISCUSS THE PHENOMENON OF ORGANIZATIONAL HOMOGENEITY AND THE WAYS IN WHICH IT WORKS TO EXCLUDE WOMEN FROM EXECUTIVE POSITIONS. SUGGESTIONS FOR ORGANIZING AFFIRMATIVE ACTION SEMINARS AND FOR COMBINING AWARENESS TRAINING AND TRANSACTIONAL ANALYSIS IN SEMINARS FOR CAREER WOMEN ARE OFFERED.

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OTHER SUGGESTIONS ARE DIRECTED SPECIFICALLY TO EXECUTIVE SECRETARIES INTERESTED IN ADVANCEMENT, TO HOUSEWIVES WHO WANT TO RETURN TO WORK, AND TO OFFICE MANAGERS CONCERNED WITH AFFIRMATIVE ACTION PROGRAMS. ALSO INCLUDED ARE CHAPTERS ON WOMEN IN PSYCHOTHERAPY, AND ON HOW TO ELIMINATE SEXIST LANGUAGE FROM WRITING. A SUMMARY OF FACTS ABOUT THE RIGHTS AND STATUS OF WOMEN IS APPENDED. EXERCISES AND LISTS OF REFERENCES ARE INCLUDED.

Availability: ADDISON-WESLEY PUBLISHING COMPANY, INC, JACOB WAY, READING MA 01867.

21. **R. S. KELLY and M. M. THORIKELSON. EQUAL EMPLOYMENT OPPORTUNITY—AFFIRMATIVE ACTION PROGRAMS FOR FEDERAL GOVERNMENT CONTRACTORS.** AMERICAN BAR ASSOCIATION, 1155 EAST 60TH STREET, CHICAGO IL 60637. *BUSINESS LAWYER*, V 31, N 3 (APRIL 1978), P 1509-1515. NCJ-58844

PROBLEMS FACED BY FEDERAL CONTRACTORS IN DEVELOPING REALISTIC AND ACCEPTABLE AFFIRMATIVE ACTION PROGRAMS ARE DISCUSSED. IN MEETING FEDERAL REQUIREMENTS TO TAKE AFFIRMATIVE ACTION TOWARD MINORITIES AND FEMALES, FEDERAL CONTRACTORS FACE SEVERAL PROBLEMS: (1) DEFINING RECRUITMENT AREAS, (2) DETERMINING HOW MANY QUALIFIED MINORITIES AND FEMALES ARE AVAILABLE FOR A GIVEN LINE OF WORK IN ORDER TO DETERMINE APPROPRIATE REPRESENTATION, (3) CONFLICT BETWEEN AFFIRMATIVE ACTION AND PROMOTION-FROM-WITHIN POLICIES, (4) DEFINING JUSTIFIABLE QUALIFICATIONS FOR SPECIFIC POSITIONS, (5) A PROPOSED RULE THAT WOULD REQUIRE BACKPAY FOR CLASSES OF PERSONS SUFFERING FROM THE EFFECTS OF PAST DISCRIMINATION (THE 'AFFECTED CLASS RULE'), AND (6) OVERLAPPING JURISDICTIONS AND CONFLICTS AMONG FEDERAL AGENCIES RESPONSIBLE FOR ADMINISTERING EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION LAWS AND REGULATIONS. COMPLIANCE AGENCIES ARE BEING PRESSURED BY THE GENERAL ACCOUNTING OFFICE AND BY CIVIL RIGHTS ORGANIZATIONS IN THE AREA OF AFFIRMATIVE ACTION, AND THERE IS A TREND TOWARD JUDICIAL REVIEW OF AFFIRMATIVE ACTION PLANS. SUCH DEVELOPMENTS INDICATE AN INCREASING LIKELIHOOD THAT CONTRACTORS WHO DO NOT COMPLY WITH AFFIRMATIVE ACTION REQUIREMENTS WILL BE PENALIZED. CONTRACTORS ARE ADVISED TO TAKE THE FOLLOWING STEPS: (1) DEVELOP BETTER DATA ON AVAILABILITY OF MINORITIES AND FEMALES, PROPER RECRUITING AREAS, AND NECESSARY JOB SKILLS, IN ORDER TO ESTABLISH REALISTIC GOALS AND TIMETABLES AND TO WITHSTAND UNREASONABLE DEMANDS FROM COMPLIANCE AGENCIES; (2) RESIST THE PROPOSED AFFECTED CLASS RULE ON GROUNDS OF UNCLEAR AUTHORITY FOR ITS ENFORCEMENT; (3) OBSERVE DISCLOSURE DEVELOPMENTS WITH A VIEW TO PROTECTING AFFIRMATIVE ACTION PLAN DOCUMENTS FROM DISCOVERY OR FREEDOM OF INFORMATION ACT REQUESTS; AND (4) PREPARE TO CHALLENGE COMPLIANCE AGENCY ATTEMPTS TO UNDERTAKE ENFORCEMENT ACTIONS WITHOUT HEARINGS REQUIRED BY DUE PROCESS.

22. **S. S. KNACK, T. R. WATSON, P. O. REYNOLDS, and R. MACIAS. MAKING CIVIL RIGHTS SENSE OUT OF REVENUE SHARING DOLLARS.** US COMMISSION ON CIVIL RIGHTS, 1121 VERMONT AVENUE, NW, WASHINGTON DC 20425. 143 p. 1975. NCJ-58358

THE PURPOSE OF THIS REPORT IS TO STIMULATE PUBLIC INTEREST AND PARTICIPATION IN REVENUE SHARING PROGRAMS, PARTICULARLY AMONG THOSE CONCERNED WITH THE RIGHTS OF MINORITIES AND WOMEN. THE PRIMARY GOAL OF REVENUE SHARING IS TO RESTORE STRENGTH AND VIGOR TO STATE AND LOCAL GOVERNMENTS. FEDERAL FINANCIAL RESOURCES ARE PROVIDED SO THAT STATE AND LOCAL OFFICIALS CAN EXERCISE GREATER LEADERSHIP IN SOLVING THEIR OWN PROBLEMS. REVENUE SHARING WILL NOT ACCOMPLISH ITS GOALS, HOWEVER, AS LONG AS THE PEOPLE ARE NOT INVOLVED IN DECIDING HOW THESE FUNDS WILL BE SPENT. IN THIS REPORT, THE U.S. COM-

MISSION ON CIVIL RIGHTS DESCRIBES HOW REVENUE SHARING WORKS, EXAMINES ITS CIVIL RIGHTS IMPLICATIONS, AND SUGGESTS WAYS IN WHICH LOCAL CITIZENS CAN MONITOR OR INFLUENCE THE USE OF REVENUE SHARING FUNDS. GENERAL AND SPECIAL REVENUE SHARING CONCERNS ARE COVERED, INCLUDING THE ALLOCATION FORMULA, SPENDING LIMITATIONS AND THE USES OF REVENUE SHARING, PUBLIC ACCOUNTABILITY, CIVIL RIGHTS PROVISIONS, MANPOWER REVENUE SHARING, AND OTHER SPECIAL REVENUE SHARING PROPOSALS. TABULAR DATA AND A SUMMARY ARE PROVIDED. APPENDED MATERIALS INCLUDE THE STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972, RULES AND REGULATIONS FOR FISCAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS, ORGANIZATIONS INVOLVED IN REVENUE SHARING ACTIVITIES, AND A BIBLIOGRAPHY.

Supplemental Notes: US COMMISSION ON CIVIL RIGHTS CLEARINGHOUSE PUBLICATION.

23. **F. A. KOESTLER. JOBS FOR HANDICAPPED PERSONS—A NEW ERA IN CIVIL RIGHTS.** PUBLIC AFFAIRS COMMITTEE, INC, 381 PARK AVENUE SOUTH, NEW YORK NY 10016. 32 p. 1978. NCJ-82848

AN OVERVIEW OF DEVELOPMENTS LEADING TO GREATER EMPLOYMENT OPPORTUNITIES FOR HANDICAPPED PERSONS IS PRESENTED IN A PAMPHLET PUBLISHED BY A NONPROFIT PUBLIC EDUCATION ORGANIZATION. THE PAMPHLET REVIEWS THE STATUS OF FEDERAL LAWS AND REGULATIONS PERTAINING TO THE RIGHTS OF THE HANDICAPPED, PARTICULARLY AS THOSE RIGHTS AFFECT EMPLOYMENT OPPORTUNITIES. EFFORTS BY THE HANDICAPPED TO COMBAT DISCRIMINATION AND TO ACHIEVE AFFIRMATIVE ACTION ARE DESCRIBED, AS ARE THE COMPONENTS OF AFFIRMATIVE ACTION MEASURES FOR THE HANDICAPPED (REMOVAL OF ARCHITECTURAL BARRIERS, REASONABLE ACCOMMODATIONS TO THE NEEDS OF HANDICAPPED STUDENTS AND EMPLOYEES, INITIATION OF POSITIVE STEPS TO RECRUIT, TRAIN, HIRE, AND PROMOTE QUALIFIED HANDICAPPED WORKERS). THE FINDINGS OF A 1973 STUDY THAT EXPOSED SEVERAL MYTHS ABOUT THE EXPENSES INVOLVED IN EMPLOYING HANDICAPPED PERSONS ARE SUMMARIZED. EFFORTS BY THE FEDERAL GOVERNMENT, EDUCATIONAL INSTITUTIONS, INDUSTRIES, AND LABOR ORGANIZATIONS TO ENHANCE EMPLOYMENT OPPORTUNITIES FOR HANDICAPPED PERSONS ARE DESCRIBED, AS ARE TECHNOLOGICAL ADVANCES THAT HAVE BROADENED JOB OPPORTUNITIES FOR PERSONS WHO ARE PARALYZED, BLIND, OR DEAF. PARTICULAR ATTENTION IS DIRECTED TO THE 'INVISIBLE BARRIER'—THE SOCIETAL ATTITUDE THAT ACCORDS HANDICAPPED PERSONS PITY INSTEAD OF EQUITY, CHARITY INSTEAD OF OPPORTUNITY, AND INDULGENCE INSTEAD OF ACCOUNTABILITY. CHANNELS THROUGH WHICH HANDICAPPED PERSONS CAN FILE COMPLAINTS ABOUT DISCRIMINATION ARE IDENTIFIED, TOGETHER WITH SOURCES OF ADDITIONAL INFORMATION.

Supplemental Notes: PUBLIC AFFAIRS PAMPHLET NO 557.

Availability: PUBLIC AFFAIRS COMMITTEE, INC, 381 PARK AVENUE SOUTH, NEW YORK NY 10016. (Pamphlet)

24. **R. LABERGE. UNEMPLOYED AND OVER FORTY—THE NEW MINORITY.** CANADA DEPARTMENT OF LABOR, 340 LAURIER W, OTTAWA, ONTARIO, CANADA K1A 0J2. *LABOUR GAZETTE*, V 77 (FEBRUARY 1977), P 54-58. NCJ-82801

THIS CANADIAN ARTICLE STATES THAT UNEMPLOYED PEOPLE OVER 45 CAN COUNT ON WAITING FOUR TIMES AS LONG FOR A NEW JOB AS WORKERS UNDER 20. RELUCTANCE BY EMPLOYERS IN CANADA TO HIRE PEOPLE OVER 40 AND UNDER 65 YEARS OF AGE HAS RESULTED IN A NEW SOCIAL MINORITY. THERE HAS ALSO BEEN LITTLE RESEARCH DONE ON THIS GROWING PROBLEM. ENACTING LEGISLATION IS NOT SUFFICIENT TO END THE PROBLEM. DISCRIMINATION BASED ON AGE IS FREQUENTLY DIFFICULT TO PROVE. STEREOTYPES STILL ABOUND ABOUT OLDER WORKERS. THEY ARE SAID TO BE LESS PRODUCTIVE, FREQUENTLY ABSENT, INFLEXIBLE, LACKING JOB SKILLS, AND IN-

VOLVED IN MORE ACCIDENTS. PENSION PLANS, BY THEIR VERY ECONOMICS, ALSO DISCRIMINATE AGAINST THE HIRING OF OLDER WORKERS. FORTY-PLUS OF CANADA, AN EMPLOYMENT AND COUNSELING AGENCY THAT IN 1971 FOUND NEW CAREERS FOR MORE THAN 700 EXECUTIVES OVER 40 YEARS OLD, IS DESCRIBED. THIS ORGANIZATION IS UNDERTAKING A MAJOR RESEARCH PROJECT ON THE ABILITY OF EXECUTIVES OVER 40 TO ADAPT TO CHANGE. THE HEAD OF THE PROJECT STATES THAT LITTLE EMPIRICAL DATA EXIST ABOUT MIDDLE-AGED PEOPLE. PRELIMINARY FINDINGS INDICATE THAT ABILITY TO ADAPT IS NOT NECESSARILY LINKED TO CHRONOLOGICAL AGE BUT TO OTHER FACTORS. FINALLY, THE ARTICLE CITES ADVANTAGES THAT THE OLDER WORKER CAN BRING TO A JOB; I.E., MORE STABILITY AND DEPENDABILITY, LOWER JOB TURNOVER. SPECIFIC JOB-HUNTING TACTICS FOR OVER-40 JOB SEEKERS ARE GIVEN.

- 25. K. LEM. ASIAN AMERICAN EMPLOYMENT—FROM OUTRIGHT EXCLUSION TO MODERN DISCRIMINATION.** US COMMISSION ON CIVIL RIGHTS, 1121 VERMONT AVENUE, NW, WASHINGTON DC 20425. *CIVIL RIGHTS DIGEST*, V 9 (FALL 1976), P 12-21. NCJ-59123

EMPLOYMENT PROBLEMS FACED BY THE THREE LARGEST SUBGROUPS OF ASIAN AMERICANS—THE JAPANESE, CHINESE, AND FILIPINOS—ARE REPORTED. THESE MINORITIES ARE BOTH UNDERREPRESENTED IN MANAGEMENT JOBS AND UNDEREMPLOYED. ASIAN AMERICANS REMAIN FOR THE MOST PART INELIGIBLE FOR INCLUSION IN SPECIFIC AFFIRMATIVE RECRUITMENT PROGRAMS. DUE TO THE INADEQUACY OF THE 1970 CENSUS FIGURES UPON WHICH UNEMPLOYMENT RATES FOR ASIAN AMERICANS ARE CALCULATED, IT IS DIFFICULT TO ASSESS THE UNEMPLOYMENT LEVEL OF ASIAN AMERICANS. THIS URBAN ASSOCIATES, INC. STUDY FOUND GRAVE UNDEREMPLOYMENT IN THESE GROUPS, AS WELL AS A LACK OF VISIBILITY AT DECISION-MAKING LEVELS AND IN UPWARD MOBILITY IN GENERAL, AND LOWER SALARIES THAN WHITE COUNTERPARTS. CURRENT EMPLOYMENT PROBLEMS OF ASIAN AMERICANS ARE (1) THE STEREOTYPED IMAGE GIVEN THEM BY WHITE SOCIETY, (2) THE SEEMING INABILITY TO BREAK THROUGH LESS TRADITIONAL FIELDS SUCH AS THEATER ARTS, AND (3) THE LANGUAGE PROBLEMS OF RECENT IMMIGRANTS. MOST ASIAN AMERICANS INTERVIEWED CONCEDED THAT THEIR JOB POSITION WAS BETTER THAN THAT OF BLACK AMERICANS, BUT MAINTAINED BLACKS WERE MORE VISIBLE THAN ASIANS IN HIGH-LEVEL JOBS AND IN THE WORLD OF SPORTS, MUSIC, THEATER, AND FILMS. SOME BELIEVED THAT, ALTHOUGH MINORITY HIRING PROGRAMS ARE HELPFUL, MOST PERSONS HIRED UNDER SUCH PROGRAMS WERE BLACKS AND HISPANICS. HOWEVER, VARIOUS ASIAN AMERICAN PRESSURE GROUPS RECENTLY HAVE EMERGED TO FIGHT FOR ASIAN AMERICAN EQUAL EMPLOYMENT OPPORTUNITIES. THE ARTICLE IS ILLUSTRATED WITH PHOTOGRAPHS.

- 26. M. J. LEVINE. MEETING COMPLIANCE REVIEW STANDARDS—THE PROBLEM OF FEDERAL CONTRACTORS.** COMMERCE CLEARINGHOUSE, INC., 4025 WEST PETERSON AVENUE, CHICAGO IL 60646. *LABOR LAW JOURNAL*, V 28, N 10 (OCTOBER 1977), P 832-840. NCJ-58983

STEPS IN A COMPLIANCE REVIEW CONDUCTED BY THE OFFICE OF FEDERAL CONTRACT COMPLIANCE (OFCC) AND MEASURES EMPLOYERS CAN TAKE TO CONFORM TO THE PROCEDURAL REQUIREMENTS ARE DETAILED. FEDERAL CONTRACTING AGENCIES ARE REQUIRED TO CONDUCT VARIOUS TYPES OF COMPLIANCE REVIEWS TO DETERMINE IF GOVERNMENT CONTRACTORS AND SUBCONTRACTORS ARE NONDISCRIMINATORY IN THEIR HIRING AND EMPLOYMENT PRACTICES AND POLICIES. THE POWER OF ENFORCEMENT UNDER EXECUTIVE ORDER 11246 IS A GOVERNMENT AGENCY'S AUTHORITY TO REVOKE A CONTRACT OR DENY GOVERNMENT BUSINESS FOR FUTURE CONTRACTS. VARIOUS TYPES OF REVIEWS CONDUCTED BY CONTRACT COMPLIANCE AGENCIES ARE DISCUSSED: REGULAR PERIODIC COMPLIANCE REVIEWS, PREAWARD REVIEWS, FOLLOWUP REVIEWS, OR A CORPORATEWIDE REVIEW. COMPLIANCE REVIEW PROCEDURES ARE

THEN DETAILED. THIS REVIEW BEGINS WITH A COMMUNITY SURVEY, THEN A VISIT TO THE JOBSITE, AND A DISCUSSION OF THE CONTRACTOR'S EQUAL EMPLOYMENT OPPORTUNITY POSTURE AND RECENT AFFIRMATIVE ACTION EFFORTS. A COMPLIANCE OFFICER IS ALSO EXPECTED TO DO A TOTAL ANALYSIS OF THE ENTIRE WORK FORCE AND IDENTIFY THE COMPLIANCE PROBLEMS FOUND. WHEN A DEFICIENCY IS FOUND, THE COMPLIANCE OFFICER HAS AN OBLIGATION TO ATTEMPT TO RESOLVE IT WITHIN THE FRAMEWORK OF FEDERAL CONTRACT REQUIREMENTS WITH THE CONTRACTORS. IF THIS FAILS, AND THE CONTRACTOR IS FOUND TO BE DISCRIMINATING, THE AGENCY CAN PROCEED TO A HEARING IF OFCC AGREES. A CONTRACTOR CAN OBTAIN OFCC APPROVAL OF CHANGES PROPOSED IN COLLECTIVE BARGAINING AGREEMENTS TO ASSURE THAT EEO REQUIREMENTS ARE BEING MET. THE CONTRACTOR ALSO HAS THE RIGHT TO REQUEST A HEARING BEFORE PENALTIES ARE IMPOSED. HOWEVER, OFCC DOES NOT GO TO HEARING WITHOUT FIRST MAKING A VIGOROUS ATTEMPT AT CONCILIATION. THIS REPORT LISTS THE TYPES OF QUESTIONS EMPLOYERS ARE LIKELY TO BE ASKED DURING A COMPLIANCE REVIEW, STRATEGY THE EMPLOYER CAN USE DURING THE REVIEW TO DILUTE THE STRINGENCY OF COMPLIANCE REQUIREMENTS; AND REMEDIAL ACTIONS THAT CAN BE TAKEN TO MEET EEO OR OFCC REQUIREMENTS. COMPANIES SHOULD INTEGRATE THE INFORMATION THEY POSSESS ABOUT EMPLOYEES' QUALIFICATIONS BEFORE THE COMPLIANCE REVIEW THROUGH A 'CAREER LADDER' APPROACH OR A COMPUTER-BASED SKILLS INVENTORY.

- 27. D. B. LIPSKY, Ed. EVALUATING THE IMPACT OF AFFIRMATIVE ACTION—A LOOK AT THE FEDERAL CONTRACT COMPLIANCE PROGRAM—A SYMPOSIUM.** CORNELL UNIVERSITY NEW YORK STATE SCHOOL OF INDUSTRIAL AND LABOR RELATIONS INSTITUTE OF PUBLIC EMPLOYMENT, ITHACA NY 14853. *INDUSTRIAL AND LABOR RELATIONS REVIEW*, V 29, N 4 (JULY 1976), P 485-584. NCJ-60975

THE IMPACT OF THE AFFIRMATIVE ACTION PROGRAM (AAP) IS EVALUATED IN TERMS OF THE EFFECTIVENESS OF THE FEDERAL CONTRACT COMPLIANCE PROGRAM (FCCP) THROUGH FIVE PAPERS PRESENTED AT THE ITHACA, N.Y., EVALUATION CONFERENCE. THE FIRST AUTHOR ESTIMATES THE POTENTIAL IMPACT OF THE FCCP BY CALCULATING THE POTENTIAL FOR REDUCING RACIAL WAGE DIFFERENTIALS BY ELIMINATING VARIOUS SOURCES OF THE DIFFERENTIALS. THE SECOND AUTHOR EXAMINES THE IMPLICATIONS OF AN ECONOMYWIDE AAP UNDER A NUMBER OF ALTERNATIVE SPECIFICATIONS AND THE WAY FIRMS MIGHT REACT TO THEM. THE RESULTS FROM THE FIRST STUDY OF THE EMPIRICAL ESTIMATES OF POTENTIAL IMPACT FOR THE 'FULL COVERAGE' CASE ARE IN LINE WITH THE SECOND. HOWEVER, THE SECOND PAPER ASSERTS THAT A RIGIDLY ENFORCED SYSTEM OF QUOTAS MAY HAVE IMPORTANT SECONDARY EFFECTS: (1) IF SKILL BUMPING IS NOT LEGALLY PERMITTED THERE WILL BE FAIRLY SERIOUS PROBLEMS IN ALLOCATING WORKERS FOR THE AAP, BECAUSE A SIGNIFICANT FRACTION OF SKILLED MAJORITY WORKERS WILL NOT BE FULLY UTILIZED; (2) IF REVERSE DISCRIMINATION IS LEGALLY AND INSTITUTIONALLY PERMISSIBLE, THE AAP MAY RESULT IN A REVERSAL OF INCOME DIFFERENTIALS BETWEEN MAJORITY AND MINORITY WORKERS; AND (3) IT IS LIKELY THAT THE AAP WOULD LOWER THE INCENTIVES TO ACCUMULATE HIGHER LEVELS OF SKILL FOR MINORITY WORKERS BUT RAISE THE INCENTIVES FOR MAJORITY WORKERS. IN THE THIRD STUDY, MICRO DATA ON 74,563 INDIVIDUAL ESTABLISHMENTS WERE USED TO DETERMINE WHETHER THE CHANGE IN THE RELATIVE ECONOMIC POSITION OF 5 SEPARATE RACE-SEX GROUPS OVER THE 1970-72 PERIOD WAS DIFFERENT FOR FIRMS WITH AND WITHOUT GOVERNMENT CONTRACTS, AND FOR PLANTS SUBJECTED TO A COMPLIANCE REVIEW AND THOSE THAT WERE NOT. SOME EVIDENCE WAS FOUND TO SUGGEST THAT THE IMPACT OF THE FCCP ON THE CHANGE IN THE RELATIVE ECONOMIC POSITION OF BLACK WORKERS WAS SMALLER

EQUAL EMPLOYMENT OPPORTUNITY

DURING THE 1970-72 PERIOD THAN DURING EARLIER PERIODS. THE FOURTH STUDY FOUND THAT IN USING A CAREFUL TREATMENT OF SERIAL CORRELATION AND A FINE GEOGRAPHICAL DISAGGREGATION OF THE SAMPLE, THE STRONGEST CONTRACT PROGRAM EFFECTS WERE DISCOVERED FOR BLACK MALES. THE FINAL STUDY, A PROCESS EVALUATION OF THE FOCIP IN INDUSTRY SHOWS SOME PROGRAM INITIATIVES UNDERTAKEN TO COUNTERACT PROBLEMS: (1) A PROGRAM PLAN FOR THE FISCAL YEAR; (2) NEW OR REVISED REGULATIONS ON AFFECTED-CLASS STATUS, BACK-PAY RELIEF, AND TESTING AND SELECTION; (3) ADDITIONAL GUIDELINES; (4) AN AUDIT AND FEASIBILITY STUDIES; AND (5) INTERAGENCY COOPERATION. SOME FOOTNOTES ARE PROVIDED.

Supplemental Notes: CONFERENCE HELD IN ITHACA (NY), MAY 8, 9, 1975.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106.

28. H. T. LUDLOW. FIRST COME, FIRST SERVED, AND SOME OTHER PROBLEMS OF MANPOWER POLICY-MAKING. CONFERENCE BOARD INFORMATION SERVICE, 845 THIRD AVENUE, NEW YORK NY 10022. CONFERENCE BOARD RECORD, V 12 (AUGUST 1975), P 50-55. NCJ-55842

MANPOWER ISSUES CONSIDERED BY PARTICIPANTS IN A MAY 1975 MEETING OF BUSINESS REPRESENTATIVES CONCERNED WITH HUMAN RESOURCE UTILIZATION ARE DISCUSSED. QUOTING GOVERNMENT OFFICIALS, BUSINESS EXECUTIVES, AND OTHERS WHO SPOKE AT THE MEETING, THE DISCUSSION FOCUSES ON THE PROBLEM OF RECESSION-INDUCED CUTBACKS IN THE WORK FORCE, WHICH HIT MINORITIES, WOMEN, AND YOUTHS THE HARDEST AND THREATENS TO OBLITERATE THE ACCOMPLISHMENTS OF THE EQUAL OPPORTUNITY COMMISSION AND OTHER FEDERAL COMPLIANCE AGENCIES. WHEN A UNIONIZED COMPANY MUST LAYOFF EMPLOYEES, THE FIRST TO GO ARE THOSE WITH THE LEAST SENIORITY, USUALLY MINORITIES, WOMEN, AND YOUTHS. ONE COMPANY, RELUCTANT TO LAYOFF A LARGE PORTION OF ITS MINORITY WORKERS AND YET UNABLE TO SUSTAIN A FULL WORK FORCE, TURNED TO THE COURTS FOR ADJUDICATION OF THE MATTER. THE COURTS ADVISED THE COMPANY TO DIVIDE ITS EMPLOYEES INTO TWO GROUPS, BLACK AND WHITE, AND TO LAYOFF EQUAL NUMBERS FROM BOTH GROUPS ACCORDING TO SENIORITY WITHIN EACH. IN ADDITION TO THE DILEMMA BETWEEN SENIORITY AND EQUAL EMPLOYMENT OPPORTUNITY, THE DISCUSSION TOUCHES ON THE NEED TO RETHINK THE FUNCTION OF UNEMPLOYMENT INSURANCE (AND PERHAPS TO EXPAND COVERAGE TO INCLUDE EX-OFFENDERS, AS WELL AS NEW ENTRANTS TO THE WORK FORCE); FEDERAL MANPOWER POLICY AND THE POSSIBILITIES OF REVAMPING THE LITTLE-USED PUBLIC EMPLOYMENT SERVICE; THE PROBLEMS FACED BY EXECUTIVES WHO LOSE THEIR JOBS AND PLACEMENT RESOURCES AVAILABLE TO EXECUTIVES; THE FAILURE OF PUBLIC EDUCATION TO PREPARE STUDENTS TO ENTER THE LABOR FORCE; AND THE LONG-TERM CONSEQUENCES OF HIGH UNEMPLOYMENT RATES.

29. NEW YORK CITY COMMISSION ON HUMAN RIGHTS, 52 DUANE STREET, NEW YORK CITY NY 10007. CITY LAYOFFS—THE EFFECT ON MINORITIES AND WOMEN. 30 p. 1976. NCJ-55252

FROM 1974 TO 1975, NEW YORK CITY BUDGET CUTS REDUCED THE MUNICIPAL WORKFORCE BY 46,436 WORKERS (26.2 PERCENT). THE DISPROPORTIONATELY HIGH NUMBER OF HISPANICS, BLACKS, AND WOMEN LAID OFF HAS OFFSET EQUAL OPPORTUNITY QUOTAS. WHITES REPRESENTED 67 PERCENT OF THE WORKFORCE BUT ACCOUNTED FOR ONLY 52 PERCENT OF THE SEPARATIONS, WHILE MINORITIES REPRESENTED 32 PERCENT OF THE WORKFORCE BUT 43 PERCENT OF THE SEPARATIONS. SINCE THESE SEPARATION FIGURES ALSO INCLUDE RETIREMENTS AND RESIGNATIONS, THE IMPACT ON WHITES IS PROBABLY OVERESTIMATED AND THE BURDEN FELT BY MINORITIES UNDERESTIMATED. SINCE WHITE MALES GENERALLY HAVE MORE SENIORITY, THEY ACCOUNT FOR MOST OF THE RETIREMENTS. THEY

ALSO ARE MORE LIKELY TO LEAVE TO TAKE OTHER JOBS. HISPANIC WORKERS HAVE SUFFERED MOST FROM THE BUDGET CUTS WITH 51.2 PERCENT LOSING THEIR JOBS. BLACK EMPLOYEES LOST 35 PERCENT OF THEIR POSITIONS WHILE BLACK MALES SUFFERED A 40 PERCENT LOSS. OTHER MINORITIES WERE REDUCED 30 PERCENT. WOMEN MADE UP 28 PERCENT OF THE WORKFORCE, 33 PERCENT OF THE SEPARATIONS. THE THREE CATEGORIES IN WHICH MINORITIES AND WOMEN ARE MOST HEAVILY REPRESENTED—PARAPROFESSIONALS, CLERICALS, AND SERVICE AND MAINTENANCE WORKERS—MADE UP 52.6 PERCENT OF THE WORKFORCE BUT 73 PERCENT OF THE SEPARATIONS. AS THESE PEOPLE WERE IN TRAINING POSITIONS PROVIDING NEEDED SERVICES DIRECTLY TO THE PEOPLE OF THE CITY, THEIR LAYOFFS WERE A DOUBLE LOSS: THE WORKERS PROBABLY WENT BACK ON WELFARE AND THE SERVICES WERE NO LONGER PROVIDED. A POLICY OF STAFF REDUCTION THROUGH NATURAL ATTRITION IS URGED TO REDUCE THE IMPACT OF THESE LAYOFFS ON WOMEN AND MINORITIES. APPENDICES CONTAIN MEMOS TO THIS EFFECT.

Availability: NCJRS MICROFICHE PROGRAM.

30. J. M. NEWMAN. DISCRIMINATION IN RECRUITMENT—AN EMPIRICAL ANALYSIS. CORNELL UNIVERSITY NEW YORK STATE SCHOOL OF INDUSTRIAL AND LABOR RELATIONS INSTITUTE OF PUBLIC EMPLOYMENT, ITHACA NY 14853. INDUSTRIAL AND LABOR RELATIONS REVIEW, V 32, N 1 (OCTOBER 1978), P 15-23. NCJ-55122

POSSIBLE DISCRIMINATION IN RECRUITMENT IS INVESTIGATED IN THIS STUDY THAT ANALYZES VARIATIONS IN RESPONSES OF 207 COMPANIES TO UNSOLICITED RESUMES. THE STUDY FOCUSES EXCLUSIVELY ON DISCRIMINATION IN RECRUITMENT, A CRUCIAL STAGE IN THE EMPLOYMENT PROCESS. IT ASKS TWO QUESTIONS: (1) DO COMPANIES WITH AFFIRMATIVE ACTION PROGRAMS DISCRIMINATE AGAINST MINORITIES IN THEIR RECRUITMENT PRACTICES? (2) IS THERE ANY VALIDITY TO THE CLAIM THAT AFFIRMATIVE ACTION PRESSURES HAVE RESULTED IN REVERSE DISCRIMINATION? IN THIS STUDY QUALIFICATIONS AND RACE OF THE FICTITIOUS APPLICANTS WERE MANIPULATED ON RESUMES SENT TO A RANDOM SAMPLE OF COMPANIES WITH AFFIRMATIVE ACTION PROGRAMS. RESPONSE BY THE COMPANIES TO THESE RESUMES WERE THEN USED TO MEASURE THE IMPACT OF AFFIRMATIVE ACTION PROGRAMS ON THE RECRUITMENT OF MINORITIES. EACH OF THE 207 COMPANIES RECEIVED 2 RESUMES, ONE FROM A FICTITIOUS BLACK APPLICANT AND ONE FROM A FICTITIOUS WHITE. EACH APPLICANT WAS PORTRAYED AS APPROXIMATELY 23 YEARS OLD, WITH FULL-TIME WORK EXPERIENCE AND UNDERGRADUATE BUSINESS ADMINISTRATION PROGRAM ENROLLMENT. FOUR FACTORS WERE MANIPULATED TO ASSESS THE EXTENT AND NATURE OF RECRUITMENT: RACE, GEOGRAPHIC REGION, COMPANY SIZE, AND APPLICANT QUALIFICATIONS. ANALYSIS OF THE DATA INDICATED THAT BLACK APPLICANTS WERE FAVORED SLIGHTLY MORE OFTEN THAN WHITES. DIFFERENCES WERE MORE PRONOUNCED IN LARGE COMPANIES. CONTRARY TO EXPECTATIONS, GEOGRAPHIC LOCATIONS OF COMPANIES DID NOT ACCOUNT FOR ANY VARIATION IN RESPONSES TO THE TWO RESUMES. (AUTHOR ABSTRACT MODIFIED)

31. J. P. NORTHRUP. OLD AGE, HANDICAPPED AND VIETNAM-ERA ANTIDISCRIMINATION LEGISLATION. UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT, VANCE HALL / CS, PHILADELPHIA PA 19104. 250 p. 1977. NCJ-55550

FEDERAL LAWS ON EQUAL EMPLOYMENT OPPORTUNITIES FOR ELDERLY PERSONS, HANDICAPPED PERSONS, AND DISABLED AND VIETNAM-ERA VETERANS ARE EXAMINED, WITH EMPHASIS ON THE LAWS' APPLICATION AND IMPACT. THE 15TH IN A SERIES ON LABOR-MANAGEMENT ISSUES PRODUCED BY THE INDUSTRIAL RESEARCH UNIT OF THE WHARTON SCHOOL, UNIVERSITY OF PENNSYLVANIA, THE MONOGRAPH SYNTHESIZES BACKGROUND INFORMATION, CASE LAW, AND COMMENTARY PERTAINING TO THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1977, WHICH

MAKES IT ILLEGAL FOR EMPLOYERS TO DISCRIMINATE ON THE BASIS OF AGE; THE REHABILITATION ACT OF 1973, WHICH REQUIRES FEDERAL CONTRACTORS TO TAKE AFFIRMATIVE ACTION IN HIRING HANDICAPPED PERSONS; AND THE VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1974, WHICH SETS FORTH AFFIRMATIVE ACTION REQUIREMENTS FOR HIRING VETERANS. SEPARATE SECTIONS EXAMINE THE BACKGROUND, ENFORCEMENT MECHANISMS, AND IMPACT OF EACH LAW, TOGETHER WITH RELATED COURT DECISIONS AND PROCEDURAL ISSUES. EMPHASIS IS PLACED ON HOW THE LAWS HAVE BEEN APPLIED IN PRACTICE, ON QUESTIONS OF PUBLIC POLICY, AND ON THE EXPERIENCES OF EMPLOYERS IN COMPLYING WITH THE LAWS. PARTICULAR ATTENTION IS DIRECTED TO THE ISSUE OF MANDATORY RETIREMENT, THE SCOPE OF COVERAGE OF THE REHABILITATION ACT, THAT LAW'S IMPACT ON PHYSICAL EXAMINATIONS AND OTHER EMPLOYMENT SCREENING DEVICES, THE LIMITED NEED FOR THE VIETNAM-ERA VETERANS LAW, THE COSTS INVOLVED IN ENFORCING THE LAWS, AND AGENCY OVERLAP IN THE ADMINISTRATION OF FEDERAL ANTIDISCRIMINATION LAWS. THE WISDOM OF ASSUMING THAT INEQUALITY IN EMPLOYMENT OPPORTUNITIES IS MERELY A MATTER OF FAILED ENFORCEMENT IS QUESTIONED. THE POSSIBILITY OF FOCUSING PUBLIC POLICY ON THE CREATION OF REAL OPPORTUNITIES FOR DISADVANTAGED GROUPS, RATHER THAN ON THE EXPANSION OF LEGAL BOUNDARIES, IS RAISED. APPENDED MATERIALS INCLUDE COPIES OF THE LAWS AND SUMMARIES OF THE STATUS OF STATE LAWS PERTAINING TO AGE DISCRIMINATION AND THE HANDICAPPED. SUBJECT AND CASE INDEXES ARE PROVIDED. SEE NCJ-59551 FOR A SUPPLEMENT.

Supplemental Notes: LABOR RELATIONS AND PUBLIC POLICY SERIES.

Sponsoring Agencies: PEW MEMORIAL TRUST, 1569 WALNUT STREET, PHILADELPHIA PA 19102; GENERAL ELECTRIC FOUNDATION, 1285 BOSTON AVENUE, BRIDGEPORT CT 06602; UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT RESEARCH ADVISORY GROUP, VANCE HALL / CS, PHILADELPHIA, PA 19104.

Availability: UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT, VANCE HALL / CS, PHILADELPHIA PA 19104.

32. J. P. NORTHRUP. OLD AGE, HANDICAPPED AND VIETNAM-ERA ANTIDISCRIMINATION LEGISLATION—SUPPLEMENT. UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT, VANCE HALL / CS, PHILADELPHIA PA 19104. 100 p. 1978.

NCJ-59551

A FEDERAL LAW PROHIBITING COMPULSORY RETIREMENT FOR MOST EMPLOYEES PRIOR TO AGE 70 IS EXAMINED, TOGETHER WITH DEVELOPMENTS IN THE ENFORCEMENT OF LAWS PERTAINING TO AFFIRMATIVE ACTION FOR THE HANDICAPPED AND VETERANS. THE DOCUMENT IS A SUPPLEMENT TO A MONOGRAPH ON FEDERAL LAWS PROHIBITING AGE DISCRIMINATION IN EMPLOYMENT AND REQUIRING FEDERAL CONTRACTORS TO TAKE AFFIRMATIVE ACTION IN HIRING HANDICAPPED PERSONS AND DISABLED AND VIETNAM-ERA VETERANS (SEE NCJ-59550). AMENDMENTS TO THE AGE DISCRIMINATION IN EMPLOYMENT ACT WHICH CHANGE THE AGE LIMIT FOR MANDATORY RETIREMENT FROM 65 TO 70 AND ADD NEW PROCEDURAL REQUIREMENTS FOR THE PROCESSING OF DISCRIMINATION CLAIMS ARE ANALYZED. THE PROVISIONS OF THE AMENDMENTS, RELATED PROCEDURAL ISSUES, AND THE POTENTIAL IMPACT OF THE AMENDMENTS ON EMPLOYEE BENEFIT PLANS AND PERFORMANCE EVALUATION ARE DISCUSSED, WITH DETAILED ATTENTION TO IMPACT ON PENSION PLANS, DEATH BENEFIT PLANS, LONG-TERM DISABILITY, AND MEDICAL BENEFIT PLANS. THE SUPPLEMENT ALSO REVIEWS CHANGES IN THE ENFORCEMENT OF THE REHABILITATION ACT OF 1973 (AFFIRMATIVE ACTION FOR HANDICAPPED PERSONS) AND THE VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1974 (AFFIRMATIVE ACTION FOR DISABLED AND VIETNAM-ERA VETERANS) NOTING THAT THE OFFICE OF FEDERAL CONTRACT COMPLIANCE (OFCC) HAS COM-

BINED THE TWO LAWS IN ONE ENFORCEMENT EFFORT AND HAS ADOPTED A PROACTIVE STRATEGY OF COMPLIANCE REVIEWS. ATTENTION IS ALSO DIRECTED TO CASES THAT MAY EFFECT THE DEFINITION OF 'HANDICAPPED' AND 'REASONABLE ACCOMMODATION' UNDER THESE LAWS. A COPY OF THE MANDATORY RETIREMENT AMENDMENTS, WORK FORCE STATISTICS, AN OUTLINE OF OFCC COMPLIANCE PROCEDURES AND OTHER SUPPORTING MATERIALS ARE INCLUDED.

Supplemental Notes: SUPPLEMENT TO LABOR RELATIONS AND PUBLIC POLICY SERIES NO 14.

Sponsoring Agency: PEW MEMORIAL TRUST, 1569 WALNUT STREET, PHILADELPHIA PA 19102.

Availability: UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT, VANCE HALL / CS, PHILADELPHIA PA 19104.

33. G. PATI and C. W. REILLY. REVERSING DISCRIMINATION—A PERSPECTIVE. COMMERCE CLEARINGHOUSE, INC. 4025 WEST PETERSON AVENUE, CHICAGO IL 60646. HUMAN RESOURCE MANAGEMENT, V 16 (WINTER 1977), P 25-31. NCJ-59127

THE REVERSE DISCRIMINATION DEBATE IS EXPLORED WITH RESPECT TO WHY IT EMERGED, WHAT CAN BE DONE ABOUT IT, AND HOW IT CAN BE USED TO STRENGTHEN CIVIL RIGHTS. IMPROPER IMPLEMENTATION OF THE AFFIRMATIVE ACTION PROGRAM (AAP) HAS IN THE PAST SEVERAL YEARS CONTRIBUTED TO THE GROWTH OF REVERSE DISCRIMINATION. DISCRIMINATION HAS BEEN PERPETUATED BECAUSE COMPETENT AND TALENTED MANPOWER HAS BEEN LACKING TO ENFORCE PROPERLY THE ANTIDISCRIMINATION LAWS. LEGISLATIVE AND EXECUTIVE ORDERS WITHOUT APPROPRIATE BUDGET AND ENFORCEMENT MECHANISM IS SEEN AS MERE VERBIAGE. THE AAP MUST IMPROVE ITS MANAGEMENT STRUCTURE AND CLIMATE TO VALIDATE ITS HUMAN RESOURCE PROCUREMENT, DEVELOPMENT, AND UTILIZATION SYSTEMS. ONLY BY FULLY IMPLEMENTING ITS ANTIDISCRIMINATION POLICY AT ALL LEVELS OF MANAGEMENT CAN IT BE EFFECTIVE. DISCUSSED ARE THE REASONS LEADING TO THE REVERSE DISCRIMINATION ISSUE, COURT INTERPRETATIONS AND THE COMPLIANCE AGENCY'S POSTURES ABOUT THE ISSUE. A SECTION IS DEVOTED TO THE WEAKNESSES OF BUSINESS MANAGEMENT THAT HAVE LED TO THE PROBLEM. FOUR AREAS OF WEAKNESS ARE CITED: (1) OVERREACTION AND FEAR, (2) UNPLANNED PROMOTION, (3) PERFORMANCE EVALUATIONS, AND (4) SUPERVISORY STYLE. IN ALL FOUR OF THESE AREAS AN ORGANIZATION CAN ACT IN A WAY THAT CAN CONTRIBUTE TO THE GROWTH OF REVERSE DISCRIMINATION AND THEREBY PERPETUATE DISCRIMINATION.

34. J. C. READ. EQUAL EMPLOYMENT OPPORTUNITY UNDER FEDERAL CONTRACTS. COMMERCE CLEARINGHOUSE, INC. 4025 WEST PETERSON AVENUE, CHICAGO IL 60646. LABOR LAW JOURNAL, V 28, N 1 (JANUARY 1977), P 3-12. NCJ-58948

CHANGES IN REGULATIONS AND ORGANIZATION PROPOSED IN 1976 BY THE OFFICE OF FEDERAL CONTRACTS COMPLIANCE PROGRAMS (OFCCP) TO IMPROVE ITS EFFORTS TO REDUCE EMPLOYMENT DISCRIMINATION BY FEDERAL CONTRACTORS ARE DESCRIBED. THE OFCCP IS THE U.S. DEPARTMENT OF LABOR DIVISION RESPONSIBLE FOR OVERSEEING A NUMBER OF AGENCIES THAT IMPLEMENT AN EXECUTIVE ORDER REQUIRING FEDERAL CONTRACTORS TO PROVIDE EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. FOLLOWING A COMPREHENSIVE REVIEW OF ITS ACTIVITIES, THE OFCCP PROPOSED SEVERAL NEW REGULATIONS DESIGNED TO FOCUS GOVERNMENT RESOURCES ON AREAS IN WHICH THE GREATEST EMPLOYMENT OPPORTUNITIES FOR WOMEN AND MINORITIES EXIST AND DISCRIMINATION IS MOST LIKELY TO OCCUR. THE PROPOSED REGULATIONS CALLED FOR CHANGES IN THE FOLLOWING AREAS: (1) THE BASE OF COVERAGE (I.E., NUMBER OF EMPLOYEES AND SIZE OF CONTRACT) FOR THE REQUIREMENT OF A WRITTEN AFFIRMATIVE ACTION PLAN; (2) ESTABLISHMENT OF GOALS AND TIMETABLES FOR PREPARING SUCH PLANS, (3) EVALUATION OF AF-

EQUAL EMPLOYMENT OPPORTUNITY

FIRMATIVE ACTION PROGRAMS, (4) PREAWARD COMPLIANCE REVIEWS, AND (5) ENFORCEMENT AND SANCTION PROCEDURES. OVERALL, THE PROPOSED CHANGES WERE INTENDED TO REDIRECT GOVERNMENT ENFORCEMENT EFFORTS AWAY FROM COMPLIANCE WITH PROCEDURAL REQUIREMENTS, TOWARD COMPLIANCE IN FACT WITH THE EXECUTIVE ORDER AND WITH THE PRINCIPLES OF EQUAL EMPLOYMENT OPPORTUNITY. IN ADDITION TO THE REGULATIONS, THE OFCCP PROPOSED TO CONSOLIDATE THE RESPONSIBILITIES (AND REDUCE THE NUMBER) OF DIFFERENT COMPLIANCE AGENCIES, THEREBY REMOVING A MAJOR HANDICAP TO THE OFCCP'S ABILITY TO MANAGE AND MONITOR COMPLIANCE AGENCY ENFORCEMENT PROGRAMS. THE CONSOLIDATION WAS TO HAVE GONE INTO EFFECT IN OCTOBER 1977.

Supplemental Notes: FROM TESTIMONY BEFORE THE EQUAL OPPORTUNITIES SUBCOMMITTEE OF THE HOUSE EDUCATION AND LABOR COMMITTEE, NOVEMBER 10, 1976.

35. **D. H. ROSENBLUM. FEDERAL EQUAL EMPLOYMENT OPPORTUNITY—POLITICS AND PUBLIC PERSONNEL ADMINISTRATION.** PRAEGER PUBLISHERS C/O HOLT, RINEHART, WINSTON, 383 MADISON AVENUE, NEW YORK NY 10017. 198 p. 1977. **NCJ-58851**

THIS ANALYSIS OF EQUAL EMPLOYMENT OPPORTUNITY (EEO) IN THE FEDERAL BUREAUCRACY FOCUSES ON THE CONTEST BETWEEN THOSE SEEKING TO MAINTAIN THE TRADITIONAL MERIT SYSTEM AND THOSE SEEKING A MORE REPRESENTATIVE FEDERAL SERVICE. THE ANALYSIS ENCOMPASSES THE SOCIAL COMPOSITION OF THE FEDERAL WORK FORCE IN THE LATE 1960'S AND EARLY 1970'S; THE COMPETING PRINCIPLES OF MERIT AND SOCIAL AND POLITICAL REPRESENTATIVENESS, WHICH HAVE BEEN USED IN DETERMINING HOW CIVIL SERVICE POSITIONS SHOULD BE DISTRIBUTED; THE HISTORY AND STRUCTURE OF THE FEDERAL EEO PROGRAM WITHIN THE CIVIL SERVICE COMMISSION; AND THE POLITICS OF FEDERAL EEO POLICY FORMULATION AND IMPLEMENTATION. THE PROMINENCE OF RACE AND SEX DISCRIMINATION AS FUNDAMENTAL FEATURES OF FEDERAL PERSONNEL ADMINISTRATION IN THE PAST ARE CITED AS REASONS BEHIND DISTRUST OF THE MERIT SYSTEM AMONG 'REPRESENTATIONISTS.' SUBSTANTIAL INROADS BY REPRESENTATIONISTS IN EEO POLICY AND ADMINISTRATION, PARTICULARLY IN THE AREA OF GOAL AND TIMETABLES FOR HIRING AND PROMOTING WOMEN AND MINORITIES, ARE DESCRIBED. THE ANALYSIS REVEALS THE EXTENT TO WHICH ORGANIZATIONAL AND ADMINISTRATIVE CHOICES ARE INTERTWINED WITH POLITICS IN THE FEDERAL EEO PROGRAM, AS WELL AS STRATEGIES USED BY AGENCIES TO TAKE ADVANTAGE OF THEIR CONTROL OVER EEO POLICY IMPLEMENTATION TO PROTECT THEIR OWN 'CULTURES' AND VALUES. IN ADDITION TO ADVANCING THE ARGUMENT THAT THE ORGANIZATIONAL POLITICS OF FEDERAL EEO POLICY WILL CONTINUE TO DOMINATE ITS CONTENT, THE ANALYSIS SHEDS LIGHT ON THE NATURE OF BUREAUCRATIC POLITICS IN THE FEDERAL GOVERNMENT. THE ANALYSIS CONCLUDES THAT REPRESENTATION—THE BELIEF THAT ALL SEGMENTS OF THE POPULATION SHOULD BE REPRESENTED IN THE FEDERAL WORK FORCE—WILL OCCUPY A KEY POSITION IN PUBLIC PERSONNEL ADMINISTRATION IN THE FUTURE. A BIBLIOGRAPHY AND SUPPORTING DATA ARE INCLUDED.

Supplemental Notes: PRAEGER SPECIAL STUDIES IN U S ECONOMIC, SOCIAL, AND POLITICAL ISSUES.

Availability: PRAEGER PUBLISHERS C/O HOLT, RINEHART, WINSTON, 383 MADISON AVENUE, NEW YORK NY 10017.

36. **J. W. SINGER. EQUAL EMPLOYMENT AGENCIES ARE BEGINNING TO SHAPE UP.** GOVERNMENT RESEARCH CORPORATION, 1730 M STREET, NW, WASHINGTON DC 20036. *NATIONAL JOURNAL*, V 10 (JANUARY 7, 1978), P 19-23. **NCJ-58843**

AN OVERVIEW OF CHANGES AT THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) AND THE OFFICE OF FEDERAL CONTRACT COMPLIANCE (OFCC) IN THE FIRST YEAR OF THE CARTER ADMINISTRATION IS PRESENTED. THE EEOC IS RESPON-

SIBLE FOR PROCESSING JOB DISCRIMINATION CHARGES, WHILE THE OFCC SUPERVISES 11 OTHER GOVERNMENT UNITS TO SEE THAT GOVERNMENT CONTRACTORS DO NOT ENGAGE IN JOB DISCRIMINATION. UNDER A CARTER REORGANIZATION PLAN, THE EEOC WOULD GRADUALLY BECOME THE FEDERAL SUPERAGENCY FOR EQUAL EMPLOYMENT, SUBSUMING THE OFCC AND TAKING OVER THE EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES OF OTHER AGENCIES THAT ENFORCE APPROXIMATELY 40 LAWS, EXECUTIVE ORDERS, AND REGULATIONS PERTAINING TO EQUAL EMPLOYMENT OPPORTUNITY. IN ADDITION TO THE REORGANIZATION, WHICH WAS TO HAVE BEEN PROPOSED BEFORE CONGRESS IN JANUARY 1978, CHANGES HAVE TAKEN PLACE WITHIN THE EEOC AND THE OFCC. THE MOST DRAMATIC CHANGES HAVE BEEN AT THE EEOC, WHERE THE CARTER-APPOINTED CHAIRPERSON INSTITUTED THE MOST FUNDAMENTAL INTERNAL REORGANIZATION IN THE AGENCY'S HISTORY 6 MONTHS AFTER SHE TOOK OFFICE. THE CHANGES WERE DESIGNED TO CLEAR THE AGENCY'S LARGE BACKLOG OF JOB DISCRIMINATION COMPLAINTS AND TO MAKE ITS COMPLAINT-HANDLING MECHANISM MORE EFFICIENT AND EFFECTIVE. THE NEW CHAIRPERSON ALSO HAS MADE PROGRESS TOWARD ESTABLISHING UNIFORM FEDERAL ANTIDISCRIMINATION GUIDELINES—STANDARDS FOR SELECTION PROCEDURES IN HIRING, PROMOTION, AND ALL OTHER EMPLOYMENT DECISIONS. ALSO UNDER NEW LEADERSHIP, THE OFCC HAS SHOWN A COMMITMENT TO TOUGHER ENFORCEMENT, AS WELL AS A NEW WILLINGNESS TO CONSULT WITH VICTIMS OF JOB DISCRIMINATION.

37. **G. D. SQUIRES. AFFIRMATIVE ACTION—A GUIDE FOR THE PERPLEXED.** MICHIGAN STATE UNIVERSITY INSTITUTE FOR COMMUNITY DEVELOPMENT, KELLOGG CENTER, RM 27, EAST LANSING MI 48824. 301 p. 1977. **NCJ-58849**

MAJOR LEGISLATION, COURT DECISIONS, EXECUTIVE ORDERS, AND IMPLEMENTING REGULATIONS RELATED TO CIVIL RIGHTS ENFORCEMENT IN EMPLOYMENT, EDUCATION, HOUSING, VOTING RIGHTS, AND FEDERALLY-ASSISTED PROGRAMS ARE SUMMARIZED. THE MAJOR FEDERAL CIVIL RIGHTS LEGISLATION, ORDERS, AND REGULATIONS ENACTED IN THE PAST TWO DECADES SHOW THE MOST EXTENSIVE CHANGES IN EMPLOYMENT, WHERE THE CONCEPT OF AFFIRMATIVE ACTION IS BEING APPLIED. THIS HANDBOOK EXPLAINS THE RATIONALE BEHIND AFFIRMATIVE ACTION: WHAT IT MEANS, WHAT IT REQUIRES, OF WHOM IT IS REQUIRED, AND THE CONSEQUENCES OF NONCOMPLIANCE. THE BASIC STEPS IN DEVELOPING, IMPLEMENTING, AND EVALUATING AN AFFIRMATIVE ACTION PROGRAM ARE REVIEWED, AND A LIST OF SOURCES THAT CAN ASSIST IN MOUNTING SUCH A PROGRAM IS PROVIDED. A DIRECTORY OF THE MAJOR FEDERAL CIVIL RIGHTS AGENCIES THAT CAN OFFER ASSISTANCE AND INFORMATION IS INCLUDED, TOGETHER WITH A BIBLIOGRAPHY CONTAINING PUBLICATIONS THAT EXPLAIN WHAT CIVIL RIGHTS LAW REQUIRES, HOW AND WHERE TO FILE COMPLAINTS, RECOMMENDATIONS FOR ACTION, AND EVALUATIONS OF CURRENT ENFORCEMENT EFFORTS. EXAMPLES OF WHAT SOME ORGANIZATIONS HAVE DONE AND ARE DOING TO DEAL WITH CIVIL RIGHTS PROBLEMS IN THEIR COMMUNITIES ARE PRESENTED: (1) INTER-FAITH CENTERS FOR RACIAL JUSTICE, WHICH CONSTITUTE THE WHITE RESPONSE TO INSTITUTIONAL RACISM; (2) THE MONITORING AND ENFORCING OF EQUAL OPPORTUNITY AND AID-TO-THE-POOR PROVISIONS OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND (3) THE LOCKHEED PROGRAM, WHICH INVOLVES GIVING WORKERS FROM ETHNIC MINORITIES INCREASED WORK RESPONSIBILITY. SOME OF THE MAJOR CONTROVERSIES IN CIVIL RIGHTS ENFORCEMENT ARE ADDRESSED: DO AFFIRMATIVE ACTION GOALS CONSTITUTE ILLEGAL QUOTA SYSTEMS OR REVERSE DISCRIMINATION AGAINST WHITE MALES? DOES THE CONCEPT OF AFFIRMATIVE ACTION REJECT MERIT AS A BASIS OF DISTRIBUTING AVAILABLE REWARDS? HAVE EMPLOYERS RESTRICTED THE RIGHTS OF CERTAIN MINORITY GROUPS TO PROVIDE OPPORTUNITIES FOR

OTHER MINORITIES IN THE NAME OF AFFIRMATIVE ACTION? THE CURRENT STATE OF THE NATION'S CIVIL RIGHTS ENFORCEMENT EFFORT IS REVIEWED AND WHAT MIGHT BE EXPECTED IN THE FUTURE IS CONSIDERED.

Availability: MICHIGAN STATE UNIVERSITY INSTITUTE FOR COMMUNITY DEVELOPMENT, KELLOGG CENTER, RM 27, EAST LANSING MI 48824.

38. S. STENCEL. REVERSE DISCRIMINATION. CONGRESSIONAL QUARTERLY, INC, 1414 22ND STREET, NW, WASHINGTON DC 20037. *EDITORIAL RESEARCH REPORTS*, V 11, N 5 (AUGUST 8, 1978), P 563-580. NCJ-59128

MANY EMPLOYERS TODAY COMPLAIN THEY ARE TRAPPED BETWEEN DEMANDS TO INCREASE OPPORTUNITIES FOR WOMEN AND MINORITIES AND CHARGES BY WHITE MALES THAT AFFIRMATIVE ACTION IS REVERSE DISCRIMINATION. A THOROUGH ANALYSIS IS PRESENTED OF THE PROBLEM STEMMING FROM THE GOVERNMENT'S DECADE-OLD POLICY OF REQUIRING EDUCATORS AND EMPLOYERS TO TAKE AFFIRMATIVE ACTION TO PREVENT RACIAL OR SEXUAL DISCRIMINATION. GROWING NUMBERS OF WHITE MALES, HOWEVER, ARE GOING TO COURT CHARGING THEY ARE VICTIMS OF REVERSE DISCRIMINATION. THIS ARTICLE, WRITTEN IN 1978 BEFORE THE BAKKE DECISION, DISCUSSES SEVERAL COURT CASES. PREFERENTIAL TREATMENT IS ANALYZED AND THE CASE FOR AND AGAINST THE POLICY IS OUTLINED. JUSTICE WILLIAM O. DOUGLAS IN THE LANDMARK DEFUNIS CASE STATED THAT 'THERE IS NO CONSTITUTIONAL RIGHT FOR ANY RACE TO BE PREFERRED,' BUT A BRIEF SUBMITTED TO THE SUPREME COURT IN THE SAME CASE STATED THAT 'PREFERENCE WHICH AIDS MINORITIES IS PERFECTLY CONSISTENT WITH THE PURPOSE OF THE 14TH AMENDMENT.' THIS ARTICLE DISCUSSES HIRING AND ADMISSIONS DISPUTES IN THE ACADEMIC WORLD, WHERE BACKLASH AGAINST AFFIRMATIVE ACTION IS GIVEN. THE PHILADELPHIA PLAN, WITH GOVERNMENT-SET GOALS FOR THE NUMBER OF BLACKS AND OTHER MINORITIES TO BE HIRED ON FEDERAL CONSTRUCTION PROJECTS IS HIGHLIGHTED AS IS THE DEFUNIS CASE. LEADING COURT CASES STEMMING FROM THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S (EEOC) INVESTIGATIONS OF EMPLOYMENT DISCRIMINATION ARE INCLUDED. THE CONTROVERSY OVER SENIORITY RIGHTS THAT STEMMED FROM THE 1974 RECESSION'S LAYOFFS OF MINORITIES IS PRESENTED, AND ATTACKS ON SENIORITY AS A BASIS FOR DISCRIMINATORY JOB PROTECTION ARE ANALYZED. THE FRANKS CASE IN WHICH THE SUPREME COURT UPHELD THE RIGHT TO AWARD SENIORITY RIGHTS RETROACTIVELY TO PERSONS WHO COULD PROVE DISCRIMINATION IS CITED AS A LANDMARK. ALTERNATIVES TO SENIORITY-BASED LAYOFFS, SUCH AS WORKSHARING AND ROTATING LAYOFFS, CONCLUDE THE ARTICLE.

39. F. J. THOMPSON and B. BROWN. COMMITMENT TO THE DISADVANTAGED AMONG URBAN ADMINISTRATORS—THE CASE OF MINORITY HIRING. SAGE PUBLICATIONS, INC, 275 SOUTH BEVERLY DRIVE, BEVERLY HILLS CA 90212. *URBAN AFFAIRS QUARTERLY*, V 13, N 3 (MARCH 1978), P 355-378. NCJ-59129

POTENTIAL CORRELATES OF ATTITUDINAL COMMITMENT FOR MINORITY HIRING AMONG URBAN PERSONNEL OFFICERS ARE EXAMINED IN THIS RESEARCH PAPER. SOCIOPOLITICAL BELIEFS CONCERNING EQUALITY WOULD BE POWERFUL PREDICTORS OF ATTITUDES TOWARD RECRUITING NONWHITES. WORK-RELATED BELIEFS, PROFESSIONAL CHARACTERISTICS, COMMUNITY RELATIONSHIPS AND PERSONAL ATTRIBUTES WOULD EXPLAIN ADDITIONAL VARIANCE IN THE COMMITMENT TO MINORITIES. THE RESEARCH FOUND SOCIOPOLITICAL AND WORK-RELATED BELIEFS DO ACHIEVE SUBSTANTIAL CORRELATIONS WITH ATTITUDES TOWARD RECRUITING NONWHITES, WHILE THE THREE OTHER CLUSTERS OF INDEPENDENT VARIABLES ACCOUNT FOR LESS VARIANCE THAN EXPECTED. SOME IMPLICATIONS OF THE DATA FOR MINORITY HIRING PRACTICES IN URBAN BUREAUCRACIES ARE EXAMINED. POLITICAL LIBERALISM OF OFFICERS AND THEIR AWARENESS OF INEQUALITY WERE FOUND TO RELATE TO THEIR

SYMPATHY FOR RECRUITING NONWHITES. THE FINDINGS ALSO SUGGEST THE IMPORTANCE OF WORK-RELATED BELIEFS ESPECIALLY NOTIONS ABOUT ORGANIZATION TRADE-OFFS INVOLVED IN MINORITY HIRING. COMMUNITY RELATIONSHIPS, PROFESSIONALISM, AND PERSONAL ATTRIBUTES WERE FOUND STATISTICALLY RELATED TO ATTITUDINAL SUPPORT FOR NONWHITE RECRUITING. THOSE WHO SEEK TO ASSIST MINORITY JOB SEEKERS MUST (1) DEVISE MEANS TO ASSURE THAT MORE POLITICAL LIBERALS WIN HIGH POSITIONS, (2) MAKE CIVIL SERVANTS MORE AWARE OF SOCIOECONOMIC INEQUALITIES, AND (3) CONVINCE OFFICIALS THAT HIRING MINORITIES IS NOT INCONSISTENT WITH THE ATTAINMENT OF OTHER ORGANIZATIONAL OBJECTIVES. (AUTHOR ABSTRACT MODIFIED)

40. US CIVIL SERVICE COMMISSION, 1800 E STREET, NW, WASHINGTON DC 20415. EQUAL EMPLOYMENT OPPORTUNITY STATISTICS—FEDERAL CIVILIAN WORKFORCE STATISTICS. 666 p. 1977. NCJ-58998

THIS SECOND EDITION OF A SEMIANNUAL REPORT ON EQUAL EMPLOYMENT OPPORTUNITY STATISTICS PROVIDES DATA ON FULL-TIME, WHITE-COLLAR EMPLOYMENT FOR DESIGNATED MINORITIES IN THE FEDERAL CIVILIAN WORKFORCE. THE MINORITY GROUPS COMPRISING BLACKS, SPANISH-SURNAMED PERSONS, AMERICAN INDIANS, ORIENTALS, ALEUTS AND ESKIMOS IN ALASKA, AND WOMEN AS A COMPONENT WITHIN EACH MINORITY ARE THE FOCUS OF THESE STATISTICS FOR OCCUPATIONS IN PROFESSIONAL, ADMINISTRATIVE, TECHNICAL, CLERICAL, AND OTHER CATEGORIES. STATISTICS ARE ALSO INCLUDED FOR MINORITY GROUPS AND WOMEN IN FULL-TIME BLUE-COLLAR EMPLOYMENT WITHIN 33 MAJOR OCCUPATIONAL JOB FAMILY GROUPS UNDER THE FEDERAL WAGE SYSTEM. DATA ARE PRESENTED BY SELECTED PAY SYSTEMS, GRADE OR SALARY LEVELS, AND AVERAGE GRADE OR SALARY AS OF NOVEMBER 30, 1977. STATISTICAL TABLES ARE FURNISHED ALSO IN THREE APPENDICES ON EMPLOYMENT DATA BY AGENCY (INCLUDING AN ALL-AGENCIES SUMMARY), BY GEOGRAPHIC AREA (REGIONS, STATES, STANDARD METROPOLITAN STATISTICAL AREAS, TERRITORIES, AND FOREIGN COUNTRIES), AND BY WORLDWIDE FULL-TIME FEDERAL EMPLOYMENT WITHIN WHITE-COLLAR OCCUPATION BREAKDOWNS AND BLUE-COLLAR OCCUPATIONAL FAMILY GROUP. DEFINITIONS OF TERMS AND EXPLANATIONS OF THE DATA SOURCES AND OCCUPATIONAL CATEGORIES ARE INCLUDED AS WELL AS A SUMMARY OF GENERAL FINDINGS. THIS SUMMARY INDICATES THAT MINORITIES (BLACK, SPANISH-SURNAMED, AMERICAN INDIAN, AND ORIENTAL AMERICAN) HELD 6,309 MORE FEDERAL JOBS AS OF THIS REPORTING PERIOD THAN FOR THE PREVIOUS-REPORTING PERIOD IN NOVEMBER 1976. THE NET GAINS WERE DISTRIBUTED THROUGH THE MIDDLE GRADE GROUPINGS OF THE PAY SCALE AND THE PROPORTION OF MINORITIES HOLDING SUPERGRADE JOBS (GRADES 16-18) INCREASED BY ONE-TENTH OF 1 PERCENT. BLACKS CONTINUED TO MAKE MAJOR GAINS (UP 5,268 FROM 180,372); SPANISH-SURNAMED EMPLOYEES INCREASED THEIR OVERALL NUMBERS IN THE WORK FORCE BY 1,836; AMERICAN INDIANS GAINED 1,833 ADDITIONAL GOVERNMENT JOBS; ORIENTAL AMERICANS DECREASED IN NUMBERS THROUGHOUT ALL MAJOR PAY SYSTEMS BY 475 JOBS; AND WOMEN'S NUMBERS INCREASED BY 13,150.

Availability: GPO. Stock Order No. 006-000-01066-1.

41. US CIVIL SERVICE COMMISSION, 1800 E STREET, NW, WASHINGTON DC 20415. GUIDELINES FOR AGENCY INTERNAL EVALUATION OF EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS. 19 p. 1974. NCJ-53120

THIS PAMPHLET WRITTEN FOR A WIDE AND VARIED AUDIENCE CONTAINS BASIC GUIDELINES FOR INTERNAL EVALUATION OF EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS. ALTHOUGH NOT EVERY FEDERAL AGENCY WILL ADOPT EVERY APPROACH OR PROCEDURE SUGGESTED, EACH AGENCY SHOULD HAVE SOME SYSTEM FOR PERIODICALLY REVIEWING EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICIES AND PROGRAMS. THE

EQUAL EMPLOYMENT OPPORTUNITY

MAJOR OBJECTIVES OF EEO EVALUATION ARE TO ASSESS THE EFFECTIVENESS OF MANAGEMENT IN IDENTIFYING EEO FACTORS AND PROBLEMS, REVIEW IMPLEMENTATION OF ACTION PLANS TO OVERCOME OBSTACLES TO EEO, PROVIDE RECOMMENDATIONS FOR REMEDIAL ACTION TO AGENCY MANAGEMENT, AND ASSURE ACTION HAS BEEN TAKEN ON RECOMMENDATIONS. APPROACHES TO EEO EVALUATION ARE DISCUSSED. EVALUATION SHOULD BE ORIENTED BY RESULTS. IT SHOULD BRING ABOUT THE GREATEST POSSIBLE INVOLVEMENT OF SUPERVISORS AND PROGRAM MANAGERS AND BE AIMED AT BRINGING ABOUT ORGANIZATIONAL CHANGE OR IMPROVEMENT WHEN NEEDED. EVALUATION SHOULD ALSO BE INTEGRATED WITH OTHER MANAGEMENT SYSTEMS AND SHOULD BE A CONTINUOUS PROCESS. EVALUATION METHODS SHOULD FOLLOW CAREFUL DETERMINATION OF THE APPROACH THAT BEST MEETS THE SPECIFIC NEEDS OF THE SPECIFIC AGENCY. PROBLEMS SHOULD BE CLEARLY IDENTIFIED AND AN ACTION PROGRAM SHOULD BE DESIGNED TO SOLVE THEM. THE PAMPHLET PROVIDES A CONCEPTUAL FRAMEWORK OUTLINING HOW MANAGERS CAN IDENTIFY EEO PROBLEMS, ANALYZE THEIR CAUSES, ORDER AND CHOOSE FROM ALTERNATIVE SOLUTIONS, AND MAKE AN ACT UPON A FINAL DECISION TO PRODUCE CHANGE. THE MODEL CAN APPLY AT ANY LEVEL OF THE ORGANIZATION AND INCREASE UNDERSTANDING OF HOW A TYPICAL PROBLEM SOLUTION PROCESS SHOULD WORK.

Supplemental Notes: PERSONNEL MANAGEMENT SERIES.

Availability: GPC. Stock Order No. 006-000-00752-0.

42. US COMPTROLLER GENERAL, 441 G STREET NW, WASHINGTON DC 20548. FEDERAL EMPLOYMENT EXAMINATIONS—DO THEY ACHIEVE EQUAL OPPORTUNITY AND MERIT PRINCIPLE GOALS? 145 p. 1979.

NCJ-59730

TO DETERMINE WHETHER EXAMINING PROCEDURES FOR CIVIL SERVICE POSITIONS ARE ACHIEVING EQUAL OPPORTUNITY AND MERIT PRINCIPLE GOALS, THIS REPORT EXAMINES FOUR FEDERAL EMPLOYMENT EXAMINATIONS. ANALYSES OF THE PROFESSIONAL AND ADMINISTRATIVE CAREER EXAMINATION (PACE) AND THE JUNIOR FEDERAL ASSISTANT (JFA) TEST FOUND THAT BLACK APPLICANTS PASSED THE WRITTEN TESTS AT A SUBSTANTIALLY LOWER RATE THAN WHITES AND OTHER RACIAL MINORITIES, AND THAT FEW BLACKS WHO PASSED SCORED HIGH ENOUGH TO HAVE A REALISTIC CHANCE OF EMPLOYMENT CONSIDERATION. ACCORDING TO PACE SCORES, 58 PERCENT OF WHITE APPLICANTS PASSED THE TEST—16 PERCENT WITH A SCORE OF 90 OR ABOVE, HIGH ENOUGH FOR EMPLOYMENT CONSIDERATION; 58 PERCENT OF OTHER RACIAL MINORITIES PASSED—14 PERCENT WITH A SCORE OF 90 OR ABOVE; AND 12 PERCENT OF BLACK APPLICANTS PASSED—0.2 PERCENT WITH A SCORE OF 90 OR ABOVE. SIMILARLY, THE PROPORTION OF BLACKS WHO SCORED WELL IN THE CERTIFIABLE RANGE ON THE JFA EXAMINATION WAS STILL FAR LOWER THAN THAT OF WHITES—15 PERCENT OF WHITES IN THE CERTIFIABLE RANGE, COMPARED TO 5 PERCENT OF BLACKS. ON THE ACCOUNTANT-AUDITOR AND SOCIAL WORKER EXAMINATIONS, FOR WHICH NO WRITTEN TESTS ARE REQUIRED, PROPORTIONATELY AS MANY BLACKS AS WHITES SCORED WITHIN THE CERTIFIABLE RANGE. ALTHOUGH THE GENERAL ACCOUNTING OFFICE (GAO), WHICH CONDUCTED THIS STUDY, DID NOT REACH A CONCLUSION CONCERNING THE QUESTION OF ADVERSE IMPACT, THE GAO DID FIND THAT FEDERAL AGENCIES WERE NOT KEEPING RECORDS ON BOTH THE RACE OR ETHNICITY OF JOB APPLICANTS, AND THE NUMBER OF INDIVIDUALS, BY RACE, SEX, AND ETHNICITY, WHO ARE SELECTED FOR AN OCCUPATION USING PROCEDURES OTHER THAN CIVIL SERVICE JOB REGISTERS. IN ADDITION, GAO REVIEWED THE QUESTION OF TEST VALIDATION FOR PACE AND FOUND THAT (1) THE VALIDATION STRATEGY USED FOR PACE WAS APPROPRIATE, ALTHOUGH STANDARDS CONCERNING THE NEED FOR A REPRESENTATIVE SAMPLE OF RESEARCH PARTICIPANTS AND INVESTIGATIONS OF TEST FAIRNESS WERE NOT FOLLOWED, BUT SHOULD HAVE BEEN; (2) JOB

ANALYSIS FOR ALL OCCUPATIONS HIRED THROUGH PACE SHOULD BE COMPLETED—JOB ANALYSES HAVE BEEN CONDUCTED FOR ONLY 27 OF THE 118 OCCUPATIONS AVAILABLE THROUGH PACE; AND (3) FURTHER STUDIES SHOWING A STATISTICAL RELATIONSHIP BETWEEN TEST SCORES AND MEASURES OF JOB PERFORMANCE MAY BE NEEDED—THESE STUDIES WERE PERFORMED ON ONLY 3 OF THE 12 TO 15 OCCUPATIONS WHERE THEY MIGHT HAVE BEEN TECHNICALLY FEASIBLE. OTHER SUGGESTIONS ARE PROPOSED BY GAO, ALONG WITH AGENCY COMMENTS CONCERNING THIS REPORT, AND FURTHER DATA ON PACE AND THE JFA AND ACCOUNTANT-AUDITOR TESTS.

Supplemental Notes: THERE IS A CHARGE FOR MORE THAN ONE COPY.

Availability: US GENERAL ACCOUNTING OFFICE, DISTRIBUTION SECTION, ROOM 4522, 441 G STREET, NW, WASHINGTON DC 20548. Stock Order No. FPCD-79-46. (Microfiche)

43. W. P. WHITE. TESTING AND EQUAL OPPORTUNITY—GETTING A FAIR CHANCE. US COMMISSION ON CIVIL RIGHTS, 1121 VERMONT AVENUE, NW, WASHINGTON DC 20425. CIVIL RIGHTS DIGEST, V 7 (SPRING 1975), P 42-51. NCJ-59125

THIS ARTICLE EXAMINES ONE ASPECT OF TITLE VII OF THE 1964 CIVIL RIGHTS ACT—SECTION 703 (H) WHICH PROVIDES FOR THE USE OF 'PROFESSIONALLY DEVELOPED ABILITY TESTS' IN EMPLOYMENT SITUATIONS. THE FEDERAL COURTS ARE RESPONSIBLE FOR INTERPRETING THE AMBIGUOUS STRUCTURES OF TITLE VII AND STIPULATING THE MEANING OF 'PROFESSIONALLY DEVELOPED ABILITY TESTS' IN EMPLOYMENT SITUATIONS. THE COURTS HAVE LOOSELY DEFINED A TEST AS ANY MEASURE UPON WHICH AN EMPLOYMENT OR ADVANCEMENT DECISION IS BASED. WHETHER TESTS CAN BE DEVELOPED AS AN INSTRUMENT FOR IMPLEMENTING AFFIRMATIVE ACTION IS A QUESTION REMAINING UNANSWERED. COURTS HAVE TAKEN A WAIT-AND-SEE ATTITUDE ON THIS SUBJECT. EQUAL EMPLOYMENT OPPORTUNITY (EEO), HOWEVER, WAS GIVEN A BOOST BY THE DECISION IN GRIGGS V. DUKE POWER COMPANY (1971) WHEN THE SUPREME COURT HELD THAT IT IS THE 'CONSEQUENCES' OF EMPLOYER PRACTICE THAT IS IMPARTIALLY ADMINISTERED BUT HAS A DISCRIMINATORY EFFECT OR PERPETUATES DISCRIMINATION IS UNLAWFUL. SINCE THIS LANDMARK DECISION, AN EXPLOSION OF COURT CASES INVOLVING DISCRIMINATION HAS POINTED UP MANY OF THE PROBLEMS IN THE TEST USED. THIS ARTICLE EXPLORES THE HISTORY OF TEST USE SPECIFICALLY WITHIN THE FEDERAL GOVERNMENT, AND OUTLINES THE HISTORY BEHIND TITLE VII AND SECTION 703 (H). OTHER SECTIONS ARE DEVOTED TO TESTING AND UNFAIR EMPLOYMENT PRACTICES, FAIR TEST DEVELOPMENT AND USE, AND TEST VALIDITY IN THE EMPLOYMENT CONTEXT.

44. D. ZISKIND. AFFIRMATIVE ACTION VERSUS SENIORITY—RETROACTIVE SENIORITY—A REMEDY FOR HIRING DISCRIMINATION. COMMERCE CLEARINGHOUSE, INC., 4025 WEST PETERSON AVENUE, CHICAGO IL 60640. LABOR LAW JOURNAL, V 27, N 8 (AUGUST 1976), P 480-490. NCJ-59662

THIS DISCUSSION OF EMPLOYMENT DISCRIMINATION FOCUSES ON THE LAW IN RELATION TO SENIORITY PROBLEMS AND THE JUDICIAL PROCESS WHICH ESTABLISHED THE LAW. IN FRANKS V. BOWMAN (1976), THE SUPREME COURT DECLARED THAT THE APPROPRIATE REMEDY FOR DISCRIMINATION IN HIRING IS THE EMPLOYMENT OF THE PARTY DISCRIMINATED AGAINST WITH FULL SENIORITY, BACK TO THE DATE OF THEIR APPLICATION FOR WORK. THE BOWMAN DECISION ESTABLISHES A PRESUMPTION THAT ONE SUBJECTED TO RACIAL DISCRIMINATION IS ENTITLED TO EMPLOYMENT WITH FULL RETROACTIVE SENIORITY. THIS IS SEEN AS THE CORRECT LEGAL AND SOCIAL DECISION. HOWEVER, IF IN THE PROCESS OF TRYING TO DO JUSTICE INNOCENT PERSONS ARE DEPRIVED OF BENEFITS, THEN THEIR RIGHTS AND EXPECTATIONS MUST ALSO BE TREATED JUSTLY. TO PROTECT BOTH GROUPS, IT IS SUGGESTED THAT THE TWO EMPLOYEES BE GIVEN EQUAL SENIORITY AND THE EMPLOYER BE REQUIRED

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NOT TO LAY OFF EITHER. SINCE EMPLOYERS AND UNIONS ARE RESOURCEFUL, IT SHOULD BE POSSIBLE TO ACCOMMODATE BOTH GROUPS--BLACKS AND OTHER MINORITIES AND WHITES. OTHER REMEDIES TO THE PROBLEM ARE AVAILABLE INCLUDING THE CIVIL RIGHTS ACT OF 1968 WHICH CAN SUPPLEMENT THE CIVIL RIGHTS ACT OF 1964. IN ADDITION, ADMINISTRATIVE REGULATIONS IN VARIOUS FEDERAL DEPARTMENTS AND THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) CAN GOVERN AND EFFECT A WIDE RANGE OF EMPLOYMENT RELATIONS, INCLUDING SENIORITY. STATE FAIR EMPLOYMENT PRACTICES ACTS CAN ALSO BE UTILIZED. IT IS STATED THAT THE PROCESS OF LEGAL ARGUMENT--USE OF ESTABLISHED PRINCIPLES, LEGISLATIVE DECISION, CASE PRECEDENT, AND LOGIC--CAN HELP ASSURE THAT THE RESULT OF LEGAL MANEUVERING IS A JUST ARRANGEMENT OF HUMAN BEHAVIOR.

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- 45. CALIFORNIA DEPARTMENT OF THE YOUTH AUTHORITY, 4241 WILLIAMSBOROUGH DRIVE, SACRAMENTO CA 95823. CALIFORNIA—AFFIRMATIVE ACTION STATISTICS—REPORT NO. 3. 37 p. 1975. NCJ-28757**

THIS REPORT SHOWS THE EXTENT TO WHICH THE CALIFORNIA YOUTH AUTHORITY HAD MET ITS EMPLOYMENT GOALS FOR ETHNIC MINORITIES AND WOMEN THROUGH MARCH 31, 1975, AND PROVIDES PERTINENT BREAKDOWNS OF THESE PERSONNEL STATISTICS. THE ETHNIC GROUP AND EMPLOYMENT GOALS, AND SEX DISTRIBUTION AND EMPLOYMENT GOALS ARE REVIEWED. STATISTICS ARE PROVIDED ON THE SEX AND ETHNIC GROUP PERSONNEL DISTRIBUTION BY FACILITY, AND THE SEX AND, ETHNIC GROUP PERSONNEL DISTRIBUTION BY PAROLE ZONE. PERSONNEL DISTRIBUTIONS BY OCCUPATIONAL CATEGORIES ARE ALSO REPORTED. IN ADDITION TO THE PERSONNEL STATISTICS, COMPARATIVE DATA ARE PRESENTED WHICH SHOW THE ETHNIC AND SEX DISTRIBUTIONS OF THE YOUTH AUTHORITY WARD POPULATION FOR THE CURRENT REPORTING PERIOD. IT IS NOTED THAT AS OF MARCH 1975, 29.5 PERCENT OF YOUTH AUTHORITY PERSONNEL WERE FROM MINORITY GROUPS AND 37.1 WERE WOMEN. THESE FIGURES ARE BOTH 1.1 PERCENT BELOW THE PROJECTED AFFIRMATIVE ACTION GOALS FOR THESE GROUPS. (AUTHOR ABSTRACT MODIFIED)

Availability: NCJRS MICROFICHE PROGRAM.

- 46. R. COULSON. AGENCIES WHICH CAN HELP—THE NATIONAL CENTER FOR DISPUTE SETTLEMENT. AMERICAN BAR ASSOCIATION, 1155 EAST 60TH STREET, CHICAGO IL 60637. BUSINESS LAWYER, V 29, N 3 (APRIL 1974), P 1013-1015. NCJ-48819**

AGENCIES AVAILABLE FOR AIDING BUSINESSES IN DISPUTE SETTLEMENTS ARE DESCRIBED AND THE FUNCTIONS OF THE NATIONAL CENTER FOR DISPUTE SETTLEMENT (N.C.D.S.) ARE DISCUSSED IN PARTICULAR. IN 1964, THE COMMUNITY RELATIONS SERVICE WAS CREATED AS AN AGENCY OF THE U.S. DEPARTMENT OF JUSTICE TO HELP COMMUNITIES RESOLVE CONFLICT FLOWING FROM DISCRIMINATORY PRACTICES. THE SERVICE HAS DEVELOPED A NATIONAL NETWORK OF CONCILIATORS AND MEDIATORS. THE FEDERAL MEDIATION AND CONCILIATION SERVICE ALSO SERVES AS A RESOURCE IN COMMUNITY DISPUTES INVOLVING LABOR RELATIONS. PRIVATE MEDIATION SERVICES SUCH AS THE NATIONAL CENTER FOR DISPUTE SETTLEMENT OF THE AMERICAN ARBITRATION ASSOCIATION AND THE INSTITUTE FOR MEDIATION AND CONFLICT RESOLUTION IN NEW YORK ARE AVAILABLE WHEN USE OF GOVERNMENT AGENCIES IS NOT APPROPRIATE. THE NATIONAL CENTER FOR DISPUTE SETTLEMENT IS BASED IN WASHINGTON (D.C.) AND HAS OFFICES IN PHILADEL-

PHIA (PA.), BOSTON (MASS.), CLEVELAND (OHIO), ROCHESTER (N.Y.), AND SAN FRANCISCO (CALIF.). N.C.D.S. PROVIDES A NUMBER OF SERVICES AND RESOURCES INCLUDING MEDIATION, FACTFINDING, AND ARBITRATION SERVICES FOR BUSINESS CORPORATIONS. IT HAS THE ABILITY TO ADMINISTER ELECTIONS FOR COMMUNITY PARTICIPATION IN VARIOUS KINDS OF PROGRAMS, AND CAN ADMINISTER AND DESIGN TRAINING PROGRAMS FOR NEGOTIATORS AND IMPARTIAL AGENTS INTERESTED IN CONFLICT RESOLUTION TECHNIQUES AND URBAN AWARENESS. N.C.D.S. CAN WORK WITH REPRESENTATIVES OF BOTH FACTIONS TO DESIGN ARBITRATION PROCEDURES AND ENFORCE CONTRACT OBLIGATIONS. THE SERVICE ALSO ASSISTS CORPORATIONS IN THE DEVELOPMENT OF AFFIRMATIVE ACTION PROGRAMS.

- 47. GENERAL RECRUITMENT STRATEGIES FOR CRIMINAL JUSTICE AGENCIES. 1979. NCJ-81387**

FEDERAL EQUAL EMPLOYMENT OPPORTUNITY GUIDELINES ARE NOTED, AND SUGGESTIONS TO EFFECTIVELY BRING WOMEN AND MINORITIES INTO THE CRIMINAL JUSTICE SYSTEM ARE DISCUSSED IN THIS PAMPHLET. EIGHT FEDERAL LAWS AND EXECUTIVE ORDERS REQUIRING EQUAL EMPLOYMENT OPPORTUNITY IN CRIMINAL JUSTICE AGENCIES ARE SUMMARIZED. AGENCIES ARE ENCOURAGED TO REMOVE ARTIFICIAL BARRIERS TO WOMEN AND MINORITY JOB APPLICANTS AND TO IMPLEMENT JOB ANALYSIS, REDEFINE JOB SPECIFICATIONS, AND FLEXIBLE, INNOVATIVE WORK SCHEDULING TO BROADEN THE RANGE OF POTENTIAL EMPLOYEES. MANPOWER PLANNERS SHOULD CONSIDER FUNDAMENTAL ORGANIZATIONAL TRENDS, ANTICIPATED ATTRITION, TURNOVER RATES, GENERAL ECONOMIC FORECASTS, TECHNOLOGICAL BREAKTHROUGHS, GOVERNMENTAL TRENDS, AND RELATED LEGISLATIVE POLICY. POSSIBLE SOURCES FOR RECRUITS ARE LISTED IN VIEW OF AGENCIES' NEED TO ACTIVELY SEEK OUT CANDIDATES. MOREOVER, RECORDKEEPING AND EVALUATION OF RECRUITMENT STRATEGIES ARE SUGGESTED TO MEASURE THE SUCCESS OF AFFIRMATIVE ACTION PROGRAMS AND INDICATE PROBLEMS OF EXCESSIVE TURNOVER. ALSO FEATURED IN THIS PAMPHLET ARE A TABLE PROJECTING CRIMINAL JUSTICE MANPOWER NEEDS THROUGH 1985, A FLOW CHART SHOWING A MODEL MINORITY RECRUITMENT PROCESS FOR POLICE AND SHERIFF'S DEPARTMENTS, AND A LIST OF AGENCIES PROVIDING TECHNICAL ASSISTANCE. SOME PHOTOGRAPHS ARE INCLUDED.

Supplemental Notes: GENERAL INFORMATION PAMPHLET. NCJRS Sponsoring Agency: US DEPARTMENT OF JUSTICE LEAA NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, 633 INDIANA AVENUE NW, WASHINGTON, DC 20531.

Availability: GPO. Stock Order No. 027-000-00850-0, (Pamphlet)

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48. E. GRIGGS and K. SAYER. **EQUAL EMPLOYMENT OPPORTUNITY PLAN DEVELOPMENT PARTICIPANT'S REFERENCE HANDBOOK.** UNIVERSITY RESEARCH CORPORATION, 5530 WISCONSIN AVENUE, WASHINGTON DC. 218 p. 1978. NCJ-58659

TRAINING MATERIALS ARE PRESENTED FROM A WORKSHOP ON EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION COMPLIANCE PROGRAM DEVELOPMENT FOR RECIPIENTS OF LEAA ASSISTANCE. THE MATERIALS WERE PART OF A 2-DAY WORKSHOP IN COLORADO THAT FOCUSED ON LEAA EQUAL EMPLOYMENT OPPORTUNITY LAWS, RULES, AND REGULATIONS; THE PURPOSE AND PHILOSOPHY OF AFFIRMATIVE RECRUITMENT; AND TECHNIQUES AND SKILLS REQUIRED FOR UNDERTAKING AFFIRMATIVE ACTION PROGRAMS AND DEVELOPING EQUAL EMPLOYMENT OPPORTUNITY PLANS AT THE AGENCY LEVEL. A SECTION ON PRINCIPLES OF EMPLOYMENT DISCRIMINATION LAW INCLUDES INTERPRETIVE SUMMARIES AND CASE CITATIONS ON CONSTITUTIONAL, STATUTORY, AND ADMINISTRATIVE PROHIBITIONS AGAINST EMPLOYMENT DISCRIMINATION; DISCRIMINATORY PRACTICES AND PROVING DISCRIMINATORY PRACTICES; DEFENSES TO ALLEGATIONS OF DISCRIMINATORY PRACTICES; REMEDIES; AND RELATED PROCEDURAL PROBLEMS OF AGENCIES. THE HANDBOOK ALSO INCLUDES U.S. DEPARTMENT OF JUSTICE RULES AND REGULATIONS ON NONDISCRIMINATION IN FEDERALLY ASSISTED CRIME CONTROL AND JUVENILE DELINQUENCY PROGRAMS (AND RELATED QUESTIONS AND ANSWERS); LEAA GUIDELINES FOR COMPLYING WITH THE RULES AND REGULATIONS; UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES PROPOSED IN DECEMBER 1977 BY FOUR FEDERAL AGENCIES; THE U.S. CIVIL SERVICE COMMISSION'S GUIDELINES FOR EVALUATING STATE AND LOCAL GOVERNMENT PERSONNEL OPERATIONS; GUIDELINES ON ELIMINATING SEXIST LANGUAGE FROM WRITING; AND A GLOSSARY OF AFFIRMATIVE ACTION TERMINOLOGY. A TRAINING EXERCISE IN THE DEVELOPMENT OF AN EQUAL EMPLOYMENT OPPORTUNITY PLAN WITHIN A POLICE AGENCY PRESENTS A TABLE OF CONTENTS FOR A HYPOTHETICAL WRITTEN PLAN, SAMPLE PAGES FROM THE PLAN, AND COMMENTS ON THE DEVELOPMENT OF EACH SECTION OF THE PLAN (SIGNATURE PAGE, STATEMENT OF MANAGEMENT COMMITMENT TO AFFIRMATIVE ACTION, AGENCY BACKGROUND, ASSESSMENT OF LABOR-AREA, WORK-FORCE, AND PERSONNEL STATISTICS, AND AFFIRMATIVE ACTION PLAN).

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION OFFICE OF CIVIL RIGHTS COMPLIANCE, WASHINGTON, DC 20531.

Availability: UNIVERSITY RESEARCH CORPORATION, 5530 WISCONSIN AVENUE, WASHINGTON DC.

49. MARQUETTE UNIVERSITY CENTER FOR CRIMINAL JUSTICE AGENCY ORGANIZATION AND MINORITY EMPLOYMENT OPPORTUNITIES, 1103 WEST WISCONSIN AVENUE, MILWAUKEE, WI 53233. MARQUETTE UNIVERSITY—CENTER FOR CRIMINAL JUSTICE AGENCY ORGANIZATION AND MINORITY EMPLOYMENT OPPORTUNITIES 48TH MONTH PROGRESS REPORT—FINAL REPORT. 38 p. 1975. NCJ-37070

COMPENDIUM OF THE ACTIVITIES OF A CENTER DESIGNED TO ACCUMULATE AND DISSEMINATE KNOWLEDGE TO PROMOTE EQUAL OPPORTUNITIES FOR MINORITIES IN THE VARIOUS CRIMINAL JUSTICE FIELDS. IN ORDER TO REALIZE ITS PURPOSE, THE CENTER UNDERTAKES FOUR BASIC FUNCTIONS—TECHNICAL ASSISTANCE, WORKSHOPS, RESEARCH, AND PUBLICATIONS. CENTER ACTIVITIES IN EACH OF THESE AREAS DURING THE PERIOD MARCH 1 THROUGH AUGUST 31, 1975, ARE BRIEFLY REPORTED, INCLUDING INFORMATION ON THE CRIMINAL JUSTICE AGENCIES ASSISTED, DATES OF ASSISTANCE, AND THE TYPE OF ASSISTANCE RENDERED. THIS IS FOLLOWED BY A SUMMARY OF THE FULL 48 MONTHS OF CENTER OPERATIONS (SEPTEMBER 1, 1974 THROUGH AUGUST 31, 1975). INCLUDED IS A LIST OF 87 AGENCIES RECEIVING TECHNICAL ASSISTANCE IN THE AREAS OF IMPROVED MINORITY RECRUITMENT AND SELECTION PRACTICES, IMPLEMENTATION OF EQUAL EMPLOYMENT OPPORTUNITY

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PLANS, AND VALIDITY STUDIES OF ENTRANCE AND PROMOTIONAL EXAMINATIONS. CENTER PUBLICATIONS AND KEY CONFERENCES AND SEMINARS SPONSORED BY THE CENTER ARE ALSO LISTED.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

50. NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE, BOX 6009, ROCKVILLE MD 20850. **AFFIRMATIVE ACTION IN THE CRIMINAL JUSTICE SYSTEM.** 15 p. 1978. NCJ-61129

THE RELATIONSHIP OF EQUAL OPPORTUNITY EMPLOYMENT LAWS TO THE CRIMINAL JUSTICE SYSTEM IS DISCUSSED, INCLUDING AFFIRMATIVE ACTION PROGRAMS, BARRIERS TO CHANGE, AND ESTABLISHMENT OF GOALS AND GRIEVANCE PROCEDURES. THE EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1972 MAY BE THE MOST IMPORTANT LAW AFFECTING JOB DISCRIMINATION BECAUSE IT SPECIFIES THAT RACE, COLOR, RELIGION, SEX, AND NATIONAL ORIGIN NOT BE FACTORS IN EMPLOYMENT. FOR CRIMINAL JUSTICE AGENCIES, HOWEVER, ADDITIONAL PROHIBITIONS BARRING DISCRIMINATION WERE WRITTEN INTO THE 1973 OMNIBUS CRIME CONTROL AND SAFE STREETS ACT. BASED ON THIS ACT, THE LEAA EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS REQUIRE THAT THE MAKEUP OF THE POPULATION SERVED MUST BE REFLECTED IN THE EQUAL OPPORTUNITY EFFORTS OF A GRANTEE. IMPLEMENTATION DIFFICULTIES ARE HIGHLIGHTED BY EXCERPTS FROM SEVERAL NEWS STORIES. BARRIERS TO AFFIRMATIVE ACTION PROGRAMS FALL INTO THREE GROUPS: ORGANIZATIONAL BARRIERS WITHIN THE AGENCY, MANAGERIAL BARRIERS WITHIN INDIVIDUAL MANAGERS, AND INTRAPERSONAL BARRIERS, I.E., BARRIERS WITHIN MINORITIES AND WOMEN THEMSELVES. IDEAS FOR OVERCOMING EACH TYPE OF BARRIER ARE LISTED. SUGGESTIONS FOR DESIGNING AND IMPLEMENTING AN AFFIRMATIVE ACTION PLAN INCLUDE THE FOLLOWING STEPS: DEVELOP OR REAFFIRM THE POLICY TO ELIMINATE DISCRIMINATORY SYSTEMS, DISSEMINATE THE POLICY WITHIN THE ORGANIZATION AND TO OUTSIDE ORGANIZATIONS, ASSIGN RESPONSIBILITY TO IMPLEMENT THE POLICY TO THE CHIEF EXECUTIVE AND AN AFFIRMATIVE ACTION OFFICER, PERFORM A UTILIZATION ANALYSIS, IDENTIFY PROBLEM AREAS, ESTABLISH GOALS AND TIMETABLES, PERFORM AN INTERNAL AUDIT, ORGANIZE A REPORTING SYSTEM, AND PROVIDE EMPLOYEES WITH GRIEVANCE PROCEDURES. GRAPHS AND A LIST OF RESOURCE AGENCIES ARE INCLUDED.

Supplemental Notes: GENERAL INFORMATION PAMPHLET.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LEAA NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, 633 INDIANA AVENUE NW, WASHINGTON, DC 20531.

Availability: GPO. Stock Order No. 027-000-00848-6.

51. OPPORTUNITY SYSTEMS, INC, 1330 MASSACHUSETTS AVENUE, NW, WASHINGTON DC 20005. **ANALYTIC REPORT ON THE CIVIL RIGHTS COMPLIANCE SURVEY (CONTAINS FOUR SECTIONS ISSUED IN THREE NUMBERED VOLUMES, V 1—TEXT, V 2—APP. A TABULATIONS, V 3—APP. B SURVEY QUESTIONNAIRE & SUGGESTED REVISIONS, APP. C SURVEY...).** 436 p. 1977. NCJ-43667

THIS THREE-VOLUME REPORT PRESENTS A SURVEY OF CORRECTIONAL AGENCIES FUNDED BY LEAA TO DETERMINE COMPLIANCE WITH CIVIL RIGHTS LEGISLATION BARRING DISCRIMINATION ON THE BASIS OF RACE AND SEX. FEDERALLY FUNDED STATE AND LOCAL CORRECTIONAL AGENCIES ARE CHARACTERIZED WITH REGARD TO THEIR TREATMENT OF MINORITY AND FEMALE CLIENTELE. DATA ADDRESS THE ISSUE OF REHABILITATION THROUGH THE USE OF TRAINING PROGRAMS AIMED AT THE PREPARATION OF CLIENTELE FOR RE-ENTRY INTO THE SOCIETY OUTSIDE OF THE AGENCY OR INSTITUTION. THE REPORT IS ORGANIZED IN THE FOLLOWING MANNER: A DESCRIPTION OF THE AGENCIES WHICH RESPONDED TO THE SURVEY WITH USABLE DATA AND SOME OF THE CHARACTERISTICS OF THESE

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AGENCIES; A DESCRIPTION OF THE POPULATION OF THE AGENCIES, INCLUDING COMPARISONS BETWEEN THE MINORITY AND NONMINORITY POPULATIONS; AND AN ASSESSMENT OF THE TYPES OF EDUCATIONAL, VOCATIONAL, GENERAL MAINTENANCE, AND PRISON INDUSTRY PROGRAMS IN SPECIFIC AGENCIES, AS WELL AS AN INDICATION OF THE REGIONS AND STATES SHOWING LARGE NUMBERS OF AGENCIES WITH LOW RATES OF PARTICIPATION OF MINORITIES IN EACH TYPE OF PROGRAM. IT IS NOTED THAT SEVERAL FACTORS DETRACTED FROM THE POTENTIAL SUCCESS OF THE SURVEY. ONE FACTOR WAS THE QUESTIONNAIRE CONSTRUCTION, AND OTHER WERE RELATED TO THE INABILITY OF CORRECTIONAL AGENCIES TO SUBMIT THE REQUIRED DATA. SINCE THE SURVEY INSTRUMENT WAS NOT SUBJECTED TO A PRETEST, IT DID NOT BENEFIT FROM REVISIONS WHICH WOULD HAVE YIELDED MORE ACCURATE DATA. MANY OF THE RESPONDING AGENCIES PROVIDED SOME DATA ON THE FORMS, BUT OMITTED OTHER STATISTICS DUE TO ALLEGED LACK OF DATA. VOLUME I CONTAINS SUPPORTING TABLES AND AN EVALUATION OF THE PROJECT METHODOLOGY AND RECOMMENDATION. VOLUME II, CONSTITUTING APPENDIX A, PRESENTS COMPUTER TABLES, WHILE VOLUME III, PRESENTING APPENDICES B AND C, CONTAINS THE SURVEY QUESTIONNAIRE, SUGGESTED REVISIONS, AND SURVEY PROCEDURES.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

52. L. O. ROBINSON. **WOMEN IN THE CRIMINAL JUSTICE SYSTEM.** NATIONAL COLLEGE OF CRIMINAL DEFENSE LAWYERS AND PUBLIC DEFENDERS, COLLEGE OF LAW, UNIVERSITY OF HOUSTON, HOUSTON, TX 77004. *CRIMINAL DEFENSE*, V 3, N 3 (MAY 1976), P 11-18.

NCJ-41685

THIS ARTICLE DESCRIBES THE INCREASE OF WOMEN IN THE CRIMINAL JUSTICE FIELD. INCREASINGLY, WOMEN ARE BEING EMPLOYED AT ALL LEVELS AND IN ALL SEGMENTS OF THE CRIMINAL JUSTICE SYSTEM—CORRECTIONS, LAW ENFORCEMENT, THE JUDICIARY, PROBATION AND PAROLE, AND AS PROSECUTORS, PUBLIC DEFENDERS, AND PRIVATE CRIMINAL DEFENSE LAWYERS. HOWEVER, THE CRIMINAL JUSTICE SYSTEM MUST BEGIN AN ACCELERATED GAME OF 'CATCH-UP' TO INSURE THAT IT DOES NOT CONTINUE TO IGNORE THE LARGELY UNTAPPED RESOURCE OF WOMEN AS EMPLOYEES. PARTICULARLY WITH THE INCREASING NUMBERS OF ADULT AND JUVENILE FEMALE OFFENDERS, AND THE INCREASING ATTENTION BEING PAID TO FEMALE VICTIMS OF CRIME, ADDITIONAL WOMEN EMPLOYEES, THE ARTICLE ASSERTS, ARE A MUST.

53. N. E. ROBINSON. **WISCONSIN COUNCIL ON CRIMINAL JUSTICE—EQUAL OPPORTUNITY/AFFIRMATIVE ACTION PROGRAM FOR 1978.** WISCONSIN COUNCIL ON CRIMINAL JUSTICE, 122 WEST WASHINGTON, MADISON WI 53702. 219 p. 1977.

NCJ-68852

THE AGENCY RESPONSIBLE FOR ADMINISTERING FEDERAL CRIMINAL JUSTICE ASSISTANCE IN WISCONSIN REPORTS ITS PROGRESS IN MEETING GOALS RELATED TO EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION, AND EQUALITY IN SERVICE PROVISION. THE POLICY OF THE WISCONSIN COUNCIL ON CRIMINAL JUSTICE (WCCJ) IN THESE AREAS IS SET FORTH, AND THE COUNCIL'S PROGRESS TOWARD MEETING 1977 GOALS AND OBJECTIVES FOR PERSONNEL HIRING, UTILIZATION, POLICIES, AND PRACTICES, ARE OUTLINED. ANALYSES ARE PRESENTED OF THE WCCJ'S SERVICE POPULATION, RELEVANT LABOR MARKET, COUNCIL MEMBERSHIP, AND STAFF COMPOSITION (CENTRAL AND REGIONAL OPERATIONS). AREAS IN WHICH THE WCCJ'S PERSONNEL POLICIES AND PRACTICES NEED TO BE IMPROVED ARE IDENTIFIED IN A PROBLEM ANALYSIS. THESE AREAS INCLUDE HISPANIC REPRESENTATION ON THE WORK FORCE, CAREER DEVELOPMENT AND TRAINING OPPORTUNITIES, RECRUITMENT OF WOMEN AND MINORITIES FOR TECHNICAL JOBS, IDENTIFICATION OF HANDICAPPED PERSONNEL, AND GROUP-SPECIFIC RECORDKEEPING AND REPORTING ON SERVICES AND PROGRAMMING FOR MINORITIES, FEMALES, HANDI-

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CAPPED PERSONS, AND THE ELDERLY. THE COUNCIL'S PROGRESS IS MEASURED AGAINST ITS STATED GOALS AND TIMETABLES RELATIVE TO PERSONNEL REPRESENTATION, UTILIZATION, POLICIES, AND PRACTICES. THE REPORT CLOSES WITH AN OVERVIEW OF EXISTING EMPLOYMENT POLICIES, PRACTICES, MONITORING EFFORTS, AND PLANNED IMPROVEMENTS IN THE FOLLOWING AREAS: POSITION DESCRIPTIONS, JOB ANNOUNCEMENTS, RECRUITMENT AND APPLICATION, SELECTION AND APPOINTMENT, ORIENTATION FOR NEW EMPLOYEES, TRAINING AND STAFF DEVELOPMENT, TRANSFERS, PROMOTION AND UPWARD MOBILITY, PERFORMANCE EVALUATION, DISCIPLINE, TERMINATION, GRIEVANCE PROCEDURE, EXIT INTERVIEWS, RECORDKEEPING, ASSIGNMENT OF PROGRAM RESPONSIBILITIES, AND DISSEMINATION OF EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION PROGRAM INFORMATION. SUPPORTING DATA AND DOCUMENTATION—INCLUDING ORGANIZATION CHARTS, WORK-FORCE STATISTICS, AND A LIST OF RECRUITMENT RESOURCE PERSONS—ARE APPENDED. (LKM)

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

54. US COMMISSION ON CIVIL RIGHTS, 1121 VERMONT AVENUE, NW, WASHINGTON DC 20425. **UNFINISHED BUSINESS—TWENTY YEARS LATER—A REPORT SUBMITTED TO THE U.S. COMMISSION ON CIVIL RIGHTS BY ITS FIFTY-ONE STATE ADVISORY COMMITTEES, SEPTEMBER 1977.** 226 p. 1977.

NCJ-43367

STATE-BY-STATE REPORTS OF THE 51 ADVISORY COMMITTEES TO THE U.S. COMMISSION ON CIVIL RIGHTS PROVIDE AN OVERVIEW OF NATIONAL PROGRESS, BOTH ACHIEVEMENTS AND FAILURES, AND PRESENT CHALLENGE FOR THE FUTURE. IN ADDITION TO THE TRADITIONAL CONCERNS ABOUT UNEMPLOYMENT AND EDUCATION, THESE STATE REPORTS DOCUMENT THE RISING IMPORTANCE OF WOMEN'S RIGHTS AND CIVIL RIGHTS IN THE ADMINISTRATION OF JUSTICE. STATE REPORTS FOCUS ON WOMEN'S ISSUES RANGING FROM EQUAL CREDIT AND EMPLOYMENT OPPORTUNITY TO DOMESTIC VIOLENCE. A SECOND MAJOR AREA OF RESEARCH HAS BEEN CIVIL RIGHTS IN THE CRIMINAL JUSTICE SYSTEM, PARTICULARLY IN PRISONS AND IN POLICE-COMMUNITY RELATIONS. RECOMMENDATIONS FOR MINORITY STAFFING OF CORRECTIONAL INSTITUTIONS REFLECT AWARENESS OF THE NEED FOR EQUAL EMPLOYMENT OPPORTUNITIES AND FOR ETHNIC AND CULTURAL SENSITIVITY BETWEEN PRISONERS AND THEIR KEEPERS. AT THE SAME TIME, SHIFTING COMPOSITION OF THE CITIES REQUIRES LOCAL POLICE FORCES TO BE SENSITIVE TO THE EVER-CHANGING CULTURAL CHARACTERISTICS OF THEIR COMMUNITIES. INCREASED RECRUITMENT OF INDIGENOUS POLICE OFFICERS AND LOCALLY INITIATED TRAINING ARE RECOMMENDED. IN ALL, THESE REPORTS IDENTIFY 15 ISSUES: EDUCATION; EMPLOYMENT; WOMEN'S ISSUES; SUCH SPECIAL GROUPS AS BLACKS, HISPANICS, ASIAN, AND PACIFIC AMERICANS; HOUSING; CIVIL RIGHTS ENFORCEMENT; INDIGENOUS GROUPS SUCH AS AMERICAN INDIANS AND NATIVE ALASKANS; PRISONS; POLICE-COMMUNITY RELATIONS; ECONOMIC ISSUES; VOTING AND POLITICAL PARTICIPATION; INFORMATION AND COMMUNICATIONS; MIGRANTS; HEALTH AND SAFETY; AND UNDOCUMENTED ALIENS.

55. US COMMISSION ON CIVIL RIGHTS, 1121 VERMONT AVENUE, NW, WASHINGTON DC 20425. **TOWARD AN UNDERSTANDING OF BAKKE.** 195 p. 1979.

NCJ-88354

THIS PUBLICATION PURPORTS TO INCREASE UNDERSTANDING OF AFFIRMATIVE ACTION BY PRESENTING THE COMPLETE TEXT OF THE BAKKE DECISION AND THE EQUAL OPPORTUNITY COMMISSION'S VOLUNTARY AFFIRMATIVE ACTION GUIDELINES. THE BAKKE DECISION, ANNOUNCED ON JUNE 26, 1978, WAS A LANDMARK: IT WAS THE FIRST SUPREME COURT DECISION WHICH ADDRESSED THE ISSUE OF WHEN VOLUNTARY MEASURES INTENDED TO REMEDY EFFECTS OF PAST RACE-CONSCIOUS ACTION

CRIMINAL JUSTICE SYSTEM

MAY TAKE RACE INTO ACCOUNT. ALLAN BAKKE, A WHITE MALE WHO APPLIED FOR ADMISSION TO MEDICAL SCHOOL AND WAS REJECTED, BROUGHT A SUIT IN A CALIFORNIA STATE COURT AND ARGUED REVERSE DISCRIMINATION. HE EVENTUALLY TOOK HIS APPEAL TO THE SUPREME COURT AND WON THE DECISION. THE RATIONALE BEHIND THE ARGUMENT OF JUSTICE POWELL, WHO DID NOT ALIGN HIMSELF WITH THE JUSTICES ON EITHER SIDE OF THE ISSUE, IS EXPLAINED, AND THE DIFFICULTIES IN APPLYING THE VOLUNTARY AFFIRMATIVE ACTION GUIDELINES ARE DISCUSSED. THE GUIDELINES EMPHASIZE THAT THE GENERAL BAN ON EMPLOYMENT DISCRIMINATION IN FEDERAL LAWS MUST BE UNDERSTOOD IN THE CONTEXT OF THE CONGRESSIONAL PURPOSE UNDERLYING THEM, TO IMPROVE THE ECONOMIC AND SOCIAL CONDITIONS OF MINORITIES. THE GUIDELINES ENCOURAGE EMPLOYERS TO DO A 'REASONABLE SELF-ANALYSIS' OF THEIR WORK FORCE, AND IF A 'REASONABLE BASIS FOR CONCLUDING ACTION IS APPROPRIATE,' TO TAKE 'REASONABLE ACTION' IN RELATION TO THE PROBLEMS DISCLOSED. BESIDES THE TEXT OF THE BAKKE DECISION AND THE VOLUNTARY AFFIRMATIVE ACTION GUIDELINES, THE REPORT FURNISHES TWO STATEMENTS BY THE U.S. COMMISSION ON CIVIL RIGHTS ON AFFIRMATIVE ACTION AND A 1978 PRESIDENTIAL MEMORANDUM ON AFFIRMATIVE ACTION PROGRAMS.

Supplemental Notes: US COMMISSION ON CIVIL RIGHTS CLEARINGHOUSE PUBLICATION.

Availability: GPO. Stock Order No. 005-000-00199-4.

56. US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION OFFICE OF CIVIL RIGHTS COMPLIANCE, WASHINGTON, DC 20531. CIVIL RIGHTS ENFORCEMENT UNDER THE JORDAN AMENDMENT PROGRESS REPORT, 1974-1978. 68 p. 1978.

NCJ-59660

LEAA'S OFFICE OF CIVIL RIGHTS COMPLIANCE WAS ESTABLISHED TO ENSURE THAT RECIPIENTS OF GRANT FUNDS COMPLY WITH THE NONDISCRIMINATION PROVISIONS. THIS REPORT HIGHLIGHTS THE ACTIVITIES OF THE OFFICE SINCE THE 1977 JORDAN AMENDMENT. THE JORDAN AMENDMENT TO THE OMNIBUS CRIME CONTROL ACT ELIMINATED AGENCY DISCRETION IN INITIATING THE CUTOFF OF FUNDING AND PROVIDED FOR 'TRIGGERS' THAT WOULD AUTOMATICALLY BEGIN ADMINISTRATIVE PROCEDURES FOR THE CUTOFF OF FUNDING TO GRANT RECIPIENTS NOT COMPLYING WITH CIVIL RIGHTS PROVISIONS OF THE ACT. THE AMENDMENT ALSO REQUIRED LEAA/OFFICE OF CIVIL RIGHTS COMPLIANCE (OCRC) TO PROMULGATE TWO SETS OF NEW REGULATIONS, SETTING SPECIFIC TIME LIMITS TO RESPOND TO COMPLAINT FILING, INSTITUTE AN INVESTIGATION, AND ADVISE COMPLAINANTS OF THE STATUS OF THEIR CASE, AND TO CONDUCT INDEPENDENT AUDITS AND REVIEWS OF RECIPIENT COMPLIANCE. OCRC REVIEWS GRANT APPLICATIONS FOR CIVIL RIGHTS CONCERNS IN A MANNER SIMILAR TO LEAA BUDGET AND FINANCIAL REVIEWS AND IMPOSES SPECIAL CONDITIONS ON GRANTS WHERE NECESSARY. THE COMPLAINTS MUST BE PROCESSED WITHIN 171 DAYS AND SYSTEMIC REVIEWS OF CIVIL RIGHTS COMPLIANCE MUST BE CONDUCTED IN A MANNER SIMILAR TO FISCAL OR MANAGEMENT AUDIT. OCRC EVALUATED ITS ADMINISTRATIVE PROCEDURES IN 1978 WITH A VIEW TO INITIATING A COMPUTER-ORIENTED, AUTOMATED PROCESSING AND INFORMATION SYSTEM (A COMPLAINT CASE PROCESSING HAS BEEN PARTIALLY AUTOMATED AND A RELATED MANAGEMENT INFORMATION SYSTEM HAS BEEN PREPARED PROVIDING STAFF PERFORMANCE INFORMATION). SUMMARIES OF THE RESULTS OF COMPLAINT PROCESSING AND COMPLIANCE REVIEWS FOR THE YEAR ARE PRESENTED AS WELL AS A DIGEST OF ADMINISTRATIVE SUSPENSIONS AND TERMINATIONS OF FUNDS. THE OCRC COORDINATION EFFORTS WITH CIVIL RIGHTS AGENCIES, USE OF CONTRACTORS WITH CIVIL RIGHTS EXPERTISE TO IMPROVE MINORITY EMPLOYMENT AND COMMUNITY SERVICE PRACTICE OF RECIPIENTS, AND FUTURE PLANS ARE DOCUMENTED. APPENDICES CONTAIN PLANS FOR REGULATIONS TO BE DEVELOPED OR UNDER REVIEW PRIOR TO SEPTEMBER, 1979 AND FOR REGULATIONS SCHEDULED FOR INITIAL REVIEW.

57. WASHINGTON UNIVERSITY SCHOOL OF LAW, ST LOUIS MO 63130. CONVICTION RECORDS AS BARRIERS TO EMPLOYMENT—RACIAL DISCRIMINATION UNDER TITLE 7—GREEN V MISSOURI PACIFIC RAILROAD, 523 F.2D 1280 (8TH CIR. 1975). WASHINGTON UNIVERSITY LAW QUARTERLY, V 1976, N 1 (1976). P 122-134.

NCJ-38548

THIS DECISION HELD THAT STATISTICAL EVIDENCE SUPPORTS A FINDING THAT A BLANKET RULE AGAINST HIRING EX-OFFENDERS IS, PRIMA FACIE, RACIALLY DISCRIMINATORY, AND CANNOT BE JUSTIFIED BY BUSINESS NECESSITY. THIS CASE COMMENT ANALYZES THIS DECISION ALONG WITH OTHER PERTINENT CASE LAW DEALING WITH RACIALLY DISCRIMINATORY BUSINESS PERSONNEL POLICIES UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964.

58. P. B. WESTON. SUPERVISION IN THE ADMINISTRATION OF JUSTICE—POLICE, CORRECTIONS, COURTS, 2ND ED. CHARLES C THOMAS, 301-327 EAST LAWRENCE AVENUE, SPRINGFIELD IL 62717. 219 p. 1978.

NCJ-50563

FUNDAMENTALS OF SUPERVISING EMPLOYEES IN POLICE DEPARTMENTS, SHERIFFS' OFFICES, COURTS, PROBATION AND PAROLE AGENCIES, AND CORRECTIONAL INSTITUTIONS ARE DISCUSSED IN A CLASSROOM/SELF-STUDY TEXT. LIKE THE ORIGINAL TEXT, THE SECOND EDITION EXPANDS UPON THE THEME THAT SUPERVISION OF EMPLOYEES IN CRIMINAL JUSTICE AGENCIES REQUIRES A SPECIAL BODY OF KNOWLEDGE. FIVE NEW CHAPTERS HAVE BEEN ADDED. ONE FOCUSES ON THE SUPERVISOR'S ROLE FROM FIRST-LEVEL SUPERVISION OF EMPLOYEES TO MIDDLE-LEVEL AND EXECUTIVE SUPERVISION. OTHERS DETAIL SUPERVISORS' RESPONSIBILITIES WITH RESPECT TO ETHICAL BEHAVIOR, EMPLOYEES' RIGHTS, EQUAL OPPORTUNITY, AND CONDUCT OF INTERVIEWS AND COUNSELING SESSIONS WITH EMPLOYEES EXPERIENCING PROBLEMS RELATED TO JOB STRESS. OTHER CHAPTERS, ALL OF WHICH HAVE BEEN MODIFIED AND UPDATED, COVER THE DUTIES AND RESPONSIBILITIES OF SUPERVISORS; LEADERSHIP, DECISIONMAKING; TRAINING; COMMUNICATIONS; EMPLOYEE MISCONDUCT AND CORRECTIVE DISCIPLINE; WORK MOTIVATION, JOB SATISFACTION, AND MORALE; AND WORK ASSIGNMENTS AND APPRAISAL. LEARNING AIDS INCLUDE A STATEMENT OF CHAPTER OBJECTIVES AT THE BEGINNING OF EACH CHAPTER AND REVIEW AND DISCUSSION QUESTIONS AT THE END OF EACH SECTION. MAJOR CONCEPTS AND PRACTICES ARE ILLUSTRATED IN CHARTS AND DIAGRAMS. LISTS OF REFERENCES ARE INCLUDED. (AUTHOR ABSTRACT MODIFIED)

Availability: CHARLES C THOMAS, 301-327 EAST LAWRENCE AVENUE, SPRINGFIELD IL 62717.

POLICE

59. A. ABRAMOWITZ, L. CRITES, M. GATES, E. MINTZ, and G. SANDLER. **WOMEN IN POLICING—A MANUAL**. POLICE FOUNDATION, 1909 K STREET, NW, WASHINGTON DC 20006. 97 p. 1974. NCJ-18545

A SURVEY AND GUIDE TO POLICE AGENCIES AND MUNICIPAL GOVERNMENTS IN THE SUCCESSFUL RECRUITMENT TRAINING, AND UTILIZATION OF FEMALE POLICE OFFICERS, WITH EMPHASIS ON OBSTACLES FACED BY POLICEWOMEN. CASE STUDIES OF THE EXPERIENCES OF SEVERAL POLICE FORCES IN EMPLOYING FEMALE POLICE OFFICERS ARE FIRST PROVIDED. AN OUTLINE FOR A SIX-MONTH RECRUITMENT CAMPAIGN, AND SUGGESTIONS ON MONITORING THE RECRUITMENT EFFORT ARE ALSO GIVEN. SELECTION STANDARDS WHICH MAY NEED SCRUTINY DUE TO THEIR TENDENCY TO LIMIT SIGNIFICANTLY THE NUMBER OF WOMEN ACCEPTED INTO POLICE DEPARTMENTS ARE DISCUSSED, AND ALTERNATIVE APPROACHES TO THESE SELECTION CRITERIA ARE SUGGESTED. ALSO CONSIDERED ARE SUCH TRAINING ISSUES AS EQUAL OR DIFFERENTIAL TRAINING, INTEGRATED OR SEGREGATED TRAINING, THE VARIOUS APPROACHES TO PHYSICAL TRAINING, THE RELEVANCE OF FIELD TRAINING, THE NEED FOR SUPPLEMENTAL AND OPTIONAL TRAINING, THE RE-TRAINING OF VETERAN WOMEN POLICE OFFICERS, THE DESIRABILITY OF HAVING WOMEN IN POSITIONS OF AUTHORITY AND THE EFFECT OF INSTRUCTOR AND RECRUIT ATTITUDES. ISSUES OF PERFORMANCE, INCLUDING POTENTIAL BENEFITS OF A PERFORMANCE EVALUATION SYSTEM, PROBLEMS INVOLVED IN PERFORMANCE EVALUATION, RATING BIAS, DEALING WITH BIAS, FACTORS INVOLVING THE PERFORMANCE OF POLICEWOMEN, MORALE, REWARDS, AND SANCTIONS ARE ALSO EXPLORED. OTHER TOPICS DISCUSSED INCLUDE OPERATIONAL CONSIDERATIONS, PROMOTIONS, RESISTANCE TO EMPLOYING POLICEWOMEN, AND PROGRAM EVALUATIONS OF WOMEN ON PAROLE. PERSONAL STATEMENTS ON THE PATROL EXPERIENCE BY SIX OFFICERS, A LEGAL ANALYSIS OF WOMEN IN POLICING, AND A BIBLIOGRAPHY ON POLICEWOMEN ARE INCLUDED AS WELL.

Sponsoring Agency: FORD FOUNDATION, 320 EAST 43RD STREET, NEW YORK NY 10017.

60. L. ACERPA. **FROM MATRON TO COMMANDING OFFICER—WOMEN'S CHANGING ROLE IN LAW ENFORCEMENT (FROM LAW ENFORCEMENT BIBLE, 1978, BY ROBERT A. SCANLON—SEE NCJ-49390)**. STOEGER PUBLISHING COMPANY, 55 RUTA COURT, SOUTH HACKENSACK NJ 07606. 10 p. 1978. NCJ-49404

THE CHANGING ROLE OF WOMEN IN LAW ENFORCEMENT, FROM THE FIRST POLICE MATRONS HIRED IN 1891 TO THE PRESENT, IS

REVIEWED. EMPHASIS IS ON FEMALE POLICE IN NEW YORK CITY. ALTHOUGH AN EARLIER MOVEMENT HAD INTRODUCED MATRONS INTO THE NEW YORK CITY'S JAILS, POLICE OFFICIALS ADAMANTLY RESISTED HIRING WOMEN FOR POLICE DETENTION CASES. LEGISLATION IN 1888 LAID THE GROUNDWORK FOR THE HIRING OF THE FIRST POLICE MATRONS. WORLD WAR I EXPANDED THE ROLE OF FEMALE POLICE, AND LEGISLATION IN 1920 GAVE MATRONS POLICE POWER AND GRANTED TENURE TO FEMALE WAR HIREES. THE TITLE, 'POLICEWOMAN,' ESTABLISHED IN 1920 ENDURED UNTIL 1973 WHEN THE UNISEX TITLE 'POLICE OFFICER' WAS ADOPTED. BOTH THE POLICEWOMAN DESIGNATION AND SEX-BASED SEGREGATION OF POLICE DUTIES AND SEPARATE PROMOTIONAL POLICIES AND TITLES SERVED TO DISCRIMINATE AGAINST FEMALE POLICE. IN 1952, THERE WAS A SPECTACULAR INCREASE IN THE NUMBER OF WOMEN WITH DETECTIVE RATINGS. AND BY 1955 WOMEN DETECTIVES WERE BEING ASSIGNED TO A VARIETY OF DUTIES. IN 1965 A UNISEX MERIT SYSTEM OF ADVANCEMENT WAS INITIATED, AND IN 1967 WOMEN WERE BEING ASSIGNED TO PATROL PRECINCTS, PRIMARILY ON STATION-HOUSE ASSIGNMENTS. DURING THE EARLY 1970S, EXPERIMENTS IN NEW YORK CITY AND WASHINGTON, D.C. DEMONSTRATED THAT WOMEN COULD PERFORM A WIDE RANGE OF PATROL DUTIES AS WELL AS THEIR MALE COUNTERPARTS. IN NEW YORK CITY, HEIGHT REQUIREMENTS WERE ABOLISHED AND WOMEN PARTICIPATED IN THE SAME TRAINING AS MEN. ALTHOUGH IN THEORY, WOMEN'S ASSIGNMENTS WERE TO BE EQUAL TO MEN'S PATROL DUTIES, SEGREGATION IN ASSIGNMENTS WAS STILL PRACTICED AND WOMEN OFFICERS WERE GENERALLY ASSIGNED TO MATRON DUTIES. HOWEVER, THIS PROBLEM IS BEING SOLVED BY THE HIRING OF CIVILIAN MATRONS. ISSUES REGARDING UNIFORMS, WEAPONS, AND OTHER AREAS WHERE DISCRIMINATION STILL EXISTS ARE BEING RAISED AND THEIR LEGALITY CHALLENGED. INCREASING CAREER DEVELOPMENT OPPORTUNITIES FOR FEMALE OFFICERS SHOULD RESULT IN AN INCREASE IN FEMALE APPLICANTS. WHAT IS NOW NEEDED IS THAT POLICE DEPARTMENTS, AND THE MALE OFFICERS PROJECT A POSITIVE ATTITUDE TOWARD WOMEN'S DRIVE FOR EQUALITY. A SYSTEM OF CONTROLS MUST BE BUILT INTO THE SYSTEM THAT WILL ENSURE TRUE EQUALITY OF ASSIGNMENT AND POLICY FORMULATIONS SHOULD INCORPORATE THE FEMALE OFFICER'S POINT OF VIEW, PARTICULARLY IN THOSE AREAS DIRECTLY RELEVANT TO HER ROLE.

61. **B. BARNABAS. PROFILE OF A GOOD POLICE OFFICER.** COPP ORGANIZATION, INC, 37 WEST 38TH STREET, NEW YORK NY 10018. *LAW AND ORDER*, V 24, N 5 (MAY 1978), P 32, 34, 36, 38, 40, 42 AND 44. NCJ-34585

A TEST WAS DEVELOPED FOR POLICE APPLICANTS IN WICHITA (KS) TO PREDICT SUCCESSFUL TRAINING AND PERFORMANCE IN COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION LAWS. THE TEST MEASURES PERSONALITY PARAMETERS, ADJUSTMENT UNDER STRESS, VOCATIONAL INTERESTS, AS WELL AS THE STANDARD INTELLIGENCE, VOCABULARY, ORAL COMPREHENSION, AND CLERICAL EFFICIENCY TESTS. THE TEST WAS FOUND TO BE HIGHLY EFFICIENT IN PREDICTING APPLICANT SUCCESS.

62. **E. SEARD, L. P. BROWN, and L. E. GARY. ATTITUDES AND PERCEPTIONS OF BLACK POLICE OFFICERS OF THE DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT.** HOWARD UNIVERSITY, P O BOX 191, WASHINGTON DC 20001. 133 p. 1978. NCJ-32655

THIS STUDY REPORTS DATA ON THE RECRUITMENT, JOB ASSIGNMENTS, PROMOTION, INTERPERSONAL RELATIONS, RETENTION, AND ATTRITION OF BLACK OFFICERS IN THE METROPOLITAN POLICE DEPARTMENT (MPD). OTHER TOPICS COVERED INCLUDE: BACKGROUND AND PERSONAL CHARACTERISTICS; INTERPERSONAL RELATIONS AMONG POLICE OFFICERS AND THEIR PERCEPTIONS OF THE COMMUNITY'S ATTITUDES TOWARDS THE MPD; ATTITUDES OF BLACK OFFICERS TOWARDS MPD SUPERVISORS AND OFFICIALS AND THE ISSUE OF DISCRIMINATION IN DEPARTMENT POLICIES AND REGULATIONS; JOB SATISFACTION AND PROMOTION OPPORTUNITIES; AND SIGNIFICANT PROBLEMS CONFRONTING THE POLICE DEPARTMENT, POLICE PROFESSION, AND POLICE OFFICERS. (AUTHOR ABSTRACT)

Sponsoring Agencies: DISTRICT OF COLUMBIA OFFICE OF CRIMINAL JUSTICE PLANS AND ANALYSIS, 1329 E STREET, NW, WASHINGTON DC 20004; US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION—REGION 3.

Availability: NCJRS MICROFICHE PROGRAM.

63. **L. B. BERRONG. MILITARY POLICE SELECTION—AGE VERSUS MATURITY.** US DEPARTMENT OF THE ARMY US ARMY COMMAND AND GENERAL STAFF COLLEGE, FORT LEAVENWORTH KS 66027. 18 p. 1977. NCJ-46505

BASED UPON DATA FROM RELEVANT REPORTS AND SURVEYS, RECOMMENDATIONS ARE MADE CONCERNING THE MINIMUM AGE REQUIREMENT FOR MILITARY POLICE. THE 1976 TASK GROUP REPORT ON PROVOST MARSHAL AND MILITARY POLICE ACTIVITIES INDICATES DEFICIENCIES IN THE EFFECTIVENESS OF THE MILITARY POLICE. THE MINIMUM AGE LEVEL OF 18 AND A LACK OF MATURITY AMONG THE YOUNG OFFICERS IS CITED AS A POSSIBLE REASON FOR THIS UNACCEPTABLE PERFORMANCE. IT IS POINTED OUT, HOWEVER, THAT NO SPECIFIC EVIDENCE EXISTS THAT PERSONS OVER 21 CAN DO A BETTER JOB THAN YOUNGER PERSONNEL. IT IS SIMPLY THE PREVAILING OPINION OF THOSE IN COMMAND POSITIONS. RAISING THE AGE MINIMUM IS VIEWED AS IMPRACTICAL, SINCE 70 PERCENT OF THE PEOPLE ENTERING THE MILITARY POLICE CORPS ARE UNDER 21 YEARS OF AGE. IN ADDITION, THERE IS NO EVIDENCE THAT RAISING THE AGE LEVEL BY 3 YEARS WOULD NECESSARILY GUARANTEE A HIGHER LEVEL OF MATURITY AMONG MILITARY POLICE PERSONNEL. IT IS RECOMMENDED, THEREFORE, THAT SCREENING PROCEDURES BE ESTABLISHED WHICH WOULD ELIMINATE THE IMMATURE, REGARDLESS OF AGE. PSYCHOLOGICAL TESTING, BACKGROUND INVESTIGATIONS, AND A PROBATION PERIOD ARE SUGGESTED AS POSSIBLE ELEMENTS OF A SCREENING PROCEDURE.

Availability: NTIS Accession No. ADA 043 015 (Microfiche); NCJRS MICROFICHE PROGRAM.

64. **W. D. BOETTCHER. MINORITY RECRUITMENT AND RETENTION IN THE DES MOINES POLICE DEPARTMENT—A SURVEY OF OPINIONS.** 63 p. 1975. NCJ-34911

FINDINGS OF A STUDY TO ASSESS THE EFFECTIVENESS OF THE DES MOINES POLICE DEPARTMENT JUVENILE LIAISON PROJECT

IN INCREASING MINORITY RECRUITMENT AND IDENTIFYING DETERRENTS TO MINORITY RECRUITMENT AND RETENTION. INCIDENCE DATA REGARDING MINORITY APPLICATIONS WERE OBTAINED FROM THE PERSONNEL DEPARTMENT. DATA REGARDING DETERRING FACTORS WERE OBTAINED THROUGH INTERVIEWS WITH PAST AND PRESENT MINORITY OFFICERS, MINORITY COMMUNITY LEADERS AND CITIZENS, AND SCHOOL PERSONNEL. INCIDENCE DATA INDICATE THAT THE NUMBER OF MINORITY OFFICERS HAS CONSISTENTLY REMAINED LOW. INTERVIEW RESPONSES SUGGEST THAT FURTHER INTENSIFICATION OF RECRUITMENT EFFORTS IS NEEDED WITHIN THE COMMUNITY AND WITHIN THE HIGH SCHOOLS WITH SPECIAL EFFORTS TO INVOLVE COUNSELORS. RESPONDENTS SUGGESTED THE NEED FOR A CONCENTRATED EDUCATIONAL PROGRAM, AT ALL GRADE LEVELS WITHIN THE SCHOOLS TO FURTHER THE UNDERSTANDING OF LAW ENFORCEMENT AND TO ACQUAINT STUDENTS WITH THE ADVANTAGES OF LAW ENFORCEMENT CAREERS. FOR THE OTHER REPORTS IN THIS SERIES, SEE NCJ-34908.

Sponsoring Agencies: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION; DES MOINES CHAMBER OF COMMERCE, 800 HIGH, DES MOINES IA 50307; DES MOINES/POLK COUNTY METROPOLITAN CRIMINAL JUSTICE CENTER; DES MOINES.

Availability: NCJRS MICROFICHE PROGRAM.

65. **C. M. BREECE and G. R. GARRETT. WOMEN IN POLICING—CHANGING PERSPECTIVES ON THE ROLE (FROM CRIMINAL JUSTICE PLANNING, 1977 BY JOSEPH E SCOTT, AND SIMON DINI—SEE NCJ-44978).** PRAEGER PUBLISHERS C/O HOLT, RINEHART, WINSTON, 383 MADISON AVENUE, NEW YORK NY 10017. 23 p. 1977. NCJ-44978

LITERATURE ON LEGAL, SOCIAL, AND OTHER INFLUENCES ON THE ROLE OF WOMEN IN POLICE WORK IS REVIEWED, AND THE STATUS OF POLICEWOMEN IS ASSESSED. THE INVOLVEMENT OF WOMEN IN POLICE WORK HAS BEEN LINKED WITH THE STEREOTYPING OF PERSONALITY CHARACTERISTICS AND OF FEMALE ROLES. TOGETHER WITH THE PARAMILITARY IMAGE OF POLICE AGENCIES, STEREOTYPED VIEWS HAVE REDUCED THE PROBABILITIES OF WOMEN ENTERING POLICE WORK AND HAVE CONFINED CAREER MOBILITY FOR POLICEWOMEN TO SUCH AREAS AS JUVENILE WORK, METER PATROL, AND ADMINISTRATIVE DUTIES. THE LAW PROHIBITING DISCRIMINATION IN EMPLOYMENT ON THE BASIS OF SEX WAS THE MOST IMPORTANT LEGAL ACTION AFFECTING DEPARTMENTAL POLICIES CONCERNING WOMEN. OTHER IMPORTANT LEGAL ISSUES AFFECTING WOMEN IN LAW ENFORCEMENT INCLUDE SEPARATE PROMOTIONAL PROCEDURES AND JOB DEFINITIONS FOR MALES AND FEMALES, PHYSICAL FITNESS AND WEIGHT/HEIGHT REQUIREMENTS, TESTS CONTAINING SEX-SPECIFIC ITEMS, AND THE VETERANS' PREFERENCE SYSTEM. SOCIAL REACTIONS TO THE USE OF WOMEN IN POLICE AGENCIES AND ON PATROL VARY ACCORDING TO POPULATION GROUP, ALTHOUGH STUDIES INDICATE THAT THE PUBLIC GENERALLY IS NOT OPPOSED TO WOMEN IN POLICING. THE GREATEST RESISTANCE TO THE USE OF POLICEWOMEN, PARTICULARLY ON PATROL DUTY, COMES FROM MALE POLICE OFFICERS. IMPROVED PUBLIC IMAGE, LESS VIOLENCE IN POLICE-CITIZEN ENCOUNTERS, OVERALL REDUCTION OF POLICE VIOLENCE, AND BETTER HANDLING OF RAPE AND SEX CRIME VICTIMS ARE AMONG ADVANTAGES ASSOCIATED WITH THE USE OF FEMALE PATROL OFFICERS IN PILOT PROGRAMS. MAJOR DISADVANTAGES INCLUDE ADVERSE EFFECTS ON THE MORALE OF MALE OFFICERS AND THE TENDENCY OF MALE OFFICERS TO BE OVERLY PROTECTIVE OF THEIR FEMALE COLLEAGUES. TOPICS FOR FUTURE STUDIES OF WOMEN IN POLICING ARE SUGGESTED. A LIST OF REFERENCES IS INCLUDED.

66. **CHESAPEAKE (VA) MINORITY RECRUITMENT AND EMPLOYMENT DEVELOPMENT PROGRAM—EVALUATIVE REPORT.** 100 p. NCJ-30620

THIS PROJECT INVOLVED A SEARCH AND RECRUITMENT STRATEGY AIMED AT MINORITY AND COLLEGE-EDUCATED CANDIDATES,

COUPLED WITH AN INTERN TRAINING PROGRAM. GOALS OF THE PROJECT WERE TO INCREASE THE NUMBER OF NONWHITE OFFICERS, TO INCREASE THE NUMBER OF WHITE AND NONWHITE COLLEGE GRADUATE RECRUITS, TO INCREASE THE EFFECTIVENESS OF RECRUITMENT TECHNIQUES AMONG MINORITIES, AND TO IMPROVE DEPARTMENTAL TRAINING AND PLANNING. RELATED GOALS INCLUDE THE FOLLOWING: TO INCREASE INTERDEPARTMENTAL INTER-RANK INPUT CONCERNING TRAINING AND PLANNING PROCESSES AND TO EXPLORE AND EVALUATE A METHOD OF MINORITY RECRUITMENT AND RETENTION AND A METHOD OF COLLEGE GRADUATE RECRUITMENT, TRAINING, AND RETENTION. EACH GOAL AND THE DEGREE TO WHICH IT WAS ATTAINED IS TREATED SEPARATELY. EVALUATION MEASURES INVOLVED BOTH PRE- AND POST-TESTING OF INTERNS. THROUGH THIS PROGRAM, SOME OF THE DEPARTMENTS OF THE CHESAPEAKE DIVISION OF POLICE DOUBLED AND QUADRUPLED THEIR MINORITY MEMBERSHIP. OTHER RESULTS AND PROJECT RECOMMENDATIONS ARE PROVIDED.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

- 67. M. COHAN. IOWA—DEPARTMENT OF PUBLIC SAFETY—EQUAL EMPLOYMENT OPPORTUNITY COORDINATOR—PRELIMINARY EVALUATION.** IOWA DEPARTMENT OF PUBLIC SAFETY, EAST 12TH AND WALNUT STREETS, DES MOINES IA 50319. 3 p. 1976.

NCJ-45715

THE PERFORMANCE OF A FULL-TIME COORDINATOR HIRED TO PROMOTE FEMALE AND MINORITY RECRUITMENT, TO DEVELOP HIRING PROCEDURES, AND TO OVERSEE EQUAL EMPLOYMENT OPPORTUNITIES IS EVALUATED. THE GOAL OF THE COORDINATOR POSITION IS TO ENABLE THE IOWA DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY PROGRAMS IN ITS HIGHWAY PATROL, CRIMINAL INVESTIGATION, VICE, NARCOTICS, AND RESEARCH AND ADMINISTRATIVE UNITS. THE COORDINATOR'S PERFORMANCE DURING HER FIRST YEAR WITH THE DEPARTMENT IS EVALUATED IN TERMS OF PROGRESS TOWARD 11 OBJECTIVES. THE COORDINATOR'S EFFORTS RESULTED IN INTERVIEWS WITH 13 WOMEN AND 30 MINORITY PERSONS. OF THOSE INTERVIEWED, 5 WOMEN AND 4 MINORITY PERSONS JOINED THE DEPARTMENT. THE COORDINATOR CONTACTED COLLEGE PLACEMENT OFFICES AND ATTENDED CAREER DAY SESSIONS AT COLLEGES AND UNIVERSITIES IN ORDER TO PROMOTE PUBLIC SAFETY CAREER OPPORTUNITIES FOR WOMEN AND MINORITIES. THESE AND OTHER ACTIVITIES LED TO THE CONCLUSION THAT THE COORDINATOR HAS PERFORMED SATISFACTORILY. CONTINUATION OF THE GRANT SUPPORTING HER EMPLOYMENT IS RECOMMENDED. THE GUIDE USED IN AN EVALUATIVE INTERVIEW WITH THE COORDINATOR IS INCLUDED.

Sponsoring Agencies: IOWA CRIME COMMISSION; US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

- 68. B. CORY. MINORITY POLICE—TRAMPING THROUGH A RACIAL MINEFIELD.** CRIMINAL JUSTICE PUBLICATIONS, INC, 801 SECOND AVENUE, NEW YORK NY 10017. *POLICE MAGAZINE*, V 2, N 2 (MARCH 1979), P 4-14.

NCJ-54484

AN OVERVIEW OF THE STATUS OF MINORITIES IN POLICING INCLUDES PROFILES OF THE POLICE DEPARTMENTS IN DETROIT, MICH., AND DALLAS, TEX., TWO CITIES WHERE MINORITY HIRING HAS BEEN PARTICULARLY CONTROVERSIAL. THE NUMBERS OF MINORITIES ON POLICE FORCES HAVE INCREASED, ATTITUDES OF AND TOWARD MINORITY POLICE HAVE IMPROVED, AND MINORITY POLICE ORGANIZATIONS HAVE BECOME INCREASINGLY VOCAL. HOWEVER, OLD ATTITUDES LINGER AND CONTINUE TO TAKE THEIR TOLL ON MINORITY OFFICERS, WHO AT TIMES EXPERIENCE BOTH SCORN FROM THE COMMUNITY AND LACK OF RESPECT FROM THEIR WHITE COUNTERPARTS. A 1975 STUDY FOUND THAT THE PERCENTAGE OF MINORITY POLICE ADMINIS-

TRATORS WAS NEGLIGIBLE—AN INDICATION THAT, DESPITE EMPLOYMENT GAINS BY MINORITIES, POLICING IS STILL FAR FROM INTEGRATED. THE MINORITY OFFICER'S PROBLEM OF BEING THE 'LAST HIRED AND FIRST FIRED' IS BECOMING INCREASINGLY SIGNIFICANT IN LIGHT OF THE FINANCIAL WOES TROUBLING MANY CITIES. EXAMPLES OF DISCRIMINATORY RECRUITMENT, HIRING, AND ASSIGNMENT PRACTICES CAN STILL BE CITED, AS CAN INSTANCES IN WHICH BLACK AND HISPANIC OFFICERS ENCOUNTER HARASSMENT AND VIOLENCE WHEN THEY ATTEMPT TO CHALLENGE THE STATUS QUO. ON THE OTHER HAND, IT APPEARS LIKELY THAT POLICE MINORITY RECRUITING AND PROMOTION WILL COME UNDER INCREASED FEDERAL SCRUTINY, AND THERE HAVE BEEN INSTANCES IN WHICH WHITE AND MINORITY OFFICERS HAVE WORKED TOGETHER FOR A COMMON GOAL. IN DETROIT, THE CITY'S POLICY OF PROMOTING EQUAL NUMBERS OF WHITE AND BLACK OFFICERS TO VACANCIES AT THE RANK OF SERGEANT HAS BROUGHT LAWSUITS CHARGING REVERSE DISCRIMINATION. THE SUITS ARE OF NATIONAL IMPORTANCE BECAUSE THEY CHALLENGE A 'VOLUNTARY' (NONCOURT-ORDERED) AFFIRMATIVE ACTION PLAN. IN 1972, THE DALLAS POLICE CHIEF SET AN AMBITIOUS MINORITY-HIRING GOAL AS PART OF AN ILL-FATED 5-YEAR PLAN TO REFORM HIS DEPARTMENT. THE GOAL WAS NOT REACHED. DALLAS' PROBLEM IN RECRUITING MINORITIES IS LINKED BY SOME TO THE DEPARTMENT'S REQUIREMENT OF COLLEGE TRAINING FOR RECRUITS. BUT POLICE AND CITY ADMINISTRATORS DENY SUCH A LINK, AND THE DEPARTMENT'S BLACK OFFICERS SUPPORT THE REQUIREMENT.

Supplemental Notes: BACK ISSUES ALSO AVAILABLE.

Availability: CRIMINAL JUSTICE PUBLICATIONS, INC, 801 SECOND AVENUE, NEW YORK NY 10017.

- 69. L. CRITES. WOMEN IN LAW ENFORCEMENT.** INTERNATIONAL CITY MANAGEMENT ASSOCIATION, 1140 CONNECTICUT AVENUE, NW, WASHINGTON DC 20036. *MANAGEMENT INFORMATION SERVICE REPORT*, V 5, N 9 (SEPTEMBER 1973), COMPLETE ISSUE. **NCJ-11302**

USE OF WOMEN IN POLICE PATROL FUNCTIONS, DIRECTIVES ON IMPLEMENTING SUCH PROGRAMS, AND BENEFITS GAINED. THE AUTHOR DISCUSSES THE LEGAL STATUS OF WOMEN TODAY, CITING THE FOURTEENTH AMENDMENT AND THE CIVIL RIGHTS ACT OF 1964 WHICH PROHIBIT DISCRIMINATION ON THE BASIS OF SEX. BASIC MISCONCEPTIONS ABOUT WOMEN'S EMOTIONAL INSTABILITY AND LACK OF SELF CONFIDENCE ARE EXAMINED IN THE CONTEXT THAT THEY HAVE IMPEDED THE EMPLOYMENT OF WOMEN IN PATROL WORK. THE AUTHOR PRESENTS A LIST OF CITIES AND COUNTIES WHICH ARE KNOWN TO BE UTILIZING WOMEN ON PATROL. HE INDICATES THAT THERE ARE BENEFITS TO THE POLICE DEPARTMENT WHICH MAKES SUCH USE OF POLICEWOMEN. SOME OF THE BENEFITS MENTIONED ARE FEWER CITIZEN COMPLAINTS FOR SUCH CHARGES AS POLICE BRUTALITY, INCREASED ATTENTION TO THE SERVICE NATURE OF POLICE WORK, AND IMPROVED CAPABILITY IN A SURVEILLANCE SITUATION WHERE THE POLICEWOMAN CAN BE INCONSPICUOUS. THE AUTHOR DISCUSSES THE PLANNING OF SUCH PROGRAMS IN THE AREAS OF RECRUITMENT, TESTING, SCREENING, TRAINING, AND SELECTION OF UNIFORMS. HE ADVOCATES CAUTION IN THE USE OF SUCH GUIDES AS THE OFFICER'S ARREST RECORD AND ATTITUDE SURVEYS TO EVALUATE THE POLICEWOMAN'S PERFORMANCE.

- 70. M. D. DUNNETTE and S. J. MOTOWIDLO. POLICE SELECTION AND CAREER ASSESSMENT.** PERSONNEL DECISIONS, INC, 2515 FOSHAY TOWER, MINNEAPOLIS MN 55402. 220 p. 1975. **NCJ-38087**

THIS REPORT DETAILS THE RESEARCH ACTIVITIES AND VALIDATION EFFORTS UNDERTAKEN IN THE DEVELOPMENT OF THE TWO PERSONNEL EVALUATION INVENTORIES DESIGNED DURING THIS PROJECT, AND OUTLINES THE INSTRUMENTS' OPERATIONAL USES. THE MAJOR OBJECTIVE OF THIS RESEARCH PROGRAM WAS TO DEVELOP NEW METHODS FOR EVALUATING PERSONS WHO APPLY FOR POSITIONS IN POLICE WORK AND FOR ASSESS

ING THE POTENTIAL OF PRESENT POLICE OFFICERS BEING CONSIDERED FOR PROMOTION. IN ORDER TO ACCOMPLISH THIS, CRITICAL FEATURES OF FOUR DIFFERENT POLICE JOBS WERE DETERMINED. THESE JOBS WERE GENERAL PATROL OFFICER, INVESTIGATOR/DETECTIVE, PATROL SERGEANT, AND INTERMEDIATE COMMAND. THE MEANS BY WHICH THESE CRITICAL FEATURES AND OTHER INFORMATION SUCH AS JOB PERFORMANCE RATINGS WERE UTILIZED TO DEVELOP AND VALIDATE TWO PERSONNEL EVALUATION INSTRUMENTS ARE DESCRIBED IN DETAIL. THE FIRST EVALUATION INSTRUMENT DEVELOPED, WHICH CAME TO BE CALLED THE POLICE CAREER INDEX, CONSISTS OF A BRIEF, EASILY ADMINISTERED AND OBJECTIVELY SCORED INVENTORY TO BE USED IN PRELIMINARY SCREENING OF APPLICANTS AND CANDIDATES FOR POLICE JOBS. THE SECOND PROCEDURE, THE REGIONAL ASSESSMENT CENTER, CONSISTS OF A SERIES OF POLICE JOB SIMULATION EXERCISES DESIGNED TO ELICIT BEHAVIORAL INDICATORS OF A PERSON'S POTENTIAL FOR SUCCESS IN VARIOUS ASPECTS OF POLICE WORK. PROCEDURES FOR UTILIZING THESE INSTRUMENTS ARE OUTLINED. APPENDICES TO THIS REPORT INCLUDE JOB PERFORMANCE DESCRIPTION BOOKLETS FOR THE FOUR POLICE POSITIONS, AND TABLES SHOWING RELIABILITY ESTIMATES FOR JOB PERFORMANCE RATINGS. FOR THE ASSESSOR'S MANUALS CONTAINING ASSESSMENT CENTER EXERCISES FOR PATROL OFFICERS, DETECTIVES, SERGEANTS, AND MIDDLE LEVEL COMMAND OFFICERS, SEE NCJ-28088 TO 28091.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LEAA NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, 633 INDIANA AVENUE NW, WASHINGTON, DC 20531.

Availability: NCJRS MICROFICHE PROGRAM. Stock Order No. 027-000-00353-7.

71. A. DUTTON and B. BRITT. RECRUITMENT AND RETENTION OF FEMALES IN LAW ENFORCEMENT OCCUPATIONS. NATIONAL URBAN LEAGUE, INC, 500 EAST 62ND STREET, NEW YORK NY 10021. 24 p. 1977.

NCJ-58658

INTERVIEW TECHNIQUES AND AFFIRMATIVE ACTION PROGRAMS FOR WOMEN IN LAW ENFORCEMENT OCCUPATIONS ARE DISCUSSED AS PART OF THE NATIONAL URBAN LEAGUE'S LAW ENFORCEMENT MINORITY MANPOWER PROJECT FOR MINORITY RECRUITMENT. SOME OF THE SUGGESTED TECHNIQUES FOR INTERVIEWING FEMALE APPLICANTS ARE AS FOLLOWS: (1) MAKE THE FEMALE APPLICANT FEEL COMFORTABLE AND ON AN EQUAL FOOTING WITH OTHER CANDIDATES; (2) ADVISE THE WOMAN THAT THE AGENCY IS INTERESTED IN CANDIDATES OF BOTH SEXES; (3) INTRODUCE THE POTENTIAL EMPLOYEE TO SENIOR WOMEN IN THE ORGANIZATION; NEVER ASK A FEMALE CANDIDATE QUESTIONS REGARDING MARITAL STATUS, MARRIAGE PLANS, OR CHILD CARE REQUIREMENTS UNLESS THE SAME QUESTIONS ARE ASKED MALE APPLICANTS; AND (5) ALLOW THE CANDIDATE TO DESCRIBE NONTRADITIONAL WORK EXPERIENCE SUCH AS VOLUNTEER OR CIVIC WORK, BEARING IN MIND THAT A WOMAN MAY BE ANXIOUS TO PROVE HERSELF IN NONTRADITIONAL FUNCTIONS EVEN THOUGH HER WORK HISTORY INVOLVED SECRETARIAL OR VOLUNTEER EMPLOYMENT. THE BASIC PROCEDURES FOR ESTABLISHING AND ADMINISTERING AN AFFIRMATIVE ACTION PLAN INVOLVE PROVIDING AN HONEST PICTURE OF THE EXTENT OF UTILIZATION OF FEMALES. ONE MEANS OF DETERMINING THIS IS TO COMPARE STATISTICALLY THE PERCENTAGE OF WOMEN IN A GIVEN CATEGORY WITH THE PERCENTAGE OF MEN PERFORMING THE SAME FUNCTION. IN ADDITION, THE OFFICE OF FEDERAL CONTRACT COMPLIANCE REQUIRES THE SETTING OF GOALS AND TIMETABLES FOR HIRING AND PROMOTING WOMEN AND MINORITIES IN AFFIRMATIVE ACTION PLANS. STATISTICAL DATA CONCERNING WOMEN IN TODAY'S LABOR MARKET ARE INCLUDED, AND SIGNIFICANT LEGISLATION AFFECTING THE EMPLOYMENT OF WOMEN IS OUTLINED. FACTORS TO IMPROVE RETENTION RATES AND MORALE AMONG FEMALES ARE DISCUSSED AND GUIDELINES FOR DEVELOPING RECRUITMENT BULLETINS, TEST ANNOUNCEMENTS, AND

FLYERS TO ENCOURAGE FEMALE APPLICANTS ARE LISTED. FINALLY, THE FOLLOWING EXERCISES ARE INCLUDED: AN ATTITUDE REVIEW WORKSHEET, A CHECKLIST OF PERFORMANCE DIFFERENCES BETWEEN THE SEXES, STEPS TO DESIGN A RECRUITMENT CAMPAIGN, A LIST OF SELECTION STANDARDS AND PROCEDURES TO REVIEW, A SCENARIO TO BE ANALYZED FOR IMPROVING WORKING RELATIONSHIPS, A TRAINING PROCEDURES REVIEW, A FOLLOW UP AND EVALUATION EXERCISE, ROLE SIMULATION, AND A PARTICIPANT EVALUATION FORM.

Supplemental Notes: LEMMP (LAW ENFORCEMENT MINORITY MANPOWER PROJECT) TRAINING AID NO 6.

72. FEDERAL BUREAU OF INVESTIGATION, WASHINGTON DC 20535. FBI'S NATIONAL EXECUTIVE INSTITUTE—EDUCATING LAW ENFORCEMENT'S TOP LEVEL MANAGERS. FBI LAW ENFORCEMENT BULLETIN (SEPTEMBER 1978), P 3-8.

NCJ-38306

DESCRIPTION OF THE DESIGN AND CURRICULUM OF THIS PROGRAM OF ADVANCED TRAINING FOR POLICE CHIEF EXECUTIVES. EACH SESSION OF THIS NATIONAL EXECUTIVE INSTITUTE CONSISTS OF FOUR SEPARATE CYCLES, EACH OF FOUR DAYS' DURATION, HELD DURING A DESIGNATED THURSDAY THROUGH SUNDAY PERIOD EVERY OTHER MONTH. CYCLE ONE OF THE FIRST SESSION COMMENCED ON MARCH 25, 1978, AT THE FBI ACADEMY, QUANTICO, VIRGINIA. THE FOLLOWING CYCLES BEGAN ON MAY 6, JULY 8, AND SEPTEMBER 9 RESPECTIVELY. THE SESSION TOPICS WERE NATIONAL AND INTERNATIONAL POLITICAL, ECONOMIC, AND SOCIAL TRENDS; THE IMPACT OF CRIME ON AMERICAN SOCIETY AND THE UTILIZATION OF THE NEWS MEDIA TO ACHIEVE A CHANGE IN AMERICAN ATTITUDES TOWARD CRIME; AFFIRMATIVE ACTION AND LABOR RELATIONS; AND FUTURE POLICE ORGANIZATIONAL STRUCTURES AND FINANCING FOR POLICE OPERATIONS. FOR AN EVALUATION OF THE PROGRAM BY ONE INSTITUTE PARTICIPANT, SEE NCJ-036307.

73. J. A. GAZELL. STUDY OF PROBLEMS AND METHODS OF POLICE RECRUITMENT FROM DISADVANTAGED MINORITIES. NATIONAL LEAGUE OF CITIES, 1620 I STREET, NW, WASHINGTON DC 20006. 88 p. 1976.

NCJ-37986

THIS STUDY ANALYZES THE OCCUPATIONAL EXPECTATIONS AND MOTIVES OF MINORITY GROUP POLICEMEN AND EXAMINES THEIR PERCEPTIONS TOWARD THE SAN DIEGO POLICE DEPARTMENT'S RECRUITMENT AND RETENTION POLICIES AND PRACTICES. A 31 PERCENT RANDOM POPULATION SAMPLE OF BLACK AND BROWN POLICE OFFICERS WAS COMPARED WITH A GROUP OF POLICE APPLICANTS AND A GROUP OF FORMER POLICE OFFICERS. MINORITY GROUP EMPLOYEES OF THE SAN DIEGO FIRE DEPARTMENT WERE USED AS A CONTROL/COMPARISON GROUP. DATA WAS OBTAINED IN A 1970 SURVEY QUESTIONNAIRE. SURVEY FINDINGS REVEALED THAT MINORITY PERSONS WERE MOTIVATED TO JOIN A POLICE DEPARTMENT BECAUSE OF THE NATURE OF THE JOB ITSELF, RATHER THAN FOR ECONOMIC BENEFIT, ALTHOUGH ONLY THE BROWN OFFICERS FELT THAT THEY HAD SOME SPECIAL VALUE TO THE DEPARTMENT. GENERALLY, POLICE RESPONDENTS FELT THAT THE DEPARTMENT'S RECRUITMENT AND INTAKE SYSTEM WAS 'FAIR' TOWARD MINORITY-GROUP PERSONS, ALTHOUGH THEY WERE SOMEWHAT CRITICAL OF THE ORAL INTERVIEW, PROBATION EVALUATION, AND, TO A LESSER EXTENT, THE WRITTEN EXAM. NEARLY HALF OF THE POLICE RESPONDENTS SAID THAT THEIR JOB HAD NOT TURNED OUT ACCORDING TO THEIR EXPECTATIONS, WITH RACISM CITED AS THE UNEXPECTED FACTOR. MOST INCUMBENT MINORITY OFFICERS HAD BEEN RECRUITED FROM 'BLUE COLLAR' JOBS. IN GENERAL, MINORITY PERSONS WERE MORE CRITICAL OF THE POLICE DEPARTMENT THAN OF THE FIRE DEPARTMENT, AND BLACKS WERE MORE CRITICAL OF THEIR DEPARTMENT THAN BROWNS. THE FOURTEEN SPECIFIC STUDY FINDINGS ARE PRESENTED IN THE CONCLUSION ALONG WITH RECOMMENDATIONS FOR EACH. THIS PAPER ALSO INCLUDES REVIEWS OF THE CUMULATIVE KNOWLEDGE OF POLICE RECRUITMENT AND RETENTION PRACTICES ACROSS THE COUNTRY AND

OF PAST AND CONTEMPORARY STUDIES OF SAN DIEGO RECRUITMENT AND RETENTION PRACTICES. THE APPENDIX CONTAINS A DISCUSSION OF THE RESEARCH DESIGN AND A COPY OF THE SURVEY QUESTIONNAIRE.

Sponsoring Agency: US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 451 SEVENTH STREET, SW, WASHINGTON DC 20410.

Availability: NCJRS MICROFICHE PROGRAM.

74. R. W. GOFF. **APPROACH TO MINORITY RECRUITMENT.** FEDERAL BUREAU OF INVESTIGATION, WASHINGTON DC 20535. *FBI LAW ENFORCEMENT BULLETIN*, V 47, N 7 (JULY 1978), P 16-21. NCJ-45094

CONSIDERATIONS IN DESIGNING AND IMPLEMENTING A SUCCESSFUL MINORITY RECRUITMENT PROGRAM IN POLICE AGENCIES ARE EXAMINED WITHIN THE CONTEXT OF AN INDIANA STATE POLICE PROGRAM. AFFIRMATIVE ACTION IS A GUIDELINE-ORIENTED RECRUITMENT APPROACH WHICH INVOLVES ASSESSMENT OF THE ORGANIZATION'S STATUS REGARDING MORE REPRESENTATIVE UTILIZATION OF MINORITIES AND WOMEN, A STATEMENT OF GOALS, AND DEVELOPMENT OF TIMETABLES AND ACTIONS TO CORRECT ANY DEFICIENCIES WHICH MAY EXIST. THE PROGRAM SHOULD BE WRITTEN IN A DIRECT MANNER SO IT CAN BE FOLLOWED AND UNDERSTOOD, AND SHOULD INCLUDE A RECORDED BREAKDOWN OF THE ULTIMATE DEPARTMENTAL GOAL IN MEASURABLE UNITS FOR LATER EVALUATION. ANALYSIS OF GEOGRAPHIC AND DEMOGRAPHIC DATA, PAST PROGRAMS BY SIMILAR ORGANIZATIONS, AND MANAGEMENT COMMITMENT PROVIDE A NECESSARY FOUNDATION FOR A SUCCESSFUL RECRUITMENT PROGRAM. EFFORTS MUST BE MADE TO ENSURE THAT ALL UNITS HAVE FULL KNOWLEDGE OF THE PROGRAM. QUALITIES ESSENTIAL IN A MINORITY RECRUITER INCLUDE PROJECTION OF A STRONG POSITIVE IMAGE, INTEREST AND ABILITY TO PARTICIPATE IN THE PROGRAM, ABILITY TO RELATE TO AND BE AT EASE WITH MINORITY CANDIDATES, AND ABILITY TO WORK WITHOUT DIRECT SUPERVISION. IN ADDITION TO RECRUITERS, AT LEAST ONE COORDINATOR SHOULD BE SELECTED TO WORK AT THE STAFF LEVEL. RESPONSIBILITIES OF THE COORDINATOR WILL INCLUDE OVERSEEING PROGRAM IMPLEMENTATION, PROVISION OF RESEARCH, COORDINATION OF THE DEVELOPMENT AND DISTRIBUTION OF RECRUITMENT MATERIALS, PROVISION OF INFORMATION TO DEPARTMENT PERSONNEL, IDENTIFICATION OF COMMUNITY RECRUITMENT CONTACTS, AND DEVELOPMENT OF A RECORDS AND REPORTING SYSTEM. FIELD LEVEL PERSONNEL WILL ALSO BE RESPONSIBLE FOR IMPLEMENTATION, COORDINATION, AND EVALUATION OF ACTIVITIES WITHIN THEIR OWN SPHERE OF RESPONSIBILITY. WHILE FUNDING IS NECESSARY, EFFECTIVE UTILIZATION OF FUNDING IS OF GREATER IMPORTANCE THAN THE AMOUNT OF FUNDING. FUNDING NEEDS WHICH REQUIRE CONSIDERATION INCLUDE THOSE FOR MATERIALS AND EQUIPMENT, PAID MEDIA, CONSULTANTS, TRAINING CONFERENCES/SEMINARS, AND OPERATIONAL COSTS. IN MINORITY RECRUITMENT, EMPHASIS ON COMMUNITY SERVICE, SECURITY, PRESTIGE, AND PAY CAN HELP OVERCOME ALIENATION AND NEGATIVE ATTITUDES OF POTENTIAL MINORITY APPLICANTS. RECRUITMENT TECHNIQUES MAY INCLUDE DIRECT RECRUITER CONTACT WITH MINORITY GROUP MEMBERS, SOLICITING REFERRALS FROM MINORITY COMMUNITY LEADERS, AND CONTACT WITH POTENTIAL MINORITY APPLICANTS BY ONDUTY OFFICERS. PAID OR PUBLIC SERVICE MEDIA CAMPAIGNS AND POSTERS AND RECRUITMENT LITERATURE MAY ALSO BE EFFECTIVE.

Availability: NCJRS MICROFICHE PROGRAM.

75. A. M. JEFFERSON. **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION IN LAW ENFORCEMENT AGENCIES.** SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, 4444 BROAD RIVER ROAD, P O BOX 786, COLUMBIA SC 29202. *RESOLUTION OF CORRECTIONAL PROBLEMS AND ISSUES*, V 1, N 4 (SUMMER 1975), P 15-18. NCJ-28093

AN EXAMINATION OF THE FEDERAL LEGISLATION AND U.S. SUPREME COURT DECISIONS RELATING TO EQUAL EMPLOYMENT

OPPORTUNITY IS FOLLOWED BY AN ANALYSIS OF SPECIFIC LAW ENFORCEMENT PRACTICES FOUND TO BE DISCRIMINATORY. THREE PIECES OF FEDERAL LAW HAVE BEEN THE BASIS OF MOST CHALLENGES TO THE EMPLOYMENT PRACTICES OF EMPLOYERS, BOTH PUBLIC AND PRIVATE: SECTION 1961 OF THE CIVIL RIGHTS ACT OF 1966, TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AND THE FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION. THERE ARE OTHER PROVISIONS OF FEDERAL STATUTORY LAW THAT MAY BE USED AS A BASIS FOR AN ATTACK ON RACIALLY AND SEXUALLY DISCRIMINATORY EMPLOYMENT PATTERNS, BUT THESE THREE SOURCES ARE FUNDAMENTAL. THE PROVISIONS OF THESE THREE BASIC SOURCES ARE EXAMINED IN SOME DETAIL. CASES WHICH INVOLVE A LEGAL CHALLENGE TO THE USE OF AN EMPLOYMENT SCREENING DEVICE OR EMPLOYMENT PRACTICE ARE DISCUSSED, AND THE TYPES OF EVIDENCE THAT MUST BE PRESENTED BY THE PLAINTIFF AND THE DEFENDANT ARE REVIEWED. SPECIFIC AGENCY PRACTICES THAT HAVE BEEN FOUND DISCRIMINATORY ARE REVIEWED. THESE INCLUDE USE OF ENTRANCE AND PROMOTIONAL EXAMINATIONS, BACKGROUND EXAMINATIONS, MINIMUM HEIGHT AND WEIGHT REQUIREMENTS, AND SOME SYSTEMS FOR PERFORMANCE RATINGS. CASES IN WHICH THE COURTS HAVE REQUIRED AFFIRMATIVE ACTION PROGRAMS TO RELIEVE THE DAMAGE CAUSED BY DISCRIMINATORY EMPLOYMENT PRACTICES ARE REVIEWED IN THE FINAL SECTION. (AUTHOR ABSTRACT MODIFIED)

76. L. W. JOHNSON. **PERFORMANCE OR DISCRIMINATION.** US DEPARTMENT OF THE ARMY US ARMY COMMAND AND GENERAL STAFF COLLEGE, FORT LEAVENWORTH KS 66027. 10 p. 1977. NCJ-48886

THE RELATIONSHIP BETWEEN HEIGHT AND JOB PERFORMANCE AMONG MILITARY POLICE IS ANALYZED, AND A MINIMUM HEIGHT REQUIREMENT IS EXAMINED AS AN ASPECT OF RACE AND SEX DISCRIMINATION. IN EXAMINING THE RELATIONSHIP BETWEEN HEIGHT AND JOB PERFORMANCE IN THE MILITARY POLICE, IT IS ASSUMED IN THIS STUDY THAT HEIGHT RELATES ONLY TO PHYSICAL ABILITY TO ENFORCE THE LAW. WHILE ACKNOWLEDGING THAT THE DUTIES OF MILITARY POLICE HAVE A BROADER SCOPE THAN THOSE OF CIVIL POLICE, STUDIES DEALING WITH THE RELATIONSHIP BETWEEN JOB PERFORMANCE AND HEIGHT IN CIVIL POLICE WORK ARE CITED IN FORMULATING CONCLUSIONS AND RECOMMENDATIONS. THE TRENDS FOUND IN MOST OF THESE STUDIES INDICATE THAT SHORTER OFFICERS ARE ASSAULTED MORE FREQUENTLY THAN TALLER OFFICERS. THE MILITARY POLICE REQUIRE A MINIMUM HEIGHT FOR MALES OF 5 FEET 9 INCHES AND 5 FEET 4 INCHES FOR FEMALES. THE SETTING OF THIS MINIMUM HEIGHT FOR MALES IS CONSIDERED PROPER BECAUSE OF EVIDENCE FROM STUDIES WHICH INDICATES THAT SUCH A HEIGHT PROVIDES AN INTIMIDATING PRESENCE THAT AIDS IN BEHAVIOR CONTROL. IN 1975, A HEIGHT REQUIREMENT OF 5 FEET 8 INCHES FOR POLICE OFFICERS WAS UPHOLD AS CONSTITUTIONAL IN THE U.S. COURT OF APPEALS. THE IMPLICATION OF THIS DECISION IS THAT A 5 FEET 8 INCH HEIGHT STANDARD IS LEGAL, EVEN IF THE MAJORITY OF FEMALES WOULD BE DISQUALIFIED. THE HEIGHT REQUIREMENT AS AN ASPECT OF RACIAL DISCRIMINATION HAS ALSO BEEN UNSUCCESSFULLY CHALLENGED IN THE U.S. COURT OF APPEALS, ALTHOUGH THERE IS NO EXISTING LEGAL IMPERATIVE. THE MINIMUM HEIGHT REQUIREMENT FOR WOMEN WAS MADE LESS THAN THAT FOR MEN IN THE MILITARY POLICE BECAUSE THE RECOMMENDATIONS OF 65 PERCENT OF SENIOR MILITARY POLICE OFFICERS, WHO MAINTAINED THAT PHYSICAL FITNESS AND ABILITY WERE MORE IMPORTANT TO JOB PERFORMANCE THAN HEIGHT. IN LIGHT OF THIS DECISION, THE QUESTION OF THE FAIRNESS OF A HIGHER MINIMUM HEIGHT FOR MEN THAN FOR WOMEN MUST BE RAISED. CONSIDERING THE EXISTING CONFUSION IN THE MATTER, IT IS RECOMMENDED THAT THE QUESTION OF THE VALIDITY OF THE CURRENT HEIGHT STANDARDS BE SUBMITTED TO THE JUDGE ADVOCATE GENERAL'S OFFICE OR THE DEPARTMENT OF JUSTICE FOR AN OPINION. IN ADDITION, THE POSSIBL-

ITY OF WAIVING HEIGHT REQUIREMENTS FOR PERSONS WHO SUCCESSFULLY COMPLETE A JOB PERFORMANCE TEST IS SUGGESTED.

Availability: NTIS Accession No. ADA 043 750 (Microfiche); NCJRS MICROFICHE PROGRAM.

77. R. E. MAGNUS. JACKSON (TN)—POLICE DEPARTMENT—ANALYSIS OF POLICE POSITION REQUIREMENTS—POLICE TECHNICAL ASSISTANCE REPORT. WESTINGHOUSE JUSTICE INSTITUTE. 20 p. 1976. NCJ-38906

DATED DECEMBER 1976, THIS REPORT PRESENTS THE RESULTS OF A REVIEW OF THE DEPARTMENT'S ORGANIZATION, PERSONNEL SYSTEM, AND AFFIRMATIVE ACTION PLAN, AND PROVIDES RECOMMENDATIONS FOR IMPROVEMENT OF PROBLEM AREAS. THE JACKSON POLICE DEPARTMENT HAS A SWORN POLICE STRENGTH OF 106 OFFICERS SERVING 47,000 RESIDENTS LIVING IN A 21 SQUARE MILE AREA. THIS TECHNICAL ASSISTANCE ASSIGNMENT WAS TO GENERATE ANALYSES OF THE JACKSON POLICE DEPARTMENT (JPD) PERSONNEL SYSTEM AS IT IMPACTS ON EQUAL EMPLOYMENT OPPORTUNITY PROGRAM (EEO) AND AFFIRMATIVE ACTION PROGRAM (AAP) CONSIDERATIONS. THE TECHNICAL ASSISTANCE WAS TO IDENTIFY DEFICIENCIES IN THE PRESENT PERSONNEL SYSTEM THAT MAY CREATE LEGAL PROBLEMS FOR THE CITY AND/OR MAY BE CONTRARY TO SOUND PERSONNEL PRACTICES. IN ADDITION, IT WAS TO GUIDE THE JPD IN IMPROVING ITS PERSONNEL PRACTICES AND THE EEO/AAP OF THE DEPARTMENT. IT WAS FOUND THAT THE DEPARTMENT LACKED FORMALIZED WRITTEN PROCEDURES TO ESTABLISH PERSONNEL POLICY. SEVERAL DEFICIENCIES WERE ALSO NOTED IN THE DEPARTMENT'S EEO/AAP. SHORT-TERM RECOMMENDATIONS ARE MADE TO IMPROVE THE MINORITY RECRUITMENT AND PERSONNEL SELECTION OF THE DEPARTMENT. LONG-TERM RECOMMENDATIONS FOR A REVISED ORGANIZATION AND PERSONNEL SYSTEM ARE ALSO PRESENTED.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

78. S. E. MARTIN. BREAKING AND ENTERING—POLICEMEN IN THE POLICE WORLD. 308 p. 1977. NCJ-45404

A STUDY EXPLORING THE WAYS IN WHICH POLICEWOMEN MESH THEIR OCCUPATIONAL AND SEX ROLES WAS CONDUCTED; POLICE OFFICERS IN WASHINGTON, D.C., WERE INTERVIEWED ABOUT THEIR CAREERS AND ATTITUDES. THE STUDY EXAMINED: (1) THE SPECIAL PROBLEMS POLICEWOMEN FACE AS NEWCOMERS AND AS WOMEN ASSIGNED TO PATROL DUTIES IN SURVIVING IN THE WORK ENVIRONMENT AND PERFORMING THEIR OCCUPATIONAL ROLE; AND (2) THE MECHANISMS THEY EMPLOY TO COPE WITH PROBLEMS AND DILEMMAS POSED BY THE FORMAL AND INFORMAL WORK ORGANIZATION AND THE DAY-TO-DAY PATTERNS OF INTERACTION WITH PEERS, SUPERVISORS, AND CLIENTS. THE RESEARCH FINDINGS ARE BASED ON BOTH PARTICIPANT OBSERVATION AND INTERVIEW DATA GATHERED PRINCIPALLY IN ONE POLICE DISTRICT IN WASHINGTON, D.C., BETWEEN OCTOBER 1975 AND JUNE 1976. THE AUTHOR WORKED FOR 9 MONTHS AS A MEMBER OF THE METROPOLITAN POLICE RESERVE CORPS, A CITIZEN ORGANIZATION WHOSE MEMBERS WORK IN UNIFORM ALONG SIDE OF POLICE OFFICERS. IN ADDITION, INTERVIEWS AVERAGING 1-AND-1/2 TO 2 HOURS IN LENGTH WERE CONDUCTED WITH 27 POLICEMEN, 28 POLICEWOMEN, AND 15 OFFICIALS OF THE OBSERVATION DISTRICT PLUS 7 CURRENT OR FORMER POLICEWOMEN INVOLVED IN THE DEPARTMENT'S POLICEWOMEN PROGRAM. THE INTERVIEWS, INCLUDING BOTH OPEN AND CLOSED QUESTIONS, ELICITED INFORMATION ABOUT OFFICER'S BACKGROUNDS, CAREER CHOICE, EXPECTATIONS AND ASPIRATIONS, TRAINING, AND ATTITUDES TOWARD DEPARTMENT, CITIZENS, FELLOW OFFICERS, AND THE WORK ITSELF. THE DIFFICULTIES THAT POLICEWOMEN WERE FOUND TO FACE IN ENTERING A TRADITIONALLY MALE OCCUPA-

TION EMANATE FROM STRUCTURAL FEATURES OF THE WORK ORGANIZATION AND CULTURAL FEATURES GOVERNING MALE-FEMALE INTERACTION. DEPARTMENTAL POLICIES OFTEN PUT THE POLICEWOMEN AT A DISADVANTAGE BY FAILING TO MEET THEIR UNIQUE NEEDS AND PERMITTING THE DEVELOPMENT OF A CYCLE OF DEMOTIVATION AND FAILURE ON THE PART OF SOME WOMEN. THE POLICEMEN'S WORK SUBCULTURE, BUILT ON MUTUAL TRUST OF OFFICERS WITH SIMILAR BACKGROUNDS, ATTITUDES, AND VALUES, IS THREATENED BY THE PRESENCE OF POLICEWOMEN. FOR THIS REASON, WOMEN ARE NOT ACCEPTED AS OFFICERS AND ARE FREQUENTLY DENIED INFORMATION, ALLIANCES, PROTECTION, AND SPONSORSHIP NECESSARY FOR SUCCESS IN THE DEPARTMENT'S FORMAL, AND INFORMAL STRUCTURE. AT THE INTERPERSONAL LEVEL, FEMALE OFFICERS MUST CONTEND WITH THE STRAINS OF STATUS INFERIORITY AS WOMEN, COMPOUNDED BY PERFORMANCE PRESSURES AS TOKENS PRESENT IN LIMITED NUMBERS. THEY ARE CAST INTO LIMITING STEREOTYPIC ROLES AND PRESSURED BY MALE PEERS TO REMAIN SUBORDINATE THROUGH A VARIETY OF VERBAL AND NONVERBAL CUES. POLICEWOMEN ADOPT TWO PATTERNS OF BEHAVIOR AS A RESULT OF THE DILEMMAS THEY FACE: ONE GROUP SUCCEEDS AS OFFICERS BY A STRATEGY OF OVERACHIEVEMENT, INVISIBILITY, AND STRICT ADHERENCE TO THE RULES, WHILE THE OTHER ADAPTS TO THE STEREOTYPIC ROLES INTO WHICH WOMEN ARE CAST, REMAINING 'LADIES' AND BEING LESS SUCCESSFUL AS PATROL OFFICERS. MOST POLICEWOMEN ATTEMPT TO FIND AN INTERMEDIATE COMPROMISE, BUT THEIR SITUATION AS PATROL OFFICERS IS STRESSFUL AND DIFFICULT WHICHEVER PATH THEY ADOPT. SUPPORTING DOCUMENTS AND DATA ARE APPENDED, AND REFERENCES ARE PROVIDED. (AUTHOR ABSTRACT MODIFIED)

Supplemental Notes: AMERICAN UNIVERSITY—DOCTORAL DISSERTATION.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106.

79. J. E. MCCLELLAN. CHANGING NATURE OF POLICE MANAGEMENT. COPP ORGANIZATION, INC, 37 WEST 38TH STREET, NEW YORK NY 10018. LAW AND ORDER, V 26, N 5 (MAY 1978), P 18-21, 25. NCJ-48567

UNIONIZATION, PROFESSIONALIZATION, EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION HIRING, AND PROVISION OF COMMUNITY SERVICES MAKE THE POLICE MANAGER'S JOB MORE COMPLEX THAN BEFORE. DESPITE A DESIRE TO ADHERE TO TRADITIONAL MODES OF BEHAVIOR, THE POLICE MANAGER MUST BE PREPARED TO ACCEPT CHANGES IN THE FIELD OF LAW ENFORCEMENT. UNIONISM IN THE PUBLIC WORK SECTOR IS A HOTLY CONTESTED ISSUE. IT IS SUGGESTED THAT UNIONISM CAN BE AVOIDED TO THE BENEFIT OF BOTH MANAGEMENT AND EMPLOYEES THROUGH A SYSTEM OF OPEN COMMUNICATION, APPLICATION OF GOOD SUPERVISORY SKILLS, EQUITABLE GRIEVANCE PROCEDURES, EMPHASIS ON CAREER DEVELOPMENT, AND A PROGRESSIVE MANAGEMENT ENVIRONMENT. EQUAL OPPORTUNITY EMPLOYMENT AND AFFIRMATIVE ACTION POLICIES ARE AN IMPORTANT ASPECT OF POLICE PERSONNEL ADMINISTRATION. ACCEPTANCE OF THESE POLICIES, COUPLED WITH ENLIGHTENED MANAGEMENT, CAN PREVENT ADVERSE PUBLIC OR EMPLOYEE CHARGES AGAINST POLICE ADMINISTRATION. EDUCATIONAL AND TRAINING REQUIREMENTS SHOULD BE SET IN ACCORDANCE WITH COMMUNITY EXPECTATIONS AND DEPARTMENTAL NEEDS. COLLEGE EDUCATION IS BECOMING MORE COMMON IN THE GENERAL POPULATION; IT IS REASONABLE THAT POLICE OFFICERS BE EQUAL IN EDUCATION TO THE PEOPLE THEY SERVE. INSERVICE TRAINING PROVIDES A METHOD FOR ACHIEVING ONGOING EMPLOYEE EDUCATION. TRAINING PHILOSOPHY AND A BUDGET SHOULD BE ESTABLISHED. INSERVICE TRAINING CAN IMPROVE DECISIONMAKING SKILLS, JOB EFFECTIVENESS, DEPARTMENTAL COHESION, COMMUNICATION, AND JOB SATISFACTION. CHANGE NECESSARILY INVOLVES A DEGREE OF RISK AND ATTENDANT FEAR, UNCERTAINTY, DISTRUST, AND RESISTANCE. AWARENESS AND UNDERSTANDING ON THE PART

OF MANAGEMENT, COUPLED WITH EFFECTIVE COMMUNICATION AND GRADUAL IMPLEMENTATION, CAN SIGNIFICANTLY REDUCE RISK AND RESISTANCE TO CHANGE. WHILE EACH AREA OF CHANGE INVOLVES RISK, A GREATER HAZARD IS INVOLVED IN IGNORING CHANGES AND THEIR EFFECTS ON THE POLICE OFFICER AND THE COMMUNITY.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106.

80. **R. MCCLORY. MAN WHO BEAT CLOUT CITY. SWALLOW PRESS INCORPORATED, 811 WEST JUNIOR TERRACE, CHICAGO IL 60613. 233 p. 1977.**

NCJ-48508

THE STORY OF A BLACK POLICE OFFICER'S STRUGGLE TO END CHICAGO'S LONG HISTORY OF DEPARTMENTAL RACISM IS RECOUNTED. SOON AFTER RENAULT ROBINSON, AN INTELLIGENT AND HIGHLY MOTIVATED YOUNG BLACK MAN, JOINED THE CHICAGO POLICE FORCE, HE ENCOUNTERED A PERVASIVE AND DEEP-SEATED RACIAL BIGOTRY WHICH EVENTUALLY DROVE HIM AND A HANDFUL OF BLACK OFFICERS TO ORGANIZE THE AFRO-AMERICAN PATROLMEN'S LEAGUE, IN ORDER TO FOCUS ATTENTION ON THE INTERNAL OPERATIONS OF THE CHICAGO POLICE DEPARTMENT. SPECIFICALLY, THE LEAGUE WAS ORGANIZED TO IMPROVE THE RELATIONSHIP BETWEEN THE BLACK COMMUNITY AND THE DEPARTMENT, TO IMPROVE THE RELATIONSHIPS BETWEEN BLACK AND WHITE POLICE OFFICERS, AND TO BRING ABOUT POLICE REFORM. HOWEVER, ROBINSON AND OTHER LEAGUE MEMBERS, AS WELL AS THE ENTIRE CHICAGO POLICE DEPARTMENT, WERE SOON INVOLVED IN A RACIAL CONTROVERSY THAT RESULTED IN ROBINSON'S SUSPENSION, DEPARTMENTAL PLOTS TO LINK THE LEAGUE WITH CRIMINAL CONSPIRACIES, AND EVENTUALLY, TO ROBINSON'S REINSTATEMENT AND COURT DECISION THAT WOULD AFFECT POLICE DEPARTMENTS ACROSS THE COUNTRY. THE GROWTH OF THE LEAGUE AND ROBINSON'S PERSONAL STRUGGLES ARE EXAMINED, WITH PARTICULAR ATTENTION TO THE LEAGUE'S FOUNDING, ROBINSON'S CHARACTER AND ENTHUSIASM FOR POLICE WORK; THE DEPARTMENTAL PRESSURE THAT FOLLOWED THE LEAGUE'S INITIAL EFFORTS TO COMBAT RACISM; THE TENSE SUMMER FOLLOWING THE ASSASSINATION OF MARTIN LUTHER KING, JR.; ROBINSON'S SUSPENSION, THE HARASSMENT HE SUFFERED AFTER HIS SUSPENSION, AND HIS ARREST FOR DISORDERLY CONDUCT; THE LAW SUIT FILED BY THE LEAGUE AGAINST THE DEPARTMENT AND MAYOR RICHARD DALEY; INCIDENTS OF POLICE BRUTALITY AGAINST BLACK CITIZENS; THE 1972 CAMPAIGN AGAINST POLICE BRUTALITY; THE LEAGUE'S RESPONSE TO CHARGES OF RACISM WITHIN THE CHICAGO POLICE DEPARTMENT; ROBINSON'S REASSIGNMENT TO INTOLERABLE DUTIES; THE CIVIL TRIAL CONCERNING JUSTICE DEPARTMENT CHARGES OF RACISM WITHIN THE POLICE DEPARTMENT; ROBINSON'S SUCCESSFUL EFFORT TO GET FEDERAL REVENUE SHARING FUNDS FOR CHICAGO CUT OFF; AND THE LEAGUE'S AND ROBINSON'S EVENTUAL COURT VICTORY. AN EPILOGUE AND INDEX ARE INCLUDED.

Availability: SWALLOW PRESS INCORPORATED, 811 WEST JUNIOR TERRACE, CHICAGO IL 60613.

81. **L. M. MOORE and J. A. SCHWARTZ. MINORITY EMPLOYMENT IN POLICE SERVICES-A MANAGEMENT ANALYSIS FOR POLICE DEPARTMENTS. LEAGUE OF CALIFORNIA CITIES, 702 HILTON CENTER, LOS ANGELES CA 90017. WESTERN CITY (NOVEMBER 1976), P 13-14, 28.**

NCJ-42932

MINORITY RECRUITMENT, SELECTION, RETENTION, AND PROMOTION PROBLEMS ARE DISCUSSED, ALONG WITH THE LEGAL ISSUES INVOLVED. MANAGEMENT RECOMMENDATIONS ARE OFFERED IN DEALING WITH THE SITUATION. HISTORICAL DISCRIMINATION, LACK OF ADEQUATE INFORMATION, LIMITED RESOURCES, AND MASSIVE AND SOMETIMES CONFUSING LAWS ARE CITED AS PROBLEMS WITH WHICH THE ADMINISTRATOR MUST DEAL IN SEEKING TO INCREASE MINORITY EMPLOYMENT. RECOMMENDATIONS FOR MANAGEMENT ACTION ARE AS FOL-

LOWS: GIVE PRIORITY RATING TO MINORITY EMPLOYMENT; ASSIGN THE POLICE DEPARTMENT RATHER THAN THE CITY PERSONNEL DEPARTMENT TO THE RESPONSIBILITY OF MINORITY EMPLOYMENT; CONDUCT A THOROUGH ASSESSMENT OF THE PROBLEM WHICH SHOULD LEAD TO SPECIFIC SHORT-TERM AND LONG-TERM PLANS; PROVIDE TRAINING FOR ADMINISTRATIVE PERSONNEL AND LINE OFFICERS WHICH WILL FACILITATE THEIR SUPPORT AND LEADERSHIP IN MINORITY EMPLOYMENT; AND POLICE PERSONNEL POLICIES AND PRACTICES REGARDING HIRING AND PROMOTION SHOULD BE MADE MORE FLEXIBLE.

Supplemental Notes: REPRINT.

82. **P. MURPHY, D. STEVENS, W. POMEROY, and H. WILLIAMS. THINKING ABOUT POLICING (1976 CONGRESS OF CITIES CASSETTES). NATIONAL LEAGUE OF CITIES, 1620 I STREET, NW, WASHINGTON DC 20006. 1976.**

NCJ-38063

NATIONAL LEAGUE OF CITIES CONFERENCE PANEL DISCUSSES IMAGE OF POLICE, POLICE ADMINISTRATION, AND POLICE/CITY MANAGER RELATIONS. THE FOUR PANELISTS, ALL PRESENT OR FORMER POLICE CHIEFS, DEAL WITH SUCH PROBLEMS AS MINORITY HIRING AND UPGRADING, AFFIRMATIVE ACTION FOR WOMEN, AND POLICE POLICY DECISIONS. THEY ALSO DISCUSS POLICE REVIEW COMMISSIONS, INTERNAL STRATEGIES FOR REFORM OF THE POLICE, AND STUDIES ON POLICE EFFICIENCY IN COMBATING CRIME. THE PANELISTS URGE CLOSER COOPERATION BETWEEN THE MAYOR AND HIS POLICE CHIEF, AND THE NEED TO MAKE POLICE ADMINISTRATORS COGNIZANT OF POLICE AND CRIME RESEARCH.

Supplemental Notes: 120 MINUTES, 1976.

Availability: (Not available through NCJRS Document Loan Program)

83. **NATIONAL URBAN LEAGUE, INC, 500 EAST 62ND STREET, NEW YORK NY 10021. PROJECT LEMMP (LAW ENFORCEMENT MINORITY MANPOWER PROJECT)--FINAL REPORT, JUNE 1973--MAY 1974. 95 p. 1974.**

NCJ-36362

FINAL REPORT ON A PROJECT TO STIMULATE THE HIRING OF MINORITY EMPLOYEES BY LAW ENFORCEMENT AGENCIES IN SACRAMENTO (CA), LITTLE ROCK (AK), AND SPRINGFIELD (MA). THE PROJECT INVOLVED SCREENING A FILM ON THE LEMMP PROJECT TO INTERESTED AGENCIES AND PREPARING CANDIDATES TO TAKE THE ENTRANCE EXAMINATION THROUGH TUTORING. REPORTS FROM THE THREE CITIES INDICATE THAT 3,665 MINORITY MEN AND WOMEN WERE SUCCESSFULLY INTERVIEWED. OF THESE, 87 WERE PLACED WITH POLICE DEPARTMENTS, 141 WITH LAW ENFORCEMENT RELATED AGENCIES, AND 119 WITH UNRELATED AGENCIES.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

84. **D. M. RAFFY. RACIAL DISCRIMINATION IN URBAN POLICE DEPARTMENTS (FROM POLICE-COMMUNITY RELATIONS--SELECTED READINGS--2ND ED, 1976, BY PAUL F. CROMWELL, JR AND GEORGE KEEFER--SEE NCJ-47606). WEST PUBLISHING COMPANY, 50 WEST KELLOGG BOULEVARD, ST PAUL MN 55102. 11 p. 1978.**

NCJ-47607

A MODEL OF INTENTIONAL AND UNINTENTIONAL, INTERPERSONAL AND INTERORGANIZATIONAL FACTORS IN RACIAL DISCRIMINATION IN POLICE RECRUITMENT IS PRESENTED TOGETHER WITH RESULTS OF A STUDY OF ROLE DIVESTMENT IN WHITE URBAN POLICE. THE CIVIL RIGHTS MOVEMENT, RACIAL UNREST, AND THE FEDERAL COMMITMENT TO AFFIRMATIVE ACTION EMPLOYMENT POLICIES HAVE LED TO A CRITICAL EVALUATION OF MINORITY RECRUITMENT, RETENTION, AND PROMOTION IN TRADITIONALLY WHITE POLICE DEPARTMENTS. UNDERLYING THE FREQUENTLY HEARD CHARGES OF INADEQUATE MINORITY GROUP REPRESENTATION AND UNSATISFACTORY EFFORTS TO INCREASE MINORITY PARTICIPATION IS THE ASSUMPTION THAT LAW ENFORCEMENT AGENCIES ARE GUILTY OF RACIAL DISCRIMINATION.

NATION. DISCRIMINATION, AS FREQUENTLY USED IMPLIES A SYSTEMATIC AND INTENTIONAL EXCLUSION OF BLACKS, AND TENDS TO IGNORE UNINTENTIONAL AND FORTUITOUS FACTORS WHICH MAY ACT AS BARRIERS TO BLACK EMPLOYMENT IN POLICE DEPARTMENTS. SUCH BARRIERS MAY BE INTENTIONAL OR UNINTENTIONAL AND MAY BE IN THE INDIVIDUAL, IN THE ORGANIZATION, OR IN THE SOCIETY. FOR INSTANCE, BARRIERS INTENTIONALLY ERRECTED BY BLACKS MAY INCLUDE DISINTEREST IN POLICE WORK, NEGATIVE ATTITUDES TOWARD THE POLICE, AND GREATER ATTRACTIVENESS OR PRESTIGE OF OTHER OCCUPATIONS. UNINTENTIONAL BARRIERS FOR THE BLACK MAY INCLUDE SUBCULTURAL VALUES WHICH MAKE THEM LESS LIKELY THAN WHITES TO COMPLETE COMPLEX CIVIL SERVICE HIRING PROCEDURES AND LACK OF EDUCATIONAL, PHYSICAL, MORAL, OR MENTAL PREREQUISITES TO POLICE EMPLOYMENT. WITHIN THE POLICE ORGANIZATION THERE MAY BE UNINTENTIONAL BARRIERS SUCH AS RECRUITMENT PROCEDURES WHICH LIMIT LATERAL ENTRY OR UTILIZE PRIMARILY WORD-OF-MOUTH REFERRALS, OR POLICIES WHICH, BY NOT ACTIVELY ENCOURAGING MINORITY PARTICIPATION SERVE TO DISCOURAGE BLACKS. ORGANIZATIONAL INTENTIONAL BARRIERS MAY INCLUDE OVERT EXCLUSIONARY HIRING PRACTICES OR QUALIFYING CRITERIA, DISCRIMINATORY RACIAL ATTITUDES AMONG PERSONNEL, OR A DEPARTMENTAL IMAGE WHICH DISCOURAGES BLACK PARTICIPATION. UNINTENTIONAL SOCIAL BARRIERS SUCH AS THE INCREASING SOCIAL STATUS OF MINORITY GROUPS AND SOCIETAL NORMS WHICH NEGATIVELY EVALUATE LAW ENFORCEMENT MAY SERVE AS BARRIERS, AS MAY INTENTIONAL RACIAL BARRIERS WHICH SEEK TO EXCLUDE BLACKS FOR A VARIETY OF REASONS INCLUDING WHITE DISTRUST OF BLACKS AND BLACK FEARS OF BEING CO-OPTED BY THE WHITE MAJORITY. RESULTS OF AN ATTITUDINAL QUESTIONNAIRE PERTAINING TO ROLE DIVESTMENT (THE RELINQUISHING OF CERTAIN ROLE BEHAVIORS) INDICATED THAT REGARDLESS OF PERSONAL BACKGROUND AND RACIAL ATTITUDES, WHITE POLICE OFFICERS WERE UNWILLING TO RELINQUISH THEIR TRADITIONAL LAW ENFORCEMENT DUTIES TO BLACKS. THIS SUGGESTS AN INTERNALIZATION OF ORGANIZATIONAL AND/OR SOCIETAL NORMS WHICH NEED NOT BE RELATED TO NEGATIVE RACIAL ATTITUDES. SUCH NONRACIST ATTITUDES MAY INCLUDE A BELIEF THAT LACK OF OBJECTIVITY OF BLACK OFFICERS MAKES THEM INEFFECTIVE IN DEALING WITH MINORITIES, FEARED LOSS OF JOB SECURITY, OR THE VIEW THAT THE POLICE ROLE REQUIRES PROFESSIONAL SKILLS, NOT BLACK OR WHITE OFFICERS. TABULAR DATA AND REFERENCE NOTES ARE INCLUDED.

Supplemental Notes: REPRINTED FROM CRIME AND DELINQUENCY (JULY 1975), P 233-242.

86. R. M. NEGOLI and D. E. JEROME. RECRUITMENT AND PROMOTION OF A MINORITY GROUP INTO AN ESTABLISHED INSTITUTION—THE POLICE. NORTHWESTERN UNIVERSITY SCHOOL OF LAW, 357 EAST CHICAGO AVENUE, CHICAGO IL 60611. JOURNAL OF POLICE SCIENCE AND ADMINISTRATION, V 3, N 4 (DECEMBER 1975), P 410-416. NCJ-31048

THE POLICIES AND PRACTICES OF POLICE DEPARTMENTS IN MAJOR UNITED STATES CITIES ARE EXAMINED TO DETERMINE TRENDS IN THE HIRING AND PROMOTION OF BLACK POLICE OFFICERS. REASONS FOR THE UNDERREPRESENTATION OF BLACKS ON POLICE FORCES ARE FIRST EXAMINED. THESE INCLUDE DISCRIMINATORY HIRING PRACTICES, THE INABILITY OF BLACKS TO PASS WHITE-ORIENTED WRITTEN ENTRANCE EXAMINATIONS, AND RELUCTANCE OF BLACKS TO JOIN POLICE FORCES. THE NEED FOR SPECIAL EFFORTS IN RECRUITING BLACKS IS DISCUSSED, AND EXAMPLES OF SEVERAL RECRUITING PROGRAMS ARE PROVIDED. AMONG THESE ARE THE TRAINING OF BLACKS THROUGH COMMUNITY SERVICE OFFICER OR POLICE CADET PROGRAMS, AND ADVERTISING CAMPAIGNS DESIGNED TO ENCOURAGE BLACKS TO JOIN THE POLICE. PATTERNS OF BLACK PROMOTION AND BLACK REPRESENTATION ON POLICE FORCES ARE CONSIDERED IN THE FINAL SECTION. THE DATA INDICATE

THAT BLACKS ARE UNDERREPRESENTED ON POLICE FORCES THROUGHOUT THE UNITED STATES AND THAT ONCE THEY ARE HIRED THEY ARE NOT PROMOTED AS EASILY AS WHITES.

88. L. H. REYNOLDS. HOW TO UTILIZE COMMUNITY RESOURCES. NATIONAL URBAN LEAGUE, INC, 500 EAST 82ND STREET, NEW YORK NY 10021. 5 p. 1977. NCJ-58854

METHODS OF UTILIZING COMMUNITY RESOURCES FOR SUCCESSFUL MINORITY RECRUITMENT ARE DISCUSSED AS PART OF A SERIES OF TRAINING AIDS PREPARED BY THE URBAN LEAGUE'S LAW ENFORCEMENT MINORITY MANPOWER PROJECT. A PRESS CONFERENCE WITH LOCAL GOVERNMENT OFFICIALS AND REPRESENTATIVES OF CIVIC AND SOCIAL GROUPS OR A MEETING WITH LOCAL LEADERS CAN BE USED TO INFORM AND TO ASK ASSISTANCE OF LOCAL OFFICIALS IN A MINORITY RECRUITMENT DRIVE. POLICE DEPARTMENTS CAN MAKE USE OF PUBLIC SERVICE TIME FOR A RADIO PRESENTATION INVOLVING EITHER A BRIEF APPEAL TO MINORITIES CONCERNING EMPLOYMENT OPPORTUNITIES OR THROUGH THE EXPERIENCES OF A PERSON ALREADY IN THE MINORITY PROGRAM. A LOCAL DISC JOCKEY WITH A LARGE MINORITY AUDIENCE OR A CELEBRITY FIGURE CAN ALSO BE USED TO ATTRACT MINORITY APPLICANTS. INNOVATIVE USE OF POSTER AND ADVERTISING DISPLAYS TO REACH MINORITIES IS AN EFFECTIVE RECRUITMENT TECHNIQUE. CONTACTS WITH YOUNG MEN/WOMEN CHRISTIAN ASSOCIATIONS (Y'S), NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP'S), URBAN LEAGUE OFFICES, AND ESPECIALLY CHURCHES WILL ALL BE USEFUL IN ENLISTING MINORITIES. ALTHOUGH COMMUNICATION WITH MINORITY GROUPS BY THE POLICE WILL PROBABLY ELICIT AUDIENCE COMPLAINTS AND DERISIVE COMMENTS CONCERNING POLICE APATHY AND INJUSTICE, THESE COMPLAINTS SHOULD BE PATIENTLY ANSWERED AND THE ISSUE OF RECRUITMENT KEPT UPPERMOST IN THE MINDS OF THE AUDIENCE. NO REFERENCES ARE INCLUDED.

Supplemental Notes: LEMMP (LAW ENFORCEMENT MINORITY MANPOWER PROJECT) TRAINING AID NO 2.

87. L. H. REYNOLDS. CANDIDATE PREPARATION AND RETENTION. NATIONAL URBAN LEAGUE, INC, 500 EAST 82ND STREET, NEW YORK NY 10021. 7 p. 1977. NCJ-58855

METHODS FOR PREPARING A POLICE CANDIDATE FOR ALL EXAMINATIONS ARE DISCUSSED AS PART OF A SERIES OF TRAINING AIDS PREPARED BY THE URBAN LEAGUE'S LAW ENFORCEMENT MINORITY MANPOWER PROJECT (LEMMP). MINORITY CANDIDATES FOR POLICE JOBS OFTEN NEED MORE HELP AND ENCOURAGEMENT TO PASS SCREENING EXAMINATIONS THAN THEIR WHITE MALE COUNTERPARTS. THIS GUIDE SUGGESTS THAT LEMMP PERSONNEL ARRANGE MEETINGS FOR GROUPS OF MINORITY CANDIDATES TO PRACTICE EXAMINATION TECHNIQUES BY TAKING SAMPLE EXAMS. THIS PRACTICE SHOULD REDUCE THEIR FEARS AND MAINTAIN THEIR INTEREST. CANDIDATES CAN BE PREPARED FOR ORAL INTERVIEWS IN COUNSELING SESSIONS DESIGNED TO TEACH THEM HOW TO AVOID IMPROPER POSTURE, SULLEN ATTITUDES, INCOHERENT RESPONSES TO QUESTIONS, AND BREAKING EYE CONTACT WITH THE INTERVIEWER. THE RECRUITMENT SPECIALIST SHOULD PROVIDE THE CANDIDATE WITH SUGGESTED ANSWERS TO COMMONLY ASKED QUESTIONS. (SAMPLE QUESTIONS ARE INCLUDED HERE.) PRACTICAL CONSIDERATIONS FOR TEST PREPARATION SUCH AS GETTING AN ADEQUATE NIGHT'S REST BEFORE THE TEST, BRINGING THE NECESSARY EQUIPMENT TO THE TEST LOCATION, AND ARRIVING AT THE TEST CENTER EARLY ARE NOTED. PREPARATION FOR THE MEDICAL EXAMINATION INVOLVES INFORMING THE CANDIDATE OF WHAT TO EXPECT AND INSISTING THAT THE CANDIDATE REFRAIN FROM USING ALCOHOL OR MEDICATION PRIOR TO THE EXAMINATION. CANDIDATES SHOULD ALSO BE INFORMED OF WHAT TO EXPECT DURING THE PHYSICAL EXAMINATION.

Supplemental Notes: LEMMP (LAW ENFORCEMENT MINORITY MANPOWER PROJECT) TRAINING AID NO 3.

88. L. H. REYNOLDS. ELIMINATORS. NATIONAL URBAN LEAGUE, INC, 500 EAST 62ND STREET, NEW YORK NY 10021. 7 p. 1977. NCJ-58856

BARRIERS TO POLICE RECRUITMENT OF MINORITIES ARE DISCUSSED AS PART OF A SERIES OF TRAINING AIDS PREPARED BY THE URBAN LEAGUE'S LAW ENFORCEMENT MINORITY MANPOWER PROJECT (LEMP). SOME OF THE PROHIBITIONS AGAINST SUCCESSFUL MINORITY RECRUITMENT INCLUDE THE USE OF VISUAL ACUITY TESTS WHICH BAR APPOINTMENT TO THE FORCE WITHOUT 20/20 VISION IN SOME AREAS, HEIGHT STANDARDS WHICH ARE CURRENTLY UNDER ATTACK IF THEY ARE NOT JOB RELATED, RESIDENCY REQUIREMENTS, AND THE PREFILING OF APPLICATIONS WHICH ELIMINATES CANDIDATES WHO HEAR OF THE TEST AFTER THE TERMINATION DATE. SOLUTIONS TO THESE BARRIERS ARE PROPOSED, INCLUDING ALLOWING APPLICANTS TO HAVE CORRECTED VISION TO 20/30, DISALLOWING HEIGHT STANDARDS, REQUIRING CANDIDATES TO FULFILL THE RESIDENCY REQUIREMENT WITHIN 30 DAYS, AND INTEGRATING THE DATE FOR THE PREFILING OF APPLICATIONS INTO THE TEST DATE. IN ADDITION, FEE CHARGING FOR EXAMINATIONS OR APPLICATIONS SHOULD BE ELIMINATED, AND EDUCATION REQUIREMENTS SHOULD INCLUDE A HIGH SCHOOL DIPLOMA AND DRIVER'S LICENSE AT THE TIME OF APPOINTMENT. BARRIERS THAT ARE ALREADY PROHIBITED BY LAW INCLUDE DISCRIMINATION ON THE BASIS OF SEX, RACE, RELIGION, POLITICAL BELIEFS, AND NATIONAL HERITAGE; ARREST AS OPPOSED TO CONVICTION; AND WAGE GARNISHMENT. APPLICATIONS SHOULD BE READILY AVAILABLE TO FACILITATE RECRUITMENT. THE ORAL INTERVIEW, IF PROPERLY CONDUCTED AND EVALUATED, CAN SERVE AS AN EFFECTIVE TOOL FOR ELIMINATING UNQUALIFIED CANDIDATES; HOWEVER, THE INTERVIEWER SHOULD REMAIN OPENMINDED, NONPATRONIZING TO FEMALE CANDIDATES, AND AVOID A CLIMATE OF INTERROGATION. NO REFERENCES ARE PROVIDED.

Supplemental Notes: LEMP (LAW ENFORCEMENT MINORITY MANPOWER PROJECT) TRAINING AID NO 4.

89. L. H. REYNOLDS. ORAL INTERVIEW STANDARDS. NATIONAL URBAN LEAGUE, INC, 500 EAST 62ND STREET, NEW YORK NY 10021. 11 p. 1977. NCJ-58857

THE UNIFORM ORAL INTERVIEW STANDARDS DISCUSSED IN THIS MANUAL WERE DEVELOPED AS A PART OF THE NATIONAL URBAN LEAGUE'S LAW ENFORCEMENT MINORITY MANPOWER PROJECT FOR SUCCESSFUL MINORITY RECRUITMENT. ALL INTERVIEWERS SHOULD ACCEPT THREE SPECIFIC KINDS OF UNIFORM STANDARDS: (1) STANDARDS REGARDING THE TYPE OF INFORMATION OBTAINABLE FROM A SHORT INTERVIEW THAT WOULD BE MOST HELPFUL IN JUDGING SUITABILITY FOR HIRING AS FIREFIGHTERS OR POLICE OFFICERS; (2) STANDARDS OF INTERVIEWING TECHNIQUES TO OBTAIN USEFUL INFORMATION EFFICIENTLY WITHOUT IMPROPER OR UNPRODUCTIVE QUESTIONS; AND (3) STANDARDS OF GRADING APPLIED UNIFORMLY AND IMPARTIALLY. ALL INTERVIEWERS SHOULD ASK CANDIDATES TO DISCUSS THEIR EDUCATIONAL AND WORK BACKGROUND TO SEARCH FOR EVIDENCE REGARDING CHARACTER MOTIVATION, ATTITUDES, AND WORK HABITS. OTHER IMPORTANT QUESTIONS THAT MAY BE ASKED DURING THE INTERVIEW PROCESS ARE INCLUDED IN THE INTERVIEW RATER'S WORKSHEET THAT IS APPENDED TO THIS DOCUMENT. THERE IS A TIP ON HOW TO BEGIN AND END INTERVIEWS. INTERVIEWS SHOULD LAST 25 MINUTES WITH CANDIDATES DOING MOST OF THE TALKING. QUESTIONABLE FEATURES OF A CANDIDATE'S BACKGROUND SHOULD BE ADDRESSED DIRECTLY AND AN INORDINATE AMOUNT OF TIME SHOULD NOT BE SPENT ON UNFAVORABLE INCIDENTS IN COMPARISON TO FAVORABLE ASPECTS OF THE CANDIDATE'S HISTORY. IT IS THE RESPONSIBILITY OF THE CANDIDATE TO CONVINCE THE INTERVIEWER OF QUALIFICATIONS FOR THE POSITION. IN ADDITION, INTERVIEWERS SHOULD BE AWARE OF THEIR PERSONAL PREJUDICES AGAINST MINORITY OR FEMALE APPLICANTS. RULES FOR DETERMINING FINAL SCORES AND MARKING THE CANDIDATE RATING CARD ARE DISCUSSED, INCLUDING GUIDELINES DIRECTING INTERVIEWERS AS TO THE APPROPRI-

ATENESS OF CHANGING A RATING. FINALLY, THERE IS A DISCUSSION OF WHETHER AND WHEN RATERS SHOULD DISQUALIFY THEMSELVES. A SAMPLE EXAMINATION FOR POLICE AND FIREFIGHTERS IS INCLUDED.

Supplemental Notes: LEMP (LAW ENFORCEMENT MINORITY MANPOWER PROJECT) TRAINING AID NO 5.

90. L. H. REYNOLDS. POTENTIAL CANDIDATES AND USING COMMUNITY RESOURCES FOR RECRUITING. NATIONAL URBAN LEAGUE, INC, 500 EAST 62ND STREET, NEW YORK NY 10021. 5 p. 1977. NCJ-58858

EMPLOYING COMMUNITY RESOURCES TO LOCATE POTENTIAL CANDIDATES IS DISCUSSED IN THIS REPORT, DEVELOPED AS A PART OF THE NATIONAL URBAN LEAGUE'S LAW ENFORCEMENT MINORITY MANPOWER PROJECT FOR MINORITY RECRUITMENT. AMONG COMMUNITY RESOURCES TO BE CONTACTED IN ANY EFFORT TO RECRUIT MINORITY CANDIDATES ARE THE LOCAL VETERANS' ADMINISTRATION OFFICE, PLANTS WITH LAYOFF LISTS, COMMUNITY COLLEGE AND UNIVERSITIES, SOCIAL SERVICE AGENCIES, CIVIC SOCIAL GROUPS, BARBER SHOPS, SPORTS PROGRAMS, RECREATION SPOTS, HIGH SCHOOLS, AND CHURCHES. EMPLOYMENT AND PLACEMENT COUNSELORS AND PERSONNEL OFFICERS SHOULD BE CONTACTED WHEN APPROACHING VETERANS AFFAIRS OFFICES, INDUSTRIAL PLANTS, HIGH SCHOOL, AND COLLEGES. PROCEDURES TO FOLLOW IN HIGH SCHOOLS AND COLLEGES INCLUDE ASKING FOR NAMES AND ADDRESSES OF ALL MINORITY PERSONS WHO DROPPED OUT, RECENT GRADUATES, OR THOSE WHO ARE NEAR COMPLETION OF THEIR STUDIES; IN COMMERCIAL SHOPS, PLACING POSTERS THAT CONTAIN AN ADDRESS, TELEPHONE NUMBER, AND PERSON TO BE CONTACTED, AND AT RECREATION SPOTS, USING A TABLE WITH APPLICATIONS AND POSTERS OR USING A POLICE VEHICLE WITH A BULL HORN TO DRAW PUBLIC ATTENTION TO THE RECRUITMENT DRIVE. VISITS TO CHURCHES, CIVIC ORGANIZATIONS, OR THE NATIONAL URBAN LEAGUE SHOULD BE PRECEDED WITH LETTERS OF INTRODUCTION THAT ARE SINCERE AND HONEST. FINALLY, APPLICATIONS SHOULD BE READILY AVAILABLE, AND A FOLLOW UP APPROACH SHOULD BE EMPLOYED. NO REFERENCES ARE INCLUDED.

Supplemental Notes: LEMP (LAW ENFORCEMENT MINORITY MANPOWER PROJECT) TRAINING AID NO 1.

91. S. ROTHENBERG. MINORITIES' CONSTITUTIONAL RIGHTS TO POLICE DEPARTMENT EMPLOYMENT. ILLINOIS INSTITUTE OF TECHNOLOGY INSTITUTE FOR CRIMINAL JUSTICE, 3300 SOUTH FEDERAL STREET, CHICAGO IL 60616. POLICE LAW QUARTERLY, V 6, N 2 (JANUARY 1977), P 22-31. NCJ-69199

BRIEF REVIEW OF STATUTORY BACKGROUND AGAINST DISCRIMINATORY EMPLOYMENT PRACTICES IN THE PUBLIC SECTOR, FOCUSING ON POLICE, AND DISCUSSION OF THE CONCEPT OF DISPROPORTIONATE RACIAL IMPACT. THIS CONCEPT, ENUNCIATED BY THE SUPREME COURT IN GRIGGS V. DUKE POWER COMPANY (1971) HOLDS THAT IF AN EMPLOYMENT TEST CAN BE SHOWN TO HAVE A DISPROPORTIONATE RESULT ON CERTAIN PROTECTED GROUPS, THE EMPLOYER MUST DEMONSTRATE THAT THE TEST IS VALID AND RELATES TO THE JOB REQUIREMENTS. FEDERAL COURT LITIGATION CONCERNING THE CHICAGO POLICE DEPARTMENT IS USED AS AN EXAMPLE OF THIS DOCTRINE. ADDITIONALLY, THE AUTHOR DISCUSSES JUDICIALLY IMPOSED EMPLOYMENT QUOTAS AND PREFERENTIAL AFFIRMATIVE ACTION HIRING PRACTICES AS REMEDIES FOR DISCRIMINATION. THE ARTICLE CONCLUDES BY CITING A REPORT SHOWING THAT WOMEN CAN PERFORM COMPETENTLY AS POLICE OFFICERS.

92. R. H. ROWAN and J. S. GRIFFIN. ST PAUL (MN)—POLICE DEPARTMENT—MINORITY RECRUITMENT PROGRAM. INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, 11 FIRSTFIELD ROAD, GAITHERSBURG MD 20878. POLICE CHIEF, V 44, N 1 (JANUARY 1977), P 18 & 20. NCJ-58859

OUTLINE OF CITYWIDE MINORITY RECRUITMENT ACTIVITIES INTENDED TO ENCOURAGE QUALIFIED MINORITY APPLICANTS (A

GOAL OF 60 MALE BLACK APPLICANTS WAS SET) TO APPLY AND BE APPOINTED POLICE OFFICERS. RECRUITMENT EFFORTS COMPRISED AN ORAL-INTERVIEW TUTORIAL SESSION FOR APPLICANTS, PHYSICAL TRAINING AND PREPARATION FOR THE PHYSICAL AGILITY PORTION OF THE TEST, WRITTEN EXAMINATION TUTORIALS, RADIO AND TELEVISION SPOT ANNOUNCEMENTS, PRESS AND COMMUNITY NEWS RELEASES, AND MEETINGS WITH INTERESTED GROUPS. OF THE 800 PERSONS WHO TOOK THE POLICE OFFICER EXAMINATION (INCLUDING 55 BLACK MALES), 53 FROM THE MINORITY GROUP PASSED. THE POLICE DEPARTMENT STARTED ITS RECRUITMENT ACADEMY WITH NINE BLACK MALES, ONE BLACK FEMALE, AND ONE HISPANIC MALE OUT OF 43 RECRUITS.

93. RURAL HOUSING ALLIANCE AND RURAL AMERICA, INC. 1346 CONNECTICUT AVENUE, NW, WASHINGTON DC 20036. RURAL JUSTICE AND LEGAL ASSISTANCE. 9 p. 1975. NCJ-31378

THE AUTHOR ADVANCES ARGUMENTS TO SUPPORT HIS VIEW THAT RURAL JUSTICE IS LACKING IN THE QUALITY OF ITS LAW ENFORCEMENT, THE FUNCTIONING OF ITS JUDICIAL PROCESS, AND POOR AND ETHNIC MINORITY PARTICIPATION IN THE PROCESS. PROPOSALS FOR REFORM INCLUDE A FULL EMPLOYMENT STRATEGY, A REEXAMINATION AND CHANGE IN THE WAY IN WHICH FEDERAL DOLLARS UNDER LEAA ARE GRANTED TO THE STATES (TO EMPHASIZE IMPROVING THE QUALITY OF LAW ENFORCEMENT, JUDICIAL PROCESS, AND CORRECTIONS), AND EQUAL APPORTIONMENT OF FEDERAL LEGAL ASSISTANCE FOR THE POOR BETWEEN RURAL AND URBAN AREAS. ALSO RECOMMENDED ARE INCREASED LAW SCHOOL EMPHASIS ON SPECIFIC RURAL ISSUES AND PRACTICE, AND AFFIRMATIVE ACTION RECRUITMENT OF MINORITIES FOR EMPLOYMENT IN LAW ENFORCEMENT, JUDICIAL, AND LEGAL PROFESSIONS.

Supplemental Notes: PAPER PRESENTED AT NATIONAL CONFERENCE ON RURAL AMERICA, APRIL 14-17, 1975.

Availability: NCJRS MICROFICHE PROGRAM.

94. L. W. SHERMAN. ENFORCEMENT WORKSHOP—MINORITY QUOTAS FOR POLICE PROMOTIONS. WARREN, GORHAM AND LAMONT, INC. 210 SOUTH STREET, BOSTON MA 02111. CRIMINAL LAW BULLETIN, V 15, N 1 (JANUARY-FEBRUARY 1979), P 78-84. NCJ-53870

THIS COMMENTARY DEALS WITH A CASE INVOLVING THE DETROIT POLICE OFFICERS ASSOCIATION IN MICHIGAN AND A WHITE POLICE OFFICER NAMED YOUNG WHO CHARGED THE ASSOCIATION WITH DISCRIMINATORY PRACTICES IN PROMOTION. THE JUDGE HELD THAT THE DETROIT POLICE DEPARTMENT'S POLICY SINCE 1974 OF PROMOTING ONE BLACK OFFICER TO SERGEANT FOR EVERY WHITE OFFICER PROMOTED UNLAWFULLY DISCRIMINATES AGAINST WHITE OFFICERS, PRIMARILY BECAUSE THERE WAS NO PROOF OF PAST DISCRIMINATION IN THE DEPARTMENT AND BECAUSE EMPLOYERS MAY NOT VOLUNTARILY ADOPT A QUOTA TYPE OF RELIEF. OTHER FACTORS INFLUENCING THE JUDGE'S DECISION WERE THAT OPERATIONAL NEEDS OF THE DEPARTMENT DID NOT JUSTIFY THE AFFIRMATIVE ACTION PLAN, SINCE THERE WAS NO EVIDENCE THAT THE INCREASED NUMBER OF MINORITIES IN SUPERVISORY RANKS HAD IMPROVED THE OVERALL EFFECTIVENESS OF THE DEPARTMENT, AND THAT THE APPROPRIATE GEOGRAPHICAL AREA FOR DEFINING THE LABOR FORCE FROM WHICH POLICE OFFICERS ARE DRAWN IS THE 1970 CENSUS DEFINITION OF THE DETROIT STANDARD METROPOLITAN STATISTICAL AREA. THE COMMENTARY ASSUMES THAT THERE ARE UNIQUE CONCERNS IN LAW ENFORCEMENT THAT MAY JUSTIFY DIFFERENT LAWS GOVERNING EMPLOYMENT PRACTICES. GIVEN THE CLOSE CONNECTIONS AMONG RACE, CULTURE, VALUES, AND POLICE BEHAVIOR, EQUITABLE EMPLOYMENT PRACTICES SHOULD NOT BE THE ONLY CONCERN IN LITIGATION INVOLVING MINORITY QUOTAS. POLICE EFFECTIVENESS SHOULD BE GIVEN EQUAL CONSIDERATION. POLICE EFFECTIVENESS IS DETERMINED FOR THE AREA IN RELATION TO THE NUMBER OF BLACKS, OTHER MINORITIES, AND

WHITES IN LAW ENFORCEMENT, AND THE GEOGRAPHY OF PERSONNEL RECRUITMENT ALSO IS EXAMINED. CASE LAW IS CITED.

95. R. W. SHARR and R. P. MCCAULEY. MINORITY RECRUITMENT MANUAL FOR OHIO PEACE OFFICERS REPORT, 1977. OHIO PEACE OFFICER TRAINING ACADEMY, LONDON OH 43140; OHIO DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, 30 EAST BROAD STREET, 26TH FLOOR, COLUMBUS OH 43215. 75 p. 1978. NCJ-48467

GUIDELINES PERTAINING TO MINORITY RECRUITMENT OF OHIO PEACE OFFICERS ARE PRESENTED. COVERED ARE THE BASES FOR ANTIDISCRIMINATION POLICIES, DISCRIMINATION IN LAW ENFORCEMENT, AND REMEDIATION OF DISCRIMINATORY PRACTICES. THE MANUAL IS DESIGNED TO ASSIST LOCAL LAW ENFORCEMENT AGENCIES IN THEIR EFFORTS TO INCREASE REPRESENTATION OF ETHNIC MINORITIES AND WOMEN AS SWORN PEACE OFFICERS. IT IS EMPHASIZED THAT MINORITY RECRUITMENT DOES NOT REFER TO PREFERENTIAL HIRING PRACTICES; RATHER, THE GOAL IS TO ATTRACT THE MOST QUALIFIED MINORITY GROUP MEMBERS. IN A DEMOCRATIC SOCIETY, ALL PERSONS SHOULD BE PERMITTED TO PARTICIPATE IN GOVERNMENTAL PROCESSES. THE RIGHTS OF MINORITY AND WOMEN APPLICANTS ARE SUPPORTED BY THE 14TH AMENDMENT OF THE CONSTITUTION, THE CIVIL RIGHTS ACT AND THE EQUAL EMPLOYMENT OPPORTUNITY ACT, LEAA, THE OHIO CIVIL RIGHTS COMMISSION, AND THE COURTS. THE ORGANIZATIONAL PHILOSOPHY AND COMMITMENT, POLICIES AND PROCEDURES, NEEDS AND GOALS, AND REQUISITE RESOURCES OF THE LAW ENFORCEMENT PERSONNEL SYSTEM ARE DISCUSSED WITHIN THE CONTEXT OF DISCRIMINATION ISSUES AND ANSWERS. IMPLEMENTATION OF A MINORITY RECRUITMENT PROGRAM WILL REQUIRE THE IDENTIFICATION OF WORK TO BE PERFORMED, A SURVEY OF THE LABOR MARKET, DEVELOPMENT OF JOB DESCRIPTIONS, AND DEVELOPMENT OF SELECTION CRITERIA, PLANS, AND PROCEDURES. POTENTIAL FOR CAREER DEVELOPMENT WILL PLAY A MAJOR ROLE IN DECISIONS OF QUALIFIED APPLICANTS. CAREER DEVELOPMENT IS DISCUSSED WITHIN THE FRAMEWORK OF INDIVIDUAL CAPABILITIES AND CHARACTERISTICS AND ORGANIZATION CHARACTERISTICS AND NEEDS. TYPES OF CAREER DEVELOPMENT AREAS AND PROGRAMS ARE OUTLINED. MINORITY RECRUITMENT SHOULD BE SEEN AS PART OF THE OVERALL CAREFULLY PLANNED RECRUITMENT EFFORT. RECRUITMENT BY OBJECTIVES IS RECOMMENDED FOR RECRUITMENT PLANNING. ROLE OF THE RECRUITER IS DISCUSSED; AND RECRUITMENT STRATEGIES SUCH AS ADVERTISEMENT, WORK/STUDY PROGRAMS AND INTERNSHIPS, AND OPEN HOUSES AND SPEAKERS ARE REVIEWED. A SUCCESSFUL RECRUITMENT PROGRAM WILL REQUIRE ACCURATE RECORDKEEPING AND ONGOING PROGRAM EVALUATION IN TERMS OF PRESENT RECRUITMENT OBJECTIVES. A REVIEW OF HIRING PRACTICES WHICH MAY UNNECESSARILY DISQUALIFY LARGE NUMBERS OF MINORITY/WOMEN APPLICANTS (I.E., WRITTEN EXAMINATION, HEIGHT/WEIGHT REQUIREMENTS) IS ALSO RECOMMENDED. APPENDED ARE THE RESULTS OF A SURVEY OF BLACK MALES AND WHITE FEMALES INDICATING JOB FACTORS PERCEIVED AS RECOMMENDING POLICE WORK TO OTHER MINORITY GROUP MEMBERS, AND REPRODUCTIONS OF TWO RECRUITMENT ADVERTISEMENTS. A LIST OF REFERENCES IS ALSO PROVIDED.

Availability: NCJRS MICROFICHE PROGRAM.

96. J. L. STEINBERG and D. W. MCEVOY. POLICE AND THE BEHAVIORAL SCIENCES. 180 p. 1974. NCJ-18239

SELECTION OF REPORTS ON COLLABORATIVE EFFORTS BETWEEN POLICE AGENCIES AND BEHAVIORAL SCIENTISTS TO IMPROVE RECRUITMENT, SELECTION, AND HUMAN RELATIONS TRAINING. DURING THE PAST FEW YEARS, A NUMBER OF INTERESTING COLLABORATIVE EFFORTS HAVE TAKEN PLACE BETWEEN POLICE AGENCIES AND BEHAVIORAL SCIENCE CONSULTANTS IN DEVELOPING INNOVATIVE PROGRAMS TO IMPROVE POLICE PRACTICES. THE MAJOR EMPHASIS OF THE PROGRAMS

REPORTED HERE CENTERS AROUND THE AREA OF HUMAN RELATIONS TRAINING. THERE HAS BEEN A GROWING RECOGNITION OF THE IMPORTANCE OF SUCH TRAINING BECAUSE OF THE VERY CONSIDERABLE DISCRETION GIVEN A POLICE OFFICER IN DEALING WITH PEOPLE. WHAT'S MORE, 75 TO 80 PERCENT OF THE JOB OF AN URBAN POLICE OFFICER IS INVOLVED WITH THE DELIVERY OF NON-CRIMERELATED HUMAN SERVICES. THE TRAINING PROGRAMS REPRESENTED IN THIS VOLUME INCLUDE THE AREAS OF CHILD AND JUVENILE CONTACTS, RACE RELATIONS, FAMILY CRISIS INTERVENTION, CONFLICT MANAGEMENT, AND COMMUNITY RELATIONS. THESE PROGRAMS REPRESENT A SIGNIFICANT DEPARTURE FROM TRADITIONAL POLICE TRAINING WHICH HAS FREQUENTLY BEEN A MATTER OF INDOCTRINATION THROUGH LECTURES. NEW DIRECTIONS ARE EXPLORED IN LEARNING AND CURRICULUM DESIGN TO INSTILL IN THE OFFICER THE GOOD JUDGEMENT, DECISION MAKING ABILITY, PRUDENCE, AND UNDERSTANDING WHICH ARE REQUIRED FOR A PROFESSIONAL RESPONSE TO FIELD SITUATIONS. IN ADDITION, THIS COMPILATION OF REPORTS INCLUDES A DESCRIPTION OF PROGRAMS TO DESIGN POLICE PROMOTIONAL EXAMINATIONS AND TO RECRUIT POLICE APPLICANTS FROM THE BLACK POPULATION.

Availability: CHARLES C THOMAS, 301-327 EAST LAWRENCE AVENUE, SPRINGFIELD IL 62717.

97. L. TERRITO, C. R. SWANSON JR, and M. C. CHAMELIN. POLICE PERSONNEL SELECTION PROCESS. 312 p. 1977. NCJ-42478

INTENDED FOR ADMINISTRATORS AND SUPERVISORS INVOLVED IN DESIGNING AND IMPLEMENTING A PERSONNEL SELECTION PROCESS. THIS BOOK ANALYZES THE SELECTION PROCESS FROM THE ENTRANCE EXAMINATION THROUGH PROBATIONARY EMPLOYMENT. THE AUTHORS POINT OUT THERE IS NO SINGLE BEST SELECTION PROCESS FOR POLICE OFFICERS; HOWEVER, THEY MAINTAIN THAT IF THE ADMINISTRATIVE GUIDELINES, INVESTIGATIVE PROCEDURES, AND LEGAL REQUIREMENTS OUTLINED IN THE BOOK ARE FOLLOWED, THE FOLLOWING OBJECTIVES WILL BE ACCOMPLISHED: THE IDENTIFICATION OF CANDIDATES WELL SUITED FOR POLICE CAREERS AND THE RECOGNITION OF PERSONS WHO WOULD BE CLASSIFIED AS HIGH RISK CANDIDATES FOR EMPLOYMENT. IT IS CAUTIONED THAT ADMINISTRATORS USING THIS BOOK SHOULD BE CERTAIN THAT THE GUIDELINES SET FORTH DO NOT CONFLICT WITH THEIR STATE STATUTES. SOME OF THE SUBJECTS TREATED ARE: EQUAL EMPLOYMENT OPPORTUNITY IN LAW ENFORCEMENT; WRITTEN ENTRANCE EXAMINATIONS; MEDICAL AND PHYSICAL STANDARDS FOR LAW ENFORCEMENT APPLICANTS; USING POLYGRAPHS AND PSYCHOLOGICAL STRESS EVALUATORS; PSYCHOLOGICAL AND PSYCHIATRIC ASSESSMENT OF POLICE APPLICANTS; THE CHARACTER INVESTIGATION; THE ORAL INTERVIEW; RECRUIT TRAINING; EVALUATION OF PROBATIONARY OFFICERS; AND THE FUTURE OF POLICE PERSONNEL SELECTION. SAMPLES OF VARIOUS FORMS USED IN THE SELECTION PROCESS ARE INCLUDED.

Availability: BOBBS-MERRILL PUBLISHING COMPANY, 4300 WEST 62 STREET, INDIANAPOLIS IN 46268.

98. TEXAS OFFICE OF THE GOVERNOR, AUSTIN TX 78711. EQUAL EMPLOYMENT OPPORTUNITY AND THE TEXAS CRIMINAL JUSTICE SYSTEM. 115 p. 1975. NCJ-32537

THIS MANUAL, BOTH A BACKGROUND AND PROGRAM DOCUMENT, IS DESIGNED TO GIVE TEXAS AGENCIES AN UNDERSTANDING OF EQUAL OPPORTUNITY LAW AND ITS PRINCIPLES AS THEY RELATE TO ATTRACTING QUALIFIED MINORITY AND WOMEN APPLICANTS. A CONDENSATION OF VARIOUS LAWS, LEGAL DECISIONS, REGULATIONS, RESEARCH REPORTS, AND OPINIONS, IT ADDRESSES FOUR AREAS OF MAJOR CONCERN TO CRIMINAL JUSTICE AGENCIES: ALLOWABLE EMPLOYMENT STANDARDS AND QUALIFICATIONS, RECRUITING MINORITIES AND WOMEN, WOMEN IN PATROL WORK, AND HANDLING COMPLAINTS OF DISCRIMINATION. THIS MANUAL ALSO DISCUSSES HOW EQUAL EMPLOYMENT OPPORTUNITY LAW DEVELOPED, TEXAS' EQUAL EMPLOYMENT

LAWS AND REGULATIONS, AND UPWARD MOBILITY. THE APPENDIX CONTAINS COPIES OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION GUIDELINES ON LAWFUL AND UNLAWFUL PRE-EMPLOYMENT INQUIRIES, THE TEXAS EQUAL RIGHTS STATUTES, THE LEAA COMPLIANCE REVIEW PROCESS, AND THE STATE ATTORNEY GENERAL'S OPINION (H-251) ON QUESTIONS RELATING TO THE RIGHTS OF WOMEN EMPLOYED BY THE STATE. A BRIEF BIBLIOGRAPHY IS ALSO INCLUDED.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

99. P. E. TRIPLETT. WOMEN IN POLICING. INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, 11 FIRSTFIELD ROAD, GAITHERSBURG MD 20780. POLICE CHIEF, V 43, N 12 (DECEMBER 1976), P 48-49. NCJ-38103

DEVELOPMENTS IN KNOWLEDGE CONCERNING WHITE AND BLACK FEMALE POLICE OFFICERS AS REPORTED AT THE 1974 AND 1975 WORKSHOPS ON WOMEN IN POLICING OF THE NATIONAL BLACK POLICE ASSOCIATION CONVENTION ARE DISCUSSED. AMONG THE AREAS EXAMINED WERE PATROL EFFECTIVENESS, JOB ASSIGNMENTS, UNIFORMS, MALE/FEMALE PARTNERS AND OTHER TOPICS. THE WORKSHOPS SERVED TO ILLUSTRATE THAT THE MOST CONTROVERSIAL TOPIC ON WOMEN IN POLICING IS WHETHER OR NOT THE FEMALE CAN ADEQUATELY PERFORM PATROL FUNCTIONS. SEVERAL STUDIES ARE CURRENTLY UNDERWAY TO RESOLVE THIS QUESTION.

100. L. B. WOLITZ. ANALYSIS OF THE LABOR MARKET FOR POLICEMEN (ISSUED IN TWO UNNUMBERED VOLUMES). 298 p. 1974. NCJ-22208

THIS PROJECT EXAMINES SHORTAGES OF POLICE MANPOWER AND ANALYZES THE ECONOMIC CONTENT OF POLICE HIRING STANDARDS. A SINGLE-BUYER MULTIPLE-SELLER MARKET MODEL TO EXPLAIN SHORTAGES IS REJECTED IN FAVOR OF A DYNAMIC SHORTAGE MODEL AND A MORE RIGOROUS MODEL STRESSING THE INTERACTION OF WAGES, HIRING STANDARDS, AUTHORIZED EMPLOYMENT LEVELS, VACANCY RATES, THROUGH MULTIPLE REGRESSION TECHNIQUES, THE CHARACTERISTICS SOUGHT BY THE OAKLAND (CALIFORNIA) POLICE DEPARTMENT TESTING PROCESS BETWEEN 1965 AND 1971 ARE DEFINED. THE PROBABILITY OF SUCCESS IS GREATLY INCREASED, AND IS ALSO RAISED BY PREVIOUS POLICE EXPERIENCE AND HIGH PREVIOUS WAGES. IT IS DECREASED BY MINORITY GROUP STATUS AND LOCAL RESIDENCE. RECENT CHANGES ARE REVIEWED, SUCH AS AGGRESSIVE MINORITY RECRUITING AND AFFIRMATIVE ACTION PROGRAMS, WHICH HAVE GREATLY INCREASED MINORITY REPRESENTATION ON THE FORCE. A REVIEW OF THE LITERATURE AND A BIBLIOGRAPHY ARE INCLUDED. (AUTHOR ABSTRACT)

Supplemental Notes: DISSERTATION—UNIVERSITY OF CALIFORNIA, BERKELEY.

Sponsoring Agency: US DEPARTMENT OF LABOR MANPOWER ADMINISTRATION, WASHINGTON DC 20210.

Availability: ERIC DOCUMENT REPRODUCTION SERVICE, P O BOX 190, ARLINGTON VA 22210 Stock Order Nos. ED 099 598; CE 002 692; NCJRS MICROFICHE PROGRAM.

COURTS

101. M. L. COLTON, W. CAMPION, V. FISCHER, N. ELKING, and D. JACOBY. COURT ADMINISTRATION IN NEW MEXICO. NATIONAL CENTER FOR STATE COURTS PUBLICATIONS DEPARTMENT, 300 NEWPORT AVENUE, WILLIAMSBURG VA 23185. 129 p. 1975. NCJ-48183

STUDIES WERE UNDERTAKEN TO EXAMINE THE OPERATION OF THE ADMINISTRATIVE OFFICE OF THE COURTS (AOC) IN NEW MEXICO IN ORDER TO IDENTIFY PROBLEM AREAS AND RECOMMEND METHODS FOR THEIR AMELIORATION. TO THIS END, A TEAM OF ANALYSTS VISITED EVERY JUDICIAL DISTRICT COURT, A REPRESENTATIVE SAMPLING OF MAGISTRATE COURT OPERATIONS WAS MADE, AND INTERVIEWS WERE CONDUCTED WITH ALL AOC EMPLOYEES. EMPHASIS WAS ON EVALUATING PERSONNEL, MANAGEMENT, BUDGETING, AND ORGANIZATION. A PROFILE OF THE NEW MEXICO COURT SYSTEM IS PRESENTED WHICH INCLUDES INFORMATION ON JURISDICTION, PERSONNEL, ORGANIZATION, AND EXPENSES OF THE SUPREME COURT, THE INTERMEDIATE APPELLATE COURT, THE TRIAL COURTS OF LIMITED AND GENERAL JURISDICTION, THE SMALL CLAIMS COURT, JUDICIAL COMMISSIONS, AND THE AOC. AS THE AOC HAS GROWN THE NEED FOR A FORMALIZED PLANNING CAPABILITY HAS BECOME INCREASINGLY APPARENT. SUCH A PLANNING CAPABILITY MUST INCLUDE CAREFUL SETTING OF SHORT AND LONG-TERM GOALS, DEVELOPMENT OF REALISTIC PLANS TO ACHIEVE THESE GOALS, AND A MECHANISM FOR EVALUATING GOAL ATTAINMENT. THIS WILL REQUIRE AN EXPANSION OF THE STAFF AND UPGRADING OF THE PROFESSIONAL STATUS OF THE STAFF. IN THE AREA OF LEGAL RESEARCH, ANALYSIS, AND SERVICES, THE ABSENCE OF AN AOC STAFF MEMBER WITH PROFESSIONAL LEGAL TRAINING MEANS INADEQUATE AND SOMETIMES INACCURATE OPERATIONS. A FULLY QUALIFIED STAFF LEGAL OFFICER SHOULD BE RECRUITED TO REMEDY THIS SITUATION. PERSONNEL RECORD KEEPING IS INADEQUATE AND LITTLE EFFORT IS MADE TO MONITOR PERSONNEL QUALIFICATIONS. SELECTION FAVORS A PATRONAGE RATHER THAN A MERIT SYSTEM. FURTHER, EFFECTIVE EMPLOYEE GRIEVANCE PROCEDURES AND AFFIRMATIVE ACTION PLANS TO ENSURE MORE EQUITABLE EMPLOYMENT PRACTICES ARE LACKING. COURT BUDGET REQUESTS ARE OFTEN UNJUSTIFIED; THE REVIEW PROCEDURE IS INADEQUATE; AND DISPLEASURE HAD BEEN EXPRESSED BY JUDGES OVER INEQUITABLE BUDGETING PRACTICES AND PROCEDURES. A COMPREHENSIVE BUDGETING SYSTEM IS NEEDED. STATISTICAL DATA COLLECTION IS SPOTTY AND INFORMATION COLLECTED IS IN MANY INSTANCES INACCURATE. IT APPEARS THAT THE EXISTING STATISTICAL INFORMATION SYSTEM IS OF LITTLE PRACTICAL VALUE TO THE JUDICIAL

DEPARTMENT. RECORD MANAGEMENT IS ALSO INADEQUATE; EVERY COURT VISITED HAD LOST, MISSING AND MISFILED RECORDS. THERE IS ALSO NO SEMBLANCE OF A JURY MANAGEMENT SYSTEM IN NEW MEXICO; THERE IS LITTLE UNIFORMITY AND LITTLE EFFORT TO MAXIMIZE USE OF JURORS. THE PENALTY ASSESSMENT SYSTEM OF THE AOC APPEARS TO BE UNNECESSARY; FINES COULD BE SENT DIRECTLY TO THE STATE TREASURER. LACK OF UNIFORMITY IN BOOKKEEPING PROCEDURES AMONG THE COURTS MAKES MONITORING AND AUDITING DIFFICULT. MOREOVER SEVERAL OF THE LOWER COURTS ARE NOT AUDITED BY THE AOC AT ALL. A JUDICIAL DEPARTMENT PLAN FOR COMPUTERIZATION OF ACTIVITIES IS NEEDED, AND THE LAW LIBRARY REQUIRES UPGRADING. CENTRAL PURCHASING IS RECOMMENDED, AND STEPS WILL BE NEEDED TO IMPROVE THE EFFICIENCY AND ADEQUACY OF SPACE AND EQUIPMENT MANAGEMENT. A 5-YEAR IMPLEMENTATION PLAN (1975-1980) FOR IMPROVING AOC OPERATIONS IS PROVIDED. SUPPLEMENTAL RESEARCH INFORMATION IS ALSO APPENDED.

Sponsoring Agency: NEW MEXICO GOVERNOR'S COUNCIL ON CRIMINAL JUSTICE PLANNING, P O BOX 1770, SANTA FE NM 87501.

102. W. L. HEPPERLE and L. CRITES, Eds. WOMEN IN THE COURTS. NATIONAL CENTER FOR STATE COURTS PUBLICATIONS DEPARTMENT, 300 NEWPORT AVENUE, WILLIAMSBURG VA 23185. 250 p. 1978. NCJ-48844

THIS ANTHOLOGY PRESENTS AN EXAMINATION OF THE EXTENT OF COMMITMENT ON THE PART OF THE JUDICIARY TO LIBERATING WOMEN FROM THEIR INFERIOR STATUS IN AMERICAN SOCIETY. THIS EXAMINATION OF THE STATUS OF WOMEN IN THE COURTS IS FACILITATED BY ARTICLES WHICH REVIEW LEGAL CASES INVOLVING WOMEN'S ISSUES AND DISCUSS THE TREATMENT OF WOMEN IN THE COURT SETTING. FEMALE EMPLOYEES, PARTICIPANTS, AND PROFESSIONAL ROLES IN THE TRIAL COURTS ARE DISCUSSED. THE ROLE OF WOMEN AS REPORTERS, CLERKS, BAILIFFS, CRIMINAL DEFENDANTS, DIVORCE AND CUSTODY LITIGANTS, WITNESSES, OBSERVERS, NEWS REPORTERS, JUDGES, AND ATTORNEYS IS NOTED. KEY UNITED STATES SUPREME COURT RULINGS ON SEX DISCRIMINATION, REPRODUCTIVE FREEDOM, AND PREGNANCY ARE REVIEWED. THE RELATIONSHIP BETWEEN THE BURGER COURT AND WOMEN'S RIGHTS BETWEEN 1971 AND 1977 IS EXAMINED, AS THEY RELATE TO LEGAL FICTIONS ABOUT WOMEN; PROCREATION; FEMALE INFERIORITY; MENTAL WEAKNESS; FEMALE ENCAPSULATION IN MARRIAGE AND THE FAMILY; AND THE BURGER COURT OPINIONS REGARDING MATERNITY CASES, THE FATHER-CHILD RELATIONSHIP,

THE STATUS OF CHILDREN, SEXUAL EQUALITY, SEXUAL FREEDOM, WOMEN ON WELFARE, AND WOMEN AND DOCTORS. THE ROLE OF WOMEN JUDGES IS ASSESSED, EMPHASIZING THEIR HISTORICAL PRESENCE IN THE JUDICIARY, CONTEMPORARY TOKENISM, SPECIALIZATION AND ISOLATION ON THE BENCH, ACCESS TO THE BENCH, FEMALE REPRESENTATION IN THE COURT STRUCTURE, AND THE FEMINIST ENVIRONMENT. SURVEY FINDINGS RELATING TO WOMEN IN COURT ADMINISTRATION ARE PRESENTED. TABULAR AND GRAPHIC DATA REGARDING PERSONAL AND OCCUPATIONAL HISTORIES, CAREER GOALS, THE TREATMENT AND PERFORMANCE OF WOMEN IN COURT ADMINISTRATION POSITIONS, RESISTANCE TO WOMEN, AND THE EFFECT OF THE WOMEN'S MOVEMENT ARE PROVIDED. THE PRACTICE OF SEXUAL STEREOTYPING IN JURY SELECTION IS DISCUSSED, IN ADDITION TO THE HISTORY OF THE RIGHT TO JURY SERVICE, SEXISM IN THE VOIR DIRE PROCEDURE, AND EMPIRICAL SUPPORT FOR VOIR DIRE STEREOTYPES. CHANGES IN THE DOMESTIC RELATIONS COURT ARE DOCUMENTED; AND, THE HISTORY OF DIVORCE, DIVORCE IN 20TH CENTURY AMERICA, CASELOAD IMPACT, CLIENT ATTITUDES, ATTORNEY ATTITUDES, THE DIFFICULTIES OF PROPERTY DIVISION, THE DIVORCED MOTHER, AND PROBLEMS FACED BY THE OLDER OR WORKING WOMAN ARE DISCUSSED BRIEFLY. THE COURT STATUS OF VICTIMS OF SEXUAL AND WIFE ABUSE, RAPE, CAUTIONARY INSTRUCTIONS, CORROBORATION REQUIREMENTS, THE RESISTANCE STANDARD, WIFE BEATING, AND THE ROLES OF THE CRIMINAL AND CIVIL COURTS ARE ALSO DISCUSSED. FINALLY, THE GENERAL LIMITATIONS OF LAW AND JUSTICE AS THEY RELATE TO WOMEN ARE CONSIDERED. IT IS ARGUED THAT SOCIAL PROBLEMS, SUCH AS WOMEN'S STATUS IN THE COURTS, WILL BE NEITHER UNDERSTOOD NOR RESOLVED, NOR WILL MECHANISMS FOR CHANGE WORK SUCCESSFULLY UNTIL WOMEN'S ROLES ARE VIEWED AS AN INTEGRAL PART OF THE OVERALL SOCIAL PROCESS. A QUESTIONNAIRE FOR COURT ADMINISTRATORS IS APPENDED. REFERENCES ARE PROVIDED. FOR SELECTED ARTICLES, SEE NCJ 48845-48851.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NATIONAL CENTER FOR STATE COURTS PUBLICATIONS DEPARTMENT, 300 NEWPORT AVENUE, WILLIAMSBURG VA 23185.

103. H. O. LAWSON and G. B. KUBAN. DEVELOPMENT OF A COMPREHENSIVE PERSONNEL PLAN FOR NON-JUDICIAL EMPLOYEES OF THE KANSAS APPELLATE COURTS CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT. AMERICAN UNIVERSITY LAW SCHOOL INSTITUTE FOR ADVANCED STUDIES IN JUSTICE, 4900 MASSACHUSETTS AVENUE, NW, WASHINGTON, DC 20016. 178 p. 1977. NCJ-43872

POSITION DESCRIPTIONS, AFFIRMATIVE ACTION PRACTICES, AND PAY, PROMOTION, RAISE, AND LEAVE POLICIES FOR NONJUDICIAL PERSONNEL OF THE KANSAS SUPREME COURT AND COURT OF APPEALS ARE EVALUATED, AND A PAY PLAN IS PROPOSED. THE RECOMMENDED PAY PLAN, WHICH IS BASED ON THE PERSONNEL CLASSIFICATION PROPOSED BY THE KANSAS JUDICIAL ADMINISTRATOR'S OFFICE, IS INTENDED TO PROVIDE A FRAMEWORK FOR EQUAL COMPENSATION FOR WORK OF A COMPARABLE NATURE AND LEVEL, TO PROVIDE A MEANS FOR COMPENSATING EMPLOYEES FOR CONTINUED SATISFACTORY OR OUTSTANDING SERVICE, AND TO ESTABLISH RATES OF COMPENSATION WHICH COMPARE REASONABLY WITH RATES IN COMMON LABOR MARKETS AND WHICH WILL AID IN THE RECRUITMENT AND RETENTION OF QUALIFIED PERSONNEL. THE PLAN IS DESIGNED TO PROVIDE BOTH EMPLOYEE INCENTIVE AND ADMINISTRATIVE FLEXIBILITY. THE PAY PLAN CONSISTS OF A SYSTEM OF SALARY STEPS AND A RECOMMENDED PAY RANGE FOR EACH CLASSIFICATION. SCHEDULE I SETS FORTH SALARY STEPS IN MONTHLY AND ANNUAL RATES. SCHEDULE II DEFINES A SALARY RANGE FOR EACH CLASSIFICATION. SCHEDULE III LISTS JOB CLASSES WITHIN PAY GRADES. OTHER SCHEDULES PRESENT COMPARATIVE SALARY DATA FOR LEGISLATIVE AND EXECUTIVE

BRANCH POSITIONS. GUIDELINES FOR INSTALLING AND ADMINISTERING THE PROPOSED PAY PLAN ARE INCLUDED. SUPPORTING DOCUMENTATION, INCLUDING JOB DESCRIPTIONS FOR THE POSITIONS INCLUDED IN THE PAY PLAN, IS PROVIDED.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

104. D. L. SASSOWER. WOMEN JUDGES. ASSOCIATION OF TRIAL LAWYERS OF AMERICA. TRIAL, V 12, N 1 (JANUARY 1976), P 25, 31, 34-35. NCJ-48032

BARRIERS TO EQUALITY FOR WOMEN PRESENTED BY LAWS AND JUDICIAL DECISIONS ARE DISCUSSED, AND THE NEED FOR MORE WOMEN JUDGES AND LAWYERS IS STRESSED. JUDICIAL DECISIONS AND LAWS THAT HAVE DEALT WITH WOMEN AS SECOND-CLASS CITIZENS ARE CITED (E.G., PROTECTIVE LABOR LAWS, LAWS GRANTING WOMEN AUTOMATIC EXCUSES FROM JURY DUTY, AN 1873 SUPREME COURT DECISION UPHOLDING THE DENIAL OF A WOMAN'S APPLICATION FOR A LICENSE TO PRACTICE LAW). INDICATIONS THAT JUDICIAL ATTITUDES ARE CHANGING ARE POINTED OUT, AS IS THE PROMISE OF THE EQUAL RIGHTS AMENDMENT FOR ESTABLISHING EQUALITY ON A SOLID BASIS AND PUTTING AN END TO DISCRIMINATORY PRACTICES AND JUDICIAL INTERPRETATIONS THAT PERPETUATE WOMEN'S SUBORDINATE ROLE. THE NEED FOR MORE FEMALE LAWYERS AND JUDGES IS NOTED. IT IS SUGGESTED THAT THE BEST SYSTEM OF JUDICIAL SELECTION IS ONE THAT IS USED IN MANY OTHER COUNTRIES: A NONPOLITICAL PROFESSIONAL JUDICIARY CHOSEN ON THE BASIS OF COMPETITIVE QUALIFYING EXAMINATIONS AND PROMOTED ON THE BASIS OF EXPERIENCE AND PROVEN ABILITY. SUCH A METHOD IS SAID TO OFFER EQUAL OPPORTUNITIES ON THE BENCH TO ALL SEGMENTS OF SOCIETY. THE INCREASE IN THE NUMBER OF WOMEN ATTENDING LAW SCHOOL AND THE ADVENT OF FEMINIST LAW FIRMS ARE NOTED.

105. R. W. SPEARMAN and H. STEVENS. STEP TOWARD EQUAL JUSTICE—PROGRAMS TO INCREASE BLACK LAWYERS IN THE SOUTH, 1969-1973—AN EVALUATION REPORT TO CARNEGIE CORPORATION OF NEW YORK. CARNEGIE CORPORATION OF NEW YORK, 437 MADISON AVENUE, NEW YORK NY 10036. 68 p. 1974. NCJ-48577

RESULTS OF AN EXTENSIVE EVALUATION OF A NUMBER OF GRANT PROGRAMS DESIGNED TO INCREASE THE NUMBER OF BLACK LAWYERS IN THE SOUTH BETWEEN 1969 AND 1973 ARE PRESENTED. GRANTS FROM PRIVATE FOUNDATIONS, CORPORATIONS, AND INDIVIDUALS PROVIDED SUPPORT FOR PROGRAMS OF THE EARL WARREN LEGAL TRAINING PROGRAM, INC., THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE LEGAL DEFENSE AND EDUCATIONAL FUND (LDF), AND THE LAW STUDENTS CIVIL RIGHTS RESEARCH COUNCIL (LSCRR). THESE ORGANIZATIONS OFFERED A VARIETY OF PROGRAMS WHICH RECRUITED BLACK LAW STUDENTS; PROVIDED SCHOLARSHIPS, TUTORING, AND COUNSELING; OFFERED SUMMER INTERNSHIPS IN CIVIL RIGHTS LITIGATION; PROVIDED POSTGRADUATE FELLOWSHIPS; AND PROVIDED FEES FOR YOUNG BLACK LAWYERS DOING CIVIL RIGHTS WORK IN THE SOUTH. THE SERIES OF GRANTS CONSTITUTED A BROAD SYSTEMS APPROACH TO THE NEEDS OF BLACKS IN 11 STATES. PROGRAMS WERE OPEN TO BLACK STUDENTS IN 4 PREDOMINANTLY BLACK SCHOOLS, 13 STATE UNIVERSITY LAW SCHOOLS, AND 4 PRIVATE LAW SCHOOLS. RESULTS OF THE EVALUATION INDICATE THAT SINCE 1969 THE NUMBER OF BLACK FIRST YEAR LAW STUDENTS HAS INCREASED FROM 22 TO 171 IN 17 SOUTHERN LAW SCHOOLS, 375 BLACK STUDENTS WERE ENROLLED IN THESE SCHOOLS IN 1973, AND A MAJORITY OF THESE BLACK STUDENTS INTENDED TO PRACTICE LAW IN THE SOUTH. FURTHER, ALMOST ALL OF THESE LAW SCHOOLS ARE NOW RECRUITING BLACK STUDENTS, AND APPLICATIONS FROM BLACKS HAVE STEADILY RISEN. INTERVIEWS INDICATED THAT THE INCREASING NUMBERS OF BLACK ENROLLEES FACILITATED THE RECRUITMENT AND APPOINTMENT OF BLACK LAW PROFESSORS AT STATE UNIVERSITY

LAW SCHOOLS IN VIRGINIA, SOUTH CAROLINA, NORTH CAROLINA, FLORIDA, LOUISIANA, AND ALABAMA. THE NUMBER OF BLACK LAW SCHOOL GRADUATES AT THE 17 SCHOOLS STUDIED HAS INCREASED DRAMATICALLY IN THE PAST FEW YEARS. AN LSCRRRC SUMMER INTERNSHIP PROGRAM PROVIDED CIVIL RIGHTS AND LEGAL AID WORK EXPERIENCE TO 481 STUDENTS; 60 PERCENT WERE BLACK. ATTRITION RATES FOR WARREN SCHOLARSHIP STUDENTS DECLINED FROM 30 PERCENT IN 1969 TO 10 PERCENT IN 1971, AND DATA INDICATE THAT A NUMBER OF DROPOUTS HAD TRANSFERRED TO OTHER LAW SCHOOLS OR HAD BEEN SUBSEQUENTLY READMITTED. LARGE NUMBERS OF BLACK LAWYERS ARE ESTABLISHING PRACTICES IN THE SOUTH; IN MISSISSIPPI THE BLACK BAR HAS QUADRUPLED IN MEMBERSHIP SINCE 1969. FINALLY, BLACK LAWYERS ARE INEVITABLY BEING DRAWN INTO COMMUNITY LEADERSHIP ROLES, AS IS ILLUSTRATED BY THE POSITIONS NOW HELD BY A NUMBER OF FORMER POST-GRADUATE WARREN FELLOWS. FACTORS INVOLVED IN THE CHANGING ATMOSPHERE OF SOUTHERN RACE RELATIONS AND FUTURE TRENDS IN BLACK LAW SCHOOL ADMISSIONS ARE DISCUSSED. A BIOGRAPHY OUTLINING THE EXPERIENCE OF AN LDF PROGRAM PARTICIPANT, NOW A SUCCESSFUL CIVIL RIGHTS LAWYER IN COLUMBUS, GEORGIA, IS ALSO INCLUDED. A LIST OF MAJOR CONTRIBUTORS TO THE PROGRAM IS PROVIDED.

Availability: NCJRS MICROFICHE PROGRAM.

CORRECTIONS

106. AMERICAN BAR ASSOCIATION, 1630 M STREET, NW, WASHINGTON DC 20036. MINORITY RECRUITMENT IN CORRECTIONS—NEW FEDERAL AID REQUIREMENTS. 12 p. 1973. NCJ-10376

AMPLIFICATION OF TWO EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS APPLICABLE TO GRANTEES OF LEAA, WITH SPECIAL EMPHASIS ON THEIR SIGNIFICANCE TO CORRECTIONAL SYSTEMS. THE FIRST OF THESE REQUIREMENTS DEALS WITH AFFIRMATIVE ACTION BY LEAA GRANTEES TO REMEDY DEFICIENCIES IN THE NUMBER OF MINORITY GROUP PERSONS, INCLUDING WOMEN, EMPLOYED IN THEIR WORK FORCE AND THE ELIMINATION OF DISCRIMINATORY MINIMUM HEIGHT STANDARDS (HEIGHT STANDARDS NOT COVERED IN THIS PAMPHLET). THE SECOND REQUIREMENT CONCERNS THE PROBLEM OF SITE SELECTION OF CORRECTIONAL FACILITIES WHERE THE LOCATION MAY HAVE AN ADVERSE IMPACT ON MINORITY EMPLOYMENT.

107. AMERICAN BAR ASSOCIATION, 1800 M STREET, NW, WASHINGTON DC 20036. RACE RELATIONS IN CORRECTIONS—AN ANNOTATED BIBLIOGRAPHY. 8 p. 1975. NCJ-27014

LISTING OF 42 BOOKS, ARTICLES, STUDIES, AND GOVERNMENT PUBLICATIONS ON RACE RELATIONS PROBLEMS WITHIN THE CORRECTIONAL SYSTEM, COVERING 1968 TO 1975, PLUS 20 COURT DECISIONS IN THIS AREA DATING BACK TO 1961. THE GENERAL BIBLIOGRAPHY IS CATEGORIZED BY THE FOLLOWING SUBJECT HEADINGS: GENERAL DISCRIMINATION AND RACISM, LEGAL ANALYSES AND STANDARDS, STATE PRISON STUDIES, MINORITY STAFF RECRUITMENT, AFFIRMATIVE ACTION MODELS AND TRAINING MATERIALS, AND RACIAL PROBLEMS AS SEEN BY INMATES. THE COURT DECISIONS LISTED DEAL WITH THE REQUIRED DESEGREGATION OF CORRECTIONAL FACILITIES, FIRST AMENDMENT RIGHTS, JOB DISCRIMINATION, RECRUITMENT OF MINORITIES IN CORRECTIONS, AND PAROLE.

Availability: AMERICAN BAR ASSOCIATION, 1800 M STREET, NW, WASHINGTON DC 20036; NCJRS MICROFICHE PROGRAM.

108. E. BEARD. STUDY OF THE ATTITUDES AND PERCEPTIONS OF BLACK CORRECTIONAL EMPLOYEES AS A BASIS FOR DESIGNING RECRUITMENT AND RETENTION STRATEGIES. HOWARD UNIVERSITY INSTITUTE FOR URBAN AFFAIRS AND RESEARCH, WASHINGTON DC 20059. 195 p. NCJ-45049

THE REPORT OF A SUBSTUDY ON UTILIZATION OF MINORITY EMPLOYEES IN CORRECTIONAL INSTITUTIONS, IN WHICH FINDINGS INCLUDED THE FEELING AMONG BLACK EMPLOYEES THAT THERE IS DISCRIMINATION IN PROMOTION PRACTICES, IS PRE-

SENTED. THIS INTENSIVE STUDY INTERVIEWED 304 BLACK CUSTODIAL OFFICERS, 117 OTHER BLACK CORRECTIONAL PERSONNEL, 128 BLACK INMATES, 52 WARDENS, SUPERINTENDENTS, AND ASSISTANTS, AND 35 EX-CORRECTIONAL EMPLOYEES TO DEVELOP A PROFILE OF THE BLACK CORRECTIONAL WORKER, IDENTIFY PROBLEMS FACED BY THESE WORKERS, AND SUGGEST PROCEDURES AND TECHNIQUES FOR RECRUITING AND RETAINING BLACK CORRECTIONAL EMPLOYEES. NONCORRECTIONAL EMPLOYEES GENERALLY HAD A COLLEGE DEGREE AND A MEDIAN INCOME OF \$14,000 TO \$17,000. THE CUSTODIAL WORKERS MOSTLY HAD HIGH-SCHOOL EDUCATIONS, 13 PERCENT HAD HIGHER EDUCATION OF SOME TYPE, AND MEDIAN INCOME WAS \$8,000 TO \$11,000. THE EX-EMPLOYEES HAD MEDIAN INCOMES OF ABOUT \$5,000, WHICH MEANS THEY WERE WORSE OFF THAN THEY WERE WHILE WORKING IN CORRECTIONS, BUT THEY HAD NO INTENTION OF REAPPLYING. DESPITE THESE DIFFERENCES IN INCOME AND EDUCATION, THE BLACK EMPLOYEES REPORTED THE SAME PROBLEMS—WHILE WHITE WORKERS WERE GENERALLY FRIENDLY AND COOPERATIVE, ADMINISTRATORS SEEMED MORE INTERESTED IN THE ADVANCEMENT OF WHITES THAN BLACKS, EVALUATIONS WERE SEEN AS MORE FAVORABLE TO WHITES THAN BLACKS, AND THERE SEEMED TO BE LITTLE HOPE OF JOB IMPROVEMENT. THE CUSTODIAL PERSONNEL EXPRESSED HIGH DEGREES OF DISSATISFACTION WITH SHIFTS AND WORKING HOURS, THE NONCUSTODIAL WITH VARIETY IN JOB ASSIGNMENTS AND CHANCES FOR INCREASED PAY. INMATES WERE INTERVIEWED FOR THEIR PERSPECTIVE ON THE SITUATION. MOST FELT THAT ADMINISTRATORS FAVORED WHITE EMPLOYEES. INMATES ALSO FELT THAT THERE SHOULD BE AN ETHNIC MIX OF CUSTODIAL PERSONNEL. BLACK INMATES ALSO REPORTED THEY FELT BLACK PERSONNEL HAD A GREATER UNDERSTANDING OF THEIR PROBLEMS AND DID A BETTER JOB OF PREPARING THEM FOR REENTRY INTO SOCIETY. IT IS RECOMMENDED THAT MORE BLACKS BE RECRUITED FOR TRAINING LEADING TO SUPERVISORY POSITIONS, THAT BLACKS BE ACTIVELY ENCOURAGED TO APPLY FOR JOB OPENINGS, ACTIVELY CONSULTED ABOUT SHIFT CHANGES, AND URGED TO TALK TO CAREER COUNSELING STAFF. IT IS ALSO POINTED OUT THAT TRANSPORTATION IS A PROBLEM FOR BLACKS AND THIS SHOULD BE TAKEN INTO ACCOUNT WHEN NEW FACILITIES ARE LOCATED. ORAL TESTS SHOULD BE DROPPED FOR BOTH EMPLOYMENT AND PROMOTION AND IMPERSONAL WRITTEN TESTS OR MULTIPLE CHOICE TESTS USED INSTEAD. IT IS ALSO SUGGESTED THAT THE SHIFT HOURS BE IMPROVED AND SALARIES RAISED TO ENCOURAGE

CORRECTIONS

COMPETENT PERSONS OF ALL BACKGROUNDS TO SEEK CORRECTIONS WORK.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LEAA NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, 633 INDIANA AVENUE NW, WASHINGTON, DC 20531.

Availability: HOWARD UNIVERSITY INSTITUTE FOR URBAN AFFAIRS AND RESEARCH, WASHINGTON DC 20059; NCJRS MICROFICHE PROGRAM.

109. **A. M. BECKER. WOMEN IN CORRECTIONS—A PROCESS OF CHANGE.** SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, 4444 BROAD RIVER ROAD, P O BOX 766, COLUMBIA SC 29202. *RESOLUTION OF CORRECTIONAL PROBLEMS AND ISSUES*, V 1, N 4 (SUMMER 1975), P 19-21. NCJ-28904

A DESCRIPTION OF THE CALIFORNIA DEPARTMENT OF CORRECTIONS PERSONNEL PROGRAM UNDERTAKEN TO PROVIDE EQUAL EMPLOYMENT OPPORTUNITIES TO FEMALE CORRECTIONAL WORKERS BY GRADUAL AND CONTROLLED INCREASES IN WOMEN EMPLOYEES. THE BASIC INTENT OF THE CALIFORNIA CORRECTIONS EFFORT IS TO EMPLOY WOMEN IN NUMBERS THAT ARE REFLECTIVE OF THE SURROUNDING COMMUNITY. THE ASSUMPTION IS THAT FEMALE EMPLOYEES CAN PERFORM IN CORRECTIONAL WORK SITUATIONS EQUALLY AS WELL AS MALES. IN 1974, AN AFFIRMATIVE ACTION PROGRAM OF LOGICAL AND PROGRESSIVE EXPANSION IN THE USE OF FEMALE EMPLOYEES WAS IMPLEMENTED; THIS PLAN WOULD ALLOW FACILITIES TO EXPAND THE NUMBER OF OFFICERS AT DIFFERENT RATES BECAUSE OF DIFFERENT TRADITIONS AND PHYSICAL PLANTS. IT WAS FELT THAT THIS WOULD ALLOW WOMEN TO DEMONSTRATE THEIR ABILITY TO DO THEIR JOBS AND WOULD ALLOW A TRADITION-ORIENTED DEPARTMENT TO UNDERGO SUCH A RADICAL CHANGE GRADUALLY. THIS PROGRAM HAS RESULTED IN THE EMPLOYMENT OF ABOUT 100 FEMALE OFFICERS IN SUCH JOBS AS SAFETY COORDINATOR, CHIEF OF INMATE APPEALS, PAROLE AGENTS, AND COUNSELORS. ALL CALIFORNIA INSTITUTIONS NOW EMPLOY FEMALE OFFICERS, AND SOME HAVE OPENED ALL POSTS TO FEMALES—INCLUDING POSTS WHICH REQUIRE DIRECT CONTACT WITH INMATES. IT HAS BEEN NOTED THAT FEMALE OFFICERS PERFORM EQUALLY AS WELL AS THEIR MALE COUNTERPARTS. IN ADDITION, EMPLOYMENT OF FEMALES SEEMS TO HAVE BEEN ACCEPTED BY MALE INMATES, AND APPEARS TO HAVE IMPROVED THE BEHAVIOR OF SOME INMATES. (AUTHOR ABSTRACT MODIFIED)

110. **B. GOLDSTEIN. SCREENING FOR EMOTIONAL AND PSYCHOLOGICAL FITNESS IN CORRECTIONAL OFFICER HIRING.** AMERICAN BAR ASSOCIATION, 1800 M STREET, NW, WASHINGTON DC 20036. 19 p. 1975. NCJ-18262

THIS MONOGRAPH SUMMARIZES THE RESULTS OF A NATIONAL QUESTIONNAIRE SURVEY OF SCREENING TECHNIQUES USED FOR SELECTION OF LINE CORRECTIONAL OFFICERS IN INSTITUTIONS. A RESPONSE OF 45 STATES AND THE DISTRICT OF COLUMBIA ASSURES A COMPREHENSIVE NATIONAL PICTURE OF STEPS TAKEN TO ASSESS THE CRUCIAL QUALITIES OF PSYCHOLOGICAL AND EMOTIONAL FITNESS IN NEW LINE OFFICERS. THE SURVEY INDICATES THAT THE FOUR MAIN SCREENING DEVICES EMPLOYED ARE ORAL INTERVIEWS, BACKGROUND INFORMATION AND INVESTIGATIONS, REGULAR USE OF TESTING, AND MEDICAL EXAMINATIONS. VARIATIONS IN THE NATURE AND EXTENT OF THE FOREGOING DEVICES AS TECHNIQUES OF PSYCHOLOGICAL SCREENING ARE CONSIDERABLE IN EACH OF THE CATEGORIES. FOR EXAMPLE, ONLY A FEW AGENCIES INCLUDE POLICE RECORD CHECKS IN CONSIDERATION OF BACKGROUND INFORMATION SUPPLIED BY THE CANDIDATE, ONLY HALF OF THE JURISDICTIONS USING WRITTEN TESTS MAKE REGULAR USE OF PERSONALITY TESTS, AND FEW MEDICAL EXAMINATION PROCEDURES INCLUDE SPECIAL PSYCHIATRIC OR PSYCHOLOGICAL ASSESSMENTS. THE MONOGRAPH INCLUDES OTHER DATA AND ANALYSIS SUCH AS REJECTION RATES, THE FACT THAT MOST RESPONDING STATES (65%) CONSIDER THEIR CURRENT PROCE-

AFFIRMATIVE ACTION

DURES EFFECTIVE, THE PARTICULAR TYPES OF PERSONALITY TESTS USED TO DETERMINE PSYCHOLOGICAL FITNESS, SCREENING PROBLEMS RAISED BY CIVIL RIGHTS AND EQUAL EMPLOYMENT OPPORTUNITY LAWS AND CRITERIA, AND THE POSTURE OF CURRENT REFORM THINKING AND STANDARDS ON LINE OFFICER FITNESS AND QUALIFICATIONS.

Availability: AMERICAN BAR ASSOCIATION, 1800 M STREET, NW, WASHINGTON DC 20036; NCJRS MICROFICHE PROGRAM.

111. **HOWARD UNIVERSITY, P O BOX 181, WASHINGTON DC 20001. SUMMARIES OF STUDIES ON THE RECRUITMENT AND RETENTION OF MINORITY CORRECTIONAL EMPLOYEES.** 44 p. NCJ-45049

THE METHODS, FINDINGS, AND RECOMMENDATIONS OF THREE STUDIES CONCERNED WITH THE RECRUITMENT AND RETENTION OF MINORITY CORRECTIONAL EMPLOYEES ARE SUMMARIZED. THE FIRST STUDY EXAMINED MINORITY RECRUITMENT, SCREENING, SELECTION, PROMOTION, AND RETENTION POLICIES AND PRACTICES OF STATE PRISONS IN CALIFORNIA, MICHIGAN, MISSISSIPPI, AND OHIO. THE FINDINGS INDICATE THAT NATIONAL STANDARDS AND GOALS FOR MINORITY RECRUITMENT ARE NOT BEING MET, AND THAT THERE IS LITTLE HOPE OF MAJOR IMPROVEMENT IN THE NEAR FUTURE. THE SECOND STUDY EMPLOYS DATA FROM CALIFORNIA, LOUISIANA, MISSISSIPPI, NEW JERSEY, MICHIGAN, AND OHIO TO DETERMINE THE NUMBER OF MINORITIES IN CORRECTIONS-RELATED OCCUPATIONS. MINORITY GROUPS ARE FOUND TO BE UNDERREPRESENTED IN SUCH OCCUPATIONS IN 1975, AND THE UNDERREPRESENTATION IS PREDICTED TO CONTINUE THROUGH 1980. EFFORTS TO MAKE MINORITY STUDENTS IN SPECIALIZED AREAS (E.G., MEDICINE, LAW, SOCIAL WORK) AWARE OF CAREER OPPORTUNITIES IN CORRECTIONS ARE URGED. A STUDY OF THE ATTITUDES AND PERCEPTIONS OF BLACK CORRECTIONAL EMPLOYEES INVOLVED INTERVIEWS WITH 304 BLACK CUSTODIAL OFFICERS, 117 OTHER BLACK CORRECTIONAL PERSONNEL; 128 BLACK INMATES; 52 WARDENS, SUPERINTENDENTS, AND THEIR ASSISTANTS; AND 35 FORMER CORRECTIONAL EMPLOYEES. SURVEY FINDINGS PROVIDE THE BASIS FOR RECOMMENDATIONS PERTAINING TO RECRUITMENT, SELECTION, AND RETENTION PRINCIPLES. NO TABULAR DATA ARE INCLUDED.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

112. **NATIONAL CIVIC SERVICE LEAGUE. INSTITUTES ON AFFIRMATIVE ACTION LEADERSHIP DEVELOPMENT IN CORRECTIONAL INSTITUTIONS—FINAL REPORT.** 192 p. 1977. NCJ-40007

STUDY EXAMINES THE ATTEMPTS THAT HAVE BEEN MADE BY ADMINISTRATORS IN THE STATE PRISONS TO EMPLOY AFFIRMATIVE ACTION GUIDELINES. THE STUDY HELPED TO PROVIDE INFORMATION TO CORRECTIONAL ADMINISTRATORS ABOUT THE RELEVANT LAW AND REGULATIONS ON AFFIRMATIVE ACTION, AND TO HELP THEM UNDERSTAND LEAA'S AFFIRMATIVE ACTION GUIDELINES. IT ALSO WAS DESIGNED TO ENHANCE MANAGERS' ABILITIES TO PLAN, IMPLEMENT, MEASURE, AND DIRECT AFFIRMATIVE ACTION, AS WELL AS TO MONITOR CHANGES IN SYSTEMS WITH RESPECT TO RACIAL BALANCE IN WORK FORCES AND NONDISCRIMINATION WITHIN THE SERVICE POPULATION. IN TERMS OF RESULTS, THE STUDY FOUND THAT NO ADULT STATE SYSTEM HAD ATTAINED THE GOAL OF HAVING AN ETHNIC DISTRIBUTION OF ITS CORRECTIONAL WORK FORCE STAND IN A 70 PERCENT RATIO TO THE ETHNIC DISTRIBUTION OF THE INMATE POPULATION, AND THAT MOST HAD A LONG WAY TO GO.

Sponsoring Agencies: NATIONAL INSTITUTE OF CORRECTIONS, 320 FIRST STREET, NW, WASHINGTON DC 20534; US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

113. S. L. REISNER. **BALANCING INMATES' RIGHTS TO PRIVACY WITH EQUAL EMPLOYMENT FOR PRISON GUARDS.** RUTGERS UNIVERSITY SCHOOL OF LAW, 180 UNIVERSITY AVENUE, NEWARK NJ 07102. *WOMEN'S RIGHTS LAW REPORTER*, V 4, N 4 (SUMMER 1978), P 243-251.

NCJ-59254

CONSTITUTIONAL REASONS FOR INMATES' RIGHT TO PRIVACY AND ATTEMPTS TO SYNTHESIZE THIS RIGHT WITH EQUAL OPPORTUNITY FOR PRISON GUARDS ARE EXAMINED IN THIS LAW JOURNAL NOTE. IN *DOTHARD V. ROBINSON* (1977) THE U.S. SUPREME COURT RULED THAT ALABAMA WAS NOT REQUIRED TO HIRE WOMEN AS GUARDS IN ITS MAXIMUM SECURITY MALE PENITENTIARIES. THE DECISION WAS BASED ON THE BONA FIDE OCCUPATIONAL QUALIFICATION (BFOQ) EXCEPTION TO TITLE VII'S BAN ON SEX DISCRIMINATION IN EMPLOYMENT. HOWEVER, THAT DECISION IGNORED THE ISSUE OF AN INMATE'S RIGHT TO BE FREE FROM OBSERVATION BY GUARDS OF THE OPPOSITE SEX WHILE UNDRESSING, USING TOILET FACILITIES, OR BEING SEARCHED. THE ARTICLE DISCUSSES THIS RIGHT TO PRIVACY AND EXAMINES THE COURT CASES (BOTH OF THE LOWER FEDERAL COURTS AND OF THE U.S. SUPREME COURT) IN WHICH THERE WAS COURT RECOGNITION OF THE RIGHT TO PRIVACY. IN *BONNER V. COUGHLIN* (1975) IT WAS HELD THAT AN INMATE DOES NOT TOTALLY SURRENDER THE FOURTH AMENDMENT'S RIGHT TO PRIVACY UPON INCARCERATION. THIS RIGHT WAS CONSTRUED TO INCLUDE A PROHIBITION AGAINST HUMILIATING AND UNNECESSARY SEARCHES. IN *FRAZIER V. WARD* (1977) A DISTRICT COURT HELD THAT INMATES HAD A FOURTH AMENDMENT RIGHT AGAINST BEING SUBJECTED TO ANAL SEARCHES AS A ROUTINE PROCEDURE. *YORK V. STORY* (1977) INDICATED THAT FORCED EXPOSURE OF THE NAKED BODY TO GUARDS OR POLICE OFFICERS OF THE OPPOSITE SEX IS DEGRADING AND VIOLATES THE PRIVACY RIGHT. SINCE STATES HAVE NO SECURITY INTEREST IN HAVING GUARDS OF THE OPPOSITE SEX PERFORMING STRIP SEARCHES OR TOILET FACILITY SURVEILLANCE, EQUAL OPPORTUNITY COULD BE BEST SERVED BY ASSIGNING GUARDS OF OPPOSITE SEX TO WORK IN AREAS WHERE THEY WOULD NOT INFRINGE ON PRIVACY RIGHTS. IT IS RECOMMENDED THAT IN INMATE PRIVACY SUITS, SELECTIVE WORK RESPONSIBILITIES SHOULD BE ORDERED IN PREFERENCE TO ABSOLUTE EXCLUSION. THIS WOULD FURTHER EQUAL OPPORTUNITY EFFORTS AND KEEP EMPLOYERS FROM USING BFOQ TO EMPLOY SEX DISCRIMINATION HIRING PRACTICES. FOOTNOTES ARE PROVIDED.

114. H. C. RICE. **CIVIL RIGHTS AND CORRECTIONS—THE IMPACT OF LEAA COMPLIANCE REQUIREMENTS.** SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, 4444 BROAD RIVER ROAD, P O BOX 766, COLUMBIA SC 29202. *RESOLUTION OF CORRECTIONAL PROBLEMS AND ISSUES*, V 1, N 4 (SUMMER 1975), P 4-6.

NCJ-28902

A DETAILED OVERVIEW OF THE IMPACT OF LEAA'S EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS ON CORRECTIONAL PERSONNEL POLICIES, PROGRAMS, AND PROCEDURES. THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION'S CIVIL RIGHTS COMPLIANCE OPERATIONS CHART THEIR FORMAL BEGINNINGS FROM THE ISSUANCE BY LEAA OF EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS. THESE REGULATIONS PROHIBIT DISCRIMINATION IN THE EMPLOYMENT PRACTICES OF THE RECIPIENTS OF LEAA FUNDS. IN MARCH 1972, THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION WAS GIVEN CONCURRENT JURISDICTION WITH LEAA IN ASSURING THAT EQUAL EMPLOYMENT OPPORTUNITY STANDARDS ARE MET BY RECIPIENTS OF LEAA FUNDS. THIS ARTICLE FIRST DEFINES 'EMPLOYMENT PRACTICES' AND THE SPECIFIC MINORITY GROUPS PROTECTED BY THESE REGULATIONS. SPECIFIC LEAA GUIDELINES AND SECTIONS OF THE REGULATIONS ARE EXPLAINED WITH RESPECT TO AFFIRMATIVE ACTION PROGRAMS, CONSTRUCTION OF NEW FACILITIES, LEGISLATIVE CHANGES, EQUAL EMPLOYMENT COMPLIANCE REPORTS, AND PROCEDURAL REQUIREMENTS IN CASES OF NONCOMPLIANCE. EMPHASIS IN THIS ARTICLE IS GENERALLY DIRECTED TO-

WARDS THE IMPACT OF THESE REGULATIONS ON CORRECTIONS. (AUTHOR ABSTRACT MODIFIED)

Availability: (Not available through NCJRS Document Loan Program)

115. D. L. SKOLER and R. LOEWENSTEIN. **MINORITIES IN CORRECTION—NONDISCRIMINATION, EQUAL OPPORTUNITY, AND LEGAL ISSUES.** NATIONAL COUNCIL ON CRIME AND DELINQUENCY, CONTINENTAL PLAZA, 411 HACKENSACK AVENUE, HACKENSACK NJ 07601. *CRIME AND DELINQUENCY*, V 20, N 4 (OCTOBER 1974), P 339-346.

NCJ-16184

EXAMINES NEW POLICIES AND TRENDS IN THE EMPLOYMENT OF MINORITIES IN THE FIELD OF CORRECTIONS. ONE OF THE MOST STRIKING MANPOWER PROBLEMS IN OUR CORRECTIONAL SYSTEMS IS THE VAST DISPARITY IN RACIAL COMPOSITION BETWEEN INMATE POPULATIONS AND CORRECTIONAL STAFFS. THIS IMBALANCE HAS STIMULATED A MOVE TO INCREASE MINORITY HIRING IN CORRECTION. IN THE PAST TWO OR THREE YEARS, DEVELOPMENTS ON THREE LEVELS—RHETORIC, JUDICIAL DECISIONS, AND ADMINISTRATIVE REGULATIONS—OFFER HOPE THAT THE GOAL OF INCREASED MINORITY HIRING WILL BE REALIZED. POLITICAL AND CORRECTIONAL LEADERS, ALONG WITH STUDY COMMISSIONS, HAVE ENDORSED THE CONCEPT OF INCREASED MINORITY HIRING IN CORRECTION. THIS LENDS SUPPORT TO LEGISLATIVE AND ADMINISTRATIVE EFFORTS AND MAKES IT DIFFICULT FOR THEM TO REVERSE POSITIONS OR JUSTIFY NO PROGRESS. JUDICIAL DECISIONS HAVE STRUCK DOWN DISCRIMINATORY EMPLOYMENT REQUIREMENTS AND PRACTICES AND HAVE REMOVED BARRIERS BY ESTABLISHING PRESUMPTIONS OF DISCRIMINATION WHEN DISPROPORTIONATE RACIAL BALANCE EXISTS IN HIRING. ADMINISTRATIVE AGENCIES, BACKED BY FEDERAL ANTIDISCRIMINATION LEGISLATION, HAVE PROMULGATED TOUGH NEW REGULATIONS WHICH PROMISE A SIGNIFICANT IMPACT ON MINORITY CORRECTIONAL HIRING. LEAA, WHICH SUPPLIES LARGE SUMS OF FEDERAL MONEY FOR CORRECTIONAL PROGRAMS, NOW REQUIRES GRANT RECIPIENTS TO FILE STATEMENTS DETAILING THE RACIAL AND OTHER MINORITY COMPOSITION OF THEIR STAFFS. WHERE DISPARITIES EXIST, AN AFFIRMATIVE ACTION PROGRAM IS REQUIRED. LEAA HAS ALSO GIVEN NOTICE THAT DECISIONS ON WHERE TO LOCATE NEW CORRECTIONAL FACILITIES WILL BE CLOSELY SCRUTINIZED FOR THEIR EFFECT ON MINORITY HIRING. (AUTHOR ABSTRACT)

116. **UTAH COUNCIL ON CRIMINAL JUSTICE ADMINISTRATION, 255 SOUTH 3RD STREET—EAST, SALT LAKE CITY UT 84111. UTAH—MANPOWER AND TRAINING.** 41 p. 1977.

NCJ-44162

STANDARDS FOR RECRUITING, RETAINING, AND TRAINING PERSONNEL IN UTAH'S CORRECTIONAL AGENCIES ARE SET FORTH BY THE UTAH COUNCIL ON CRIMINAL JUSTICE ADMINISTRATION. THE 10 STANDARDS ARE ACCOMPANIED BY BRIEF DESCRIPTIONS OF THE STATUS OF UTAH CORRECTIONAL PERSONNEL PRACTICES AND BY SUGGESTIONS FOR IMPLEMENTING THE STANDARDS. THE STANDARDS RELATE TO THE RECRUITMENT OF CORRECTIONAL STAFF, RECRUITMENT FROM MINORITY GROUPS, EMPLOYMENT OF WOMEN AND EX-OFFENDERS, USE OF VOLUNTEERS, PERSONNEL PRACTICES FOR RETAINING STAFF, PARTICIPATORY MANAGEMENT, A COORDINATED STATE PLAN FOR CRIMINAL JUSTICE EDUCATION, AN INTERN AND WORK STUDY PROGRAM, AND STAFF DEVELOPMENT. THE STANDARDS URGE THE REVISION OF RECRUITMENT PRACTICES THAT GIVE CORRECTIONS A MILITARY ORIENTATION, ELIMINATION OF CERTAIN RECRUITMENT RESTRICTIONS, ACTIVE RECRUITMENT OF MINORITY GROUPS AND WOMEN, USE OF TASK ANALYSIS AND TESTING FOR CORRECTIONAL POSITIONS, AND USE OF AN OPEN SYSTEM OF SELECTION. IT IS SUGGESTED THAT THE USE OF PARTICIPATORY MANAGEMENT TECHNIQUES WOULD HELP CORRECTIONAL AGENCIES TO RETAIN STAFF AND TO IMPROVE EMPLOYEE MORALE.

Supplemental Notes: CORRECTIONS SERIES.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.

Availability: NCJRS MICROFICHE PROGRAM.

CORRECTIONS

- 117. T. WILLIAMS. MINNESOTA—OMBUDSMAN FOR CORRECTIONS—ANNUAL REPORT, FY 1976-77. 29 p. 1977. NCJ-45034**

THE ORGANIZATION AND FUNCTION OF THE MINNESOTA OMBUDSMAN OFFICE ARE DESCRIBED, AND STATISTICS ON THE OFFICE'S ACTIVITIES DURING ITS FIFTH YEAR OF OPERATION ARE PRESENTED AND DISCUSSED. THE OMBUDSMAN'S OFFICE IS AN INDEPENDENT STATE AGENCY WITH STATUTORY AUTHORITY TO RECEIVE AND INVESTIGATE ALL COMPLAINTS CONCERNING THE ADMINISTRATION OF CORRECTIONS PROGRAMS AND FACILITIES, AND TO PUBLISH RECOMMENDATIONS BASED ON THE FINDINGS OF ITS INVESTIGATIONS. IN FISCAL 1977, THE OMBUDSMAN OPENED 1,250 CASE FILES AS A RESULT OF CONTACTS MADE WITH THE OFFICE. IMPORTANT POLICY CHANGES THAT OCCURED AS A CONSEQUENCE OF THE OMBUDSMAN'S INTERVENTION WERE THE DEVELOPMENT OF AN AFFIRMATIVE ACTION PROGRAM AT THE STATE PRISON; REVISIONS IN RULES GOVERNING THE OPERATION OF HOLDING FACILITIES, LOCKUPS, JAILS, AND ADULT CORRECTIONAL FACILITIES; AND DEVELOPMENT OF A UNIFORM POLICY FOR HIRING AND FIRING INMATE WORKERS. IN 70 PERCENT OF THE CASES HANDLED BY THE OMBUDSMAN, THE INVESTIGATIVE PROCESS WAS COMPLETED WITHIN 30 DAYS. THE ORGANIZATION AND FUNCTION OF THE OFFICE ARE DESCRIBED AND ILLUSTRATED IN CHARTS. AN ANALYSIS OF THE OFFICE'S CONTACTS DURING THE YEAR FOCUSES ON INFORMATION MOST OFTEN SOUGHT BY INMATES, POLITICIANS, STUDENTS, AND PRACTITIONERS INTERESTED IN OMBUDSMAN PROGRAMS. TABULAR DATA ARE PRESENTED ON CONTACTS, REQUESTS, AND COMPLAINTS CLOSED; CASELOAD; CONTACT DISTRIBUTION BY INSTITUTION; POPULATION BY INSTITUTION; METHODS OF COMMUNICATION; INITIAL INTERVIEWS; TIME TAKEN TO RESOLVE CONTACTS; CONTACT RESOLUTION BY CATEGORY; REFERRALS; AND CONTACT DISTRIBUTION BY CATEGORY FOR FISCAL 1976 AND 1977. FINANCIAL INFORMATION, A COPY OF THE STATE'S OMBUDSMAN STATUTE, AND A SUMMARY OF OMBUDSMAN POLICY RECOMMENDATION OUTCOMES ARE APPENDED.

Availability: MINNESOTA OMBUDSMAN FOR CORRECTIONS, 333 SIBLEY STREET, SUITE 102, SAINT PAUL MN 55101; NCJRS MICROFICHE PROGRAM.

- 118. L. WINTER. WOMEN EMPLOYED IN CORRECTIONAL SERVICES. (FEMMES EMPLOYEES DANS LES SERVICES CORRECTIONNELS.) PUBLIC SERVICE COMMISSION OF CANADA. 10 p. 1977. NCJ-42316**

ALPHABETICAL LISTING BY AUTHOR OF OVER 100 BOOKS, JOURNAL ARTICLES, AND GOVERNMENT REPORTS (MOST DATED SINCE 1970) ON WOMEN EMPLOYED IN THE PROBATION AND PAROLE SERVICES AND IN CORRECTIONAL INSTITUTIONS. A SEPARATE SECTION CONTAINING OFFICIAL PUBLIC DOCUMENTS PUBLISHED BY CANADIAN AND UNITED STATES GOVERNMENT AND PRIVATE AGENCIES IS INCLUDED.

Availability: NCJRS MICROFICHE PROGRAM.

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