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Jospeter M. Mbuba
Purdue University Fort Wayne

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**What if the Officer Were Black or Female?
The Effects of Officer Race and Gender on Arrest Decision-Making**

Jospeter M. Mbuba, PhD
Department of Public Policy
Purdue University Fort Wayne, USA

ABSTRACT

Race and gender in arrest decisions are some of the most enduring areas of study in policing, but the same cannot be said of research on the effect of officers' race and gender on arrest decisions, which warrants more vigorous attention than it currently receives. Using a complete count of 136,160 arrests conducted over a period of eight years in a Midwestern city in the United States and a two-model approach, this study is intended to explain the effects of the race and gender of officers on who is arrested. Focusing on the role of conventional perceptions as well as the latent effect of police deployment practices, this study found that officers are generally more inclined to arrest members of their own racial groups, and that, holding racial backgrounds constant, female officers are more inclined than male officers to arrest racial-minority suspects, especially African Americans. The study further found that if all other factors are equal, then female officers over-arrest female suspects and male officers over-arrest male suspects. Other findings are presented, possible analytic explanations offered, and policy implications discussed. The study ends with a set of recommendations that are linked to the findings.

Keywords: Arrest decisions, deployment practices, stereotypes, officer race, officer gender

INTRODUCTION

Although race and gender in police-public contacts are some of the most-studied issues in law enforcement, the common practice has been to focus more on the suspect's race and gender than the officer's. The almost-ubiquitous finding from such studies has been that members of racial minority groups are overrepresented in arrest records and the justice system in general (Lurigio & Loose, 2008; Mbuba, 2009; Sharp, 2014; Feinstein, 2015; Jones, 2016). This trend has created the growing need to focus on intra-race and intra-gender factors in arrest practices and their possible contribution to the overrepresentation of racial minorities, especially African American men. As a response to this need, the purpose of this study is to use two models to explain these arrest patterns and to highlight their policy implications. The first model, referred to in this study as *conventional perceptions*, is based on the assumption that officers' arrest behavior is influenced by public stereotypes regarding police-community relationships. Further, it is assumed in this model that officers are randomly assigned to patrols without regard to their racial

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backgrounds and without taking into account the racial and gender composition of the communities to be patrolled. The assumption of the second model, referred to here as *deployment practices*, is that officers are assigned to patrol according to their racial backgrounds and with conscious regard to the racial and gender composition of the places to be patrolled.

STUDY OBJECTIVES

Recognizing that most race and gender studies in policing and law enforcement focus on the suspect, the aim of this study is to shift that focus to underscore the interplay of the race and gender of arresting officers and the demographic characteristics of arrestees. The primary objective of the study is therefore to provide a deeper understanding of intra-racial, intra-gender, and race-gender correlates between the arresting officers and the arrested persons. In so doing, the study provides an analytic explanation of the possible causes of existing arrest patterns and extrapolates policy implications in relation to existing mechanisms of alleviating conceptually adverse patterns. The study provides actionable recommendations that are sequentially linked to the findings.

LITERATURE REVIEW

Race and gender are some of the most significant predictors of the skewed public attitudes toward the police, with racial minorities holding less-favorable attitudes than the White majority (Viki et al., 2006; Mbuba, 2010; Lee & Gibbs, 2015). This phenomenon largely emanates from historical times when the police were perceived as being the government machinery used to tame racial minorities' clamor for freedom and equality. The perception is informed by the unfaltering overrepresentation of racial minorities at all levels of the criminal-justice process, accentuated by recurring police brutality against members of racial-minority communities. This has historically caused intermittent civil unrest and resulted in the use of various measures to ameliorate the situation and mollify the minority communities.

The civil unrest of the 1960s, for example, partly contributed to the establishment of the 1967 President's Commission on Law Enforcement and Administration of Justice, which recommended hiring members of racial-minority communities into police ranks. The Commission noted that "a department can show convincingly that it does not practice racial discrimination by recruiting minority-group officers, by assigning them fairly to duties of all sorts in all kinds of neighborhoods, and by pursuing promotion policies that are scrupulously fair to such officers," and for departments that cannot meet this standard, it is to be expected that "residents will reach the conclusion that the neighborhood is being policed, not for the purpose of maintaining law and order, but for the purpose of maintaining the ghetto's status quo" (p. 101–102).

However, the recruitment of minorities into policing was hampered not only by the raging distrust of the police by racial-minority communities, but also by the fact that minority communities had little or no support for members of their own community who joined law enforcement. This phenomenon—in which

racial-minority officers are neither accepted by their own communities nor fully embraced by the mainstream White community as agents of the law—was referred to as “double marginality,” a term widely attributed to Alex (1969; see also Campbell, 1980, p. 447). Even the President’s Commission on Law Enforcement and Administration of Justice noted that “inducing qualified young men from minority groups to enter police work is not easy in view of the distrust for the police felt by members of minority groups, and especially by young men” (p. 102).

There has since been an enduring effort to correct the racial disproportionality in the criminal-justice system, especially in terms of policing, which is essentially the main gate into the justice system. These efforts include such initiatives as community policing (Greene, 2000; Harpaz & Herzog, 2013), crime stoppers (Rosenbaum et al., 1989), citizens’ police academy (Cohn, 1996), police ride-alongs (Mastrofski et al., 1995), and other initiatives that were intended to instill a feeling of representation in police decision-making for racial-minority communities. Notwithstanding these initiatives, tensions between the police and racial-minority communities remain, and public uproar erupts occasionally when police brutality is meted out against members of racial-minority groups (Carter & Corra, 2016; Diversi, 2016; Jackson, 2016).

There have been renewed calls for police departments to hire more racial minorities, based on the argument that “minority officers would have a better understanding of minority communities and display less prejudice than their White counterparts, thereby reducing police-minority conflicts” (Rojek, Rosenfeld, & Decker, 2012, p. 994). However, studies continue to cast doubts on the effectiveness of minority recruitment in ameliorating disproportionality in minority arrests. Brown and Frank (2006), for instance, observe that “policies seeking to reform policing through increasing the numbers of African American officers have been implemented with little empirical evidence that an officer’s race (or ethnicity) is actually related to their behavior towards citizens, in particular arrest decisions” (p. 96). Not much has been done by way of substantive research to establish the intra-race and intra-gender effects in arrest practices outside of the commonly held beliefs regarding the overrepresentation of racial minorities in arrest statistics (Mbuba, 2009). The aim of this study is to fill this void by addressing intra-race, intra-gender, and race-gender factors in police arrest decisions.

Two models are used in this study to explain how the demographic characteristics of officers may influence the way in which officers make arrest decisions based on the demographic characteristics of suspects. The first model, referred to in this study as *conventional perceptions*, is an approach in which the role of perceptions in behavior is recognized, especially regarding perceptions that are based on enduring stereotypes. The existing literature on this subject is replete with studies that show that racial minorities, especially men, are overrepresented in arrests and in correctional facilities (Blumstein,

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1982; Welsh, Jenkins, & Harris, 1999; Cureton, 2000; Mbuba, 2009; Sterling, 2013). This reality brings with it the stereotype that a common offender is a racial-minority male. Since this affects African Americans far more than other racial-minority groups, which is largely accounted for by the unique historical experiences of the African American racial group, the stereotype focuses more on African American men. This study recognizes the power of such stereotypes in influencing officer discretion when officers have to make decisions involving racial-minority suspects, especially African American males.

The second model used in this study to explain the role of officer demographic characteristics in arrest decisions is *deployment practices*. This model is based on the assumption that police officers are assigned patrols not at random, but based on race, gender, and other factors depending on the composition of the inhabitants of the place to be patrolled. Previous studies have supported the existence of such practices (Eitle, Stolzenberg, & D'Alessio, 2005; Sun, Payne, & Wu, 2008; Novak, Brown, & Frank, 2011). This model is based on the recognition that if an intensive search of a female suspect is necessary, it is more appropriate to be conducted by a female officer than a male officer. This practice has the potential to increase the overall number of female arrests conducted by female officers. The model also recognizes the possibility of assigning officers to conduct patrols in communities that have the highest concentration of people from the officer's racial background. This practice creates the opportunity for officers to interact more with people from their own racial backgrounds. In this way, when an arrest has to be conducted, it follows naturally that the officer who makes the arrest will be from the same racial background as the suspect.

METHODS

This study is based upon the total count of arrests between 2006 and 2013 in a midsized city police department in the Midwest. The data were supplied in the form of Excel spreadsheets that contained the date and time of arrest and the violated statute. The data also contained the arresting officers' age, gender, and race as well as the corresponding age, gender, and race of the arrested persons. Overall, the dataset contained 136,688 arrest cases. The data were entered into an SPSS data editor for analysis. Prior to the analysis, the data were carefully studied and edited for completeness. Cases that did not contain complete entries of the key variables were dropped. A case would be dropped if it contained missing entries for either race or gender of either the arrested person or the arresting officer or the name of the offense for which the arrest was conducted. Only 528 cases or 0.39% of the total arrests were dropped for incompleteness. Ultimately, 136,160 cases were entered for the final analysis.

The data were analyzed using the non-parametric Chi-square test of independence (X^2). The Chi-square test was used to compare observed counts in each cell to the count that would be expected if there were no association between the row and column variables. The Chi-square test was chosen for this study due to its strength as a "(distribution free) tool designed to analyze group differences when the dependent variable is measured at a nominal level"

(McHugh, 2013, p. 143). Furthermore, “unlike most statistics, the Chi-square can provide information not only on the significance of any observed differences, but also provides detailed information on exactly which categories account for any differences found” (McHugh, 2013, p. 143). However, since X^2 is a test of statistical significance, it has to be accompanied by a supplemental test of strength of association. Although the strength of association was not a major focus of this study, the *Cramer’s V* test was used to estimate the strength of association between the variables. However, it was recognized that “the *Cramer’s V* is a form of correlation . . . and a relatively weak correlation is all that can be expected when a phenomenon is only partially dependent on the independent variable” (ibid., 2013, p. 148).

DATA PRESENTATION

Cross-tabulation analyses between the arrestees’ race and gender showed fewer female arrestees than male arrestees for all racial groups. Hispanic arrestees had the lowest percentage of females (11%), and White arrestees had the highest percentage (27%). This is consistent with existing literature (Mbuba, 2007). Overall, females accounted for 21% of all arrests, as shown in Table 1.

Table 1: Race and Gender Characteristics of Arrestees

Arrestees’ race	Arrestees’ gender		Total
	Female (%)	Male (%)	
Asian	255 (19)	1,058 (81)	1,313
Black	10,686 (17)	50,757 (83)	61,443
Hispanic	1,323 (11)	10,363 (89)	11,686
White	16,492 (27)	45,226 (73)	61,718
Total	28,756 (21)	107,404 (79)	136,160

A frequency distribution was conducted for all offenses for which the arrests were made during the study period. Offenses that accounted for more than 5% of the total arrests are reported distinctly, and all other cases are grouped together as “all other arrests.” The reported offenses include driving while intoxicated; battery, including simple, domestic, and aggravated battery and battery to officers; drug-related offenses such as possession of marijuana, cocaine, methamphetamine, and other drugs or related paraphernalia; criminal conversion; public intoxication; and resisting law enforcement. Due to the wide range of driving violations aside from driving while intoxicated, all other driving violations were grouped into a separate category designated as “other driving violations.” Those violations include driving while suspended, false registration, improper display of registration plates, speeding, disregarding traffic signals, failure to use headlights, reckless driving, leaving the scene of an accident, and making wrong turns, among many others.

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Driving while intoxicated attracted the highest number of arrests, accounting for 16.4% of total arrests. The second-highest number of arrests resulted from “other driving violations,” which accounted for 10.1% of all arrests. Cumulatively, all driving violations accounted for 26.5% of the total arrests during the eight-year study period. These frequencies are presented in Table 2.

Table 2. Arrests by Offense Type

Offense type	Frequency	Percent	Cumulative percent
Driving while intoxicated	22,383	16.4	16.4
Other driving violations	13,756	10.1	26.5
Battery	12,110	8.9	35.4
Drug-related violations	11,255	8.3	43.7
Criminal conversion	8,663	6.4	50.1
Public intoxication	7,372	5.4	55.5
Resisting law enforcement	7,334	5.4	60.9
All other arrests	53,287	39.1	100.0
Total	136,160	100.0	

The frequency distribution of the crimes for which the arrests were made is consistent with the existing literature. Police-public contact surveys conducted periodically by the Office of Justice Programs in the Bureau of Justice Statistics have invariably shown that the most common contact between the public and the police is at motor vehicle stops (see Lichtenberg, 2007). Most motor vehicle stops are as a result of suspicion for driving while intoxicated, also referred to as driving under the influence of alcohol or other drugs. Such stops involve a tremendous amount of police discretion. In other words, the choice of whom to stop and whom to let go can largely be a personal decision made by the officer.

RACE FACTOR

A cross-tabulation analysis was conducted between the race of arresting officers and the race of the arrested persons. These findings are presented in Table 3. Unstandardized residuals show that African American officers under-arrested White suspects by 16% of the expected count. Conversely, they over-arrested all racial-minority groups. They over-arrested Asian suspects by 50% of the expected count, Black suspects by 11%, and Hispanic suspects by 20%. White officers made the largest number of arrests, arguably because they comprise the largest percentage of officers in the racial composition of the police department, consistent with the demographic characteristics of the community. The unstandardized residuals reveal that Hispanic officers over-arrested Hispanic suspects by 33.7% of the expected count.

Table 3: Officer Race and Arrestee Race Cross-Tabulation

Officer Race	Arrestee race				Total	
	A	B	H	W		
A	Count	2	179	40	280	501
	Expected count	5	226	43	227	
	Residual	-3	-47	-3	53	
B	Count	129	4,459	921	3,376	8,885
	Expected count	86	4,009	763	4027	
	Residual	43	450	158	-651	
H	Count	28	1,442	381	1,467	3,318
	Expected count	32	1,497	285	1,504	
	Residual	-4	-55	96	-37	
W	Count	1,154	55,363	10,344	56,595	123,456
	Expected count	1,191	55,710	10,596	55,960	
	Residual	-37	-347	-252	635	
Total		1,313	61,443	11,686	61,718	136,160

Note. A = Asian; B = Black; H = Hispanic; W = White;
 $X^2 = 287.026$; $df = 9$; *Cramer's V* = .027; $p = .000$.

The unstandardized residuals reveal that Hispanic officers over-arrested Hispanic suspects by 33.7% of the expected count. Conversely, they under-arrested all other racial groups. They under-arrested White suspects by 2.5% of the expected count, Black suspects by 3.7%, and Asian suspects by 12.5%. The unstandardized residuals also show that White officers over-arrested White suspects by 1.1% of the expected count and under-arrested all other racial groups. They under-arrested Hispanic suspects by 2.4% of the expected count, Black suspects by 0.6%, and Asian suspects by 3.1%.

Arrests of Asian suspects by Asian officers were so few—probably due to the demographic characteristics of the community—that they fell only at the borderline of what is permissible by the assumptions of the Chi-square test. As a result, they were left out of this part of the analysis. With or without this racial subcategory, however, the findings presented here bear evidence that police officers tend to over-arrest members of their own racial groups. These findings are consistent with the findings of a study done in Cincinnati, Ohio, which found that “Black suspects were more likely to be arrested when the decision maker was a Black officer” (Brown & Frank, 2006, p. 96).

The *conventional perceptions* model presupposes that White officers are less inclined to confront racial-minority suspects because they are subtly attempting to avoid perceived racial profiling. Since policing has historically been under the

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purview of White men for several generations, the model further presupposes that racial-minority officers who have struggled to achieve full acceptance in law enforcement may be more comfortable arresting members of their own racial groups as a way of proving that they are in full service and have no favoritism toward their kin. Moreover, the model recognizes the existing stereotype that the common crime suspect is a Black man, a factor that may draw racial-minority officers more toward Black than to White suspects when all other factors remain constant.

The *deployment practices* model presupposes the possibility that officers are deployed to patrol the areas that are generally inhabited or frequented by members of their own racial groups. The model assumes that racially sensitive deployment practices enhance communication between officers and the members of the communities that they patrol. It also assumes that citizens are more likely to cooperate with officers who look like them and are therefore more likely to abide by the law. Regardless of whether the over-arrest of members of the officer's own racial background is explained by the first or the second model, this tendency has overt implications, which are discussed later in this paper.

GENDER FACTOR

A cross-tabulation analysis was conducted between the gender of arresting officers and the race of the arrested persons. The results are shown in Table 4. Female officers conducted a total of 9,517 arrests, out of which 6,107 (64%) were racial-minority suspects. They under-arrested White suspects by 21% of the expected count and over-arrested all racial-minority groups. They over-arrested Hispanic suspects by 11.2% of the expected count, Black suspects by 18.7%, and Asian suspects by 8.7%. In contrast, male officers over-arrested White suspects by 1.6% of the expected count and under-arrested all racial-minority groups. They under-arrested Hispanic suspects by 0.8% of the expected count, Black suspects by 1.4%, and Asian suspects by 0.7%.

Table 4: Officer Gender and Arrestee Race Cross-Tabulation

Officer gender	Arrestee race				Total	
	A	B	H	W		
F	Count	100	5,098	909	3,410	9,517
	Expected count	92	4,295	817	4,314	
	Residual	8	803	92	-904	
M	Count	1,213	56,345	10,777	58,308	126,643
	Expected count	1,221	57,148	10,869	57,404	
	Residual	-8	-803	-92	904	
Total	1,313	61,443	11,686	61,718	136,160	

Note. A = Asian; B = Black; H = Hispanic; W = White; F = Female; M = Male; $X^2 = 377.16$; $df = 3$; *Cramer's V* = .053; $p = .000$.

The gender factor in arrest decisions can be explained by the conventional perceptions model, which draws significantly on stereotypes and community perceptions of typical officers and typical offenders. As explained, the typical police officer is a White man and a typical offender is a Black man. This model is based on the recognition that police-community contacts evoke the notion of police brutality. It is also based on the recognition that police brutality pits White male officers against Black male suspects. The model contends that White male officers grapple with this conception and cautiously avoid fitting into the popular definition of the brutal officer by drifting away from minority suspects and remaining active toward White suspects. In the meantime, female officers of any race do not have to deal with the stereotypical definitions and are therefore more readily willing to process Black male suspects. The *deployment practices* model may not explain why female officers over-arrest minority suspects, as there are fundamentally no conceivable deployment practices that would pair female officers with minority suspects.

Gender within Race

Cross-tabulation analyses were conducted between officer gender within race, on one hand, and arrestees’ race, on the other. Due to zero or near-zero entries for arrests of Asian suspects by Asian officers, which was primarily due to the demographic characteristics of the community where the data were obtained, only significant racial subcategories were analyzed. The results are presented in Table 5.

Table 5: Officer Race and Gender Cross-Tabulated with Arrestee Race

Officer race and gender		Arrestee race				Total
		A	B	H	W	
A	Count	1	38	9	99	147
	Expected count	1	53	12	82	
	Residual	0	-15	-3	17	354
	Count	1	141	31	181	
	Expected count	1	127	29	198	
	Residual	0	15	3	-17	
B	Count	5	295	64	165	529
	Expected count	8	266	55	201	
	Residual	-3	30	9	-36	8,356
	Count	124	4,164	857	3,211	
	Expected count	121	4,194	866	3,175	
	Residual	3	-30	-9	36	
	Count	6	191	52	254	

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H	F	Expected count	4	219	58	222	503
		Residual	2	-28	-6	32	
		Count	22	1,251	329	1,213	
M		Expected count	24	1,223	323	1,245	2,815
		Residual	-2	28	6	-32	
		Count	88	4,574	784	2,892	
W	F	Expected count	78	3,739	699	3,822	8,338
		Residual	10	835	85	-930	
		Count	1,066	50,789	9,560	53,703	
M		Expected count	1,076	51,624	9,645	52,773	115,118
		Residual	-10	-835	-85	930	
		Count	1,313	61,443	11,686	61,718	136,160
Total			1,313	61,443	11,686	61,718	136,160

Note. A = Asian; B = Black; H = Hispanic; W = White; F = Female; M = Male; $X^2 = 377.167$; $df = 9$; *Cramer's V* = .053; $p = .000$.

Compared to their male counterparts, Black female officers under-arrested White suspects by 18% of the expected count but over-arrested Hispanic and Black suspects by 16.4% and 11.3%, respectively. However, compared to their male counterparts, Black female officers over-arrested Asian suspects by 37.5% of the expected count. However, compared to their male counterparts, Hispanic female officers over-arrested White suspects by 14.4% of the expected count and under-arrested members of their own racial group by 10.3% of the expected count. They also under-arrested Black suspects by 12.8% of the expected count. Compared to their male counterparts, White female officers under-arrested White suspects and over-arrested racial-minority groups. They under-arrested White suspects by 24.3% of the expected count and over-arrested Hispanic suspects by 12.2%, Black suspects by 22.3%, and Asian suspects by 12.8%.

Intra-Gender Analysis

The cross-tabulation analysis between the gender of officers and the gender of arrestees found that female officers arrest more than their fair share of female suspects, and male officers over-arrest male suspects. The results are shown in Table 6.

Female officers over-arrested female suspects by 17.6% of the expected count and under-arrested male suspects by 4.7%. In contrast, male officers over-arrested male suspects by 0.4% and under-arrested female suspects by 1.3%.

Table 6: Officer Gender and Arrestee Gender Cross-Tabulation

Officer gender	Arrestee gender		Total
	F	M	
F	Count	2,364	7,153
	Expected count	2,010	7,507
	Residual	354	-354
M	Count	26,392	100,251
	Expected count	26,746	99,897
	Residual	-354	354
Total	28,756	107,404	136,160

Note. F = Female; M = Male; $X^2 = 85.02$; $df = 1$; Cramer's $V = .025$; $p = .000$.

In explaining these patterns, the *conventional perceptions* model accounts for the fact that police discretion to arrest is inversely proportional to the seriousness of the crime. For more-serious crimes such as homicide, robbery, and aggravated assault, the officer almost invariably has to arrest the suspect with almost no discretion to act otherwise. For less-serious crimes such as driving violations, which constitute the bulk of the everyday arrests, the officer has the discretionary power to choose whether to arrest or to take other lawful actions. The *conventional perceptions* model, as proposed in this study, presupposes that male officers are more likely than female officers are to exercise discretion to the advantage of female suspects. Similarly, male officers are more likely than female officers are to use discretion in ways that disadvantage male suspects. If this model holds true, then male officers arrest more than their fair share of male suspects, and female officers arrest significantly more female suspects than expected.

The second model, *deployment practices*, is based on the recognition of the existence of instances in which the processing of female suspects, including frisking and intensive searching, is more appropriately for female officers to do. Although the initial stop of female suspects may be done by a male officer, departmental practices might require that the suspect be handed to a female officer. This practice may elevate the number of female arrests by female officers, leading to the demonstrated over-arrest of female suspects by female officers.

DISCUSSION

This study has examined the effect of officer race and gender on who is arrested. Using a two-model approach to explain the demonstrated arrest patterns, the study yields three main findings. First, police officers generally over-arrest members of their own racial groups. This is an emerging phenomenon. Fewer than two decades ago, the presence of racial-minority officers did not affect racial-minority arrests. Studies at the time found that “increases in the number of minority police are associated with significant increases in arrests of Whites

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but have little impact on arrests of non-Whites” (Donohue & Levitt, 2001, p. 367). The *conventional perceptions* model, which uses public perceptions to explain police-community relationships, is very relevant to this finding. In light of the intermittent public uproar concerning police brutality against minority suspects (see Carter & Corra, 2016; Diversi, 2016; and Jackson, 2016), two observations can be made.

The first is that officers may consciously or subconsciously find it easier to arrest members of their own racial groups as a way to perform their law enforcement duties while avoiding accusations of racial profiling and other biases in law enforcement. For this reason, a White officer would more readily arrest a White suspect, as the likelihood of any accusation of bias would be much lower than it would be for a White officer to arrest a Black suspect. In the same way, for a Black officer, arresting a Black suspect would not be perceived as racially instigated.

The *deployment practices* model may also explain racially-biased arrest decisions. As a strategy to enhance community compliance and respect for the law, officers may be assigned to patrol neighborhoods or communities in which residents have the same racial background as the officer. In the short run, such deployment practices may raise the confidence and trust of the officers by racial-minority communities that routinely have less-favorable attitudes towards the police. In the long run, however, the practice may erode community trust in the police and thereby resuscitate the “double marginality” that racial-minority officers have endured over generations. According to the architects of “double marginality,” racial-minority officers may be rejected by their own communities if they feel that the officers represent the oppressive arm of government, while at the same time racial-minority officers may not be not fully embraced by the mainstream White officers who perceive them as outsiders.

Regardless of which of the two models accounts for the racial bias in arrest decisions, there is an important implication to this pattern. Recruitment drives that are intended to mollify communities that are underrepresented in the police department by increasing the numbers of officers from such communities may lead to the latent outcome of over-arresting the very community that was meant to be mollified in the first place. This reality may present a policy dilemma. On one side, there is the everyday need for police departments to be perceived as all-inclusive with respect to racial composition and to convey the message to the community that the clear over-representation of racial minorities in arrest records is being neutralized by the increased hiring of racial minorities in the police ranks. On the other side, however, there is the paradox that the practice of increasing the number of racial-minority officers may escalate the concern that the practice was initially meant to alleviate.

The second finding is that, compared to male officers, female officers of all racial backgrounds tend to over-arrest racial minorities, with over-arrests concentrating on Black suspects. The implication of this finding is another policy quagmire. First, the existing overrepresentation of racial minorities in

arrest records gained roots over time, while policing as a profession was the sole purview of men, especially White men. Yet, to ensure an equitable racial distribution of arrestees and thereby bring about community support for policing, most police departments embark on hiring campaigns that include the concerted encouragement of women to seek careers in policing. However, if female officers tend to over-arrest racial minorities, especially Black suspects, the increased recruitment of female officers might be predictive of an even more skewed arrest equation against racial minorities in general, and Black suspects in particular, regardless of which of the two models explains the over-arrest of racial minorities by female officers.

The first and second findings have a policy relationship. Departmental diversification is not only a strategic approach for facilitating law enforcement, but it is also a legal equal opportunity requirement. Yet, unless the two findings are explained according to the *deployment practices* model, departmental diversification that involves increased recruitment of racial-minority and female officers might escalate the age-old concerns of racial minority overrepresentation at arrest.

The third finding is that female officers tend to over-arrest female suspects, and male officers over-arrest male suspects. Recall that the *conventional perceptions* model as used in this study is based on the postulation that female officers are less likely than male officers are to use police discretion differentially to the advantage of female suspects. Recall also that the *deployment practices* model recognizes that in situations in which frisks and intense searches are required, female officers might be called upon by their male counterparts to conduct searches, a practice that increases the overall number of female arrests conducted by female officers. The implication of intra-gender over-arrest is visible along the same arguments that are advanced in this study. Previous studies have demonstrated that women are making significant gains compared to men with respect to crime involvement (see Mbuba, 2007), as confirmed by the growing proportion of female inmates. Given that female officers are more inclined than male officers are to use police discretion to arrest female suspects, strategies that are intended to increase the recruitment of female officers may be predictive of the unintended outcome of a much higher representation of women in arrest records.

SUMMARY, CONCLUSION, AND RECOMMENDATIONS

The findings of this study can be summarized in three statements. First, a racial-minority suspect is more likely to be arrested if the arresting officer is a racial minority than if the officer is White. Similarly, a White suspect is more likely to be arrested if the arresting officer is White than if the officer is a racial minority. Second, a racial-minority suspect is more likely to be arrested if the arresting officer is female than if the officer is male. Similarly, a White suspect is more likely to be arrested if the arresting officer is male than if the officer is female.

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Third, a suspect is more likely to be arrested if the arresting officer is of the same gender as the suspect than if the officer is of the opposite gender.

In the light of these findings, two main conclusions can be made. First, given that perception is reality, and considering that the racial minorities' perception toward the police is informed by what the minorities see, then whether it is existing stereotypes or deployment practices that account for what the minorities actually see is not relevant; what is more important is the emerging need to manage the perceptions. A second and related conclusion is that the relentless campaigns to enlist and recruit racial minorities and women into the police ranks may not necessarily be the panacea to the extant unfavorable attitudes toward the police, especially those held by the racial-minority communities. The need to look beyond the mere inclusion of minorities into policing needs to be strongly underscored.

In order to move beyond perception management and to achieve more lasting solutions to equitability in lived experiences of police contact by different racial groups, it is recommended that efforts be made to estimate the value of the various police recruitment strategies and their overall effect on the demonstrated arrest trends. It is also recommended that law enforcement academies begin to identify and integrate into their training curriculums the elements of socialization and mentoring that are sensitive to the emerging realities of arrest patterns in order to achieve relative equitability at the time of arrest across the races and genders and law enforcement.

REFERENCES

- Alex, N. (1969). "Black in blue: A study of the Negro Policeman". New York: Appleton-Century Crofts.
- Brown, R. A., & Frank, J. (2006). Race and officer decision making: examining differences in arrest outcomes between black and white officers. *Justice Quarterly*, 23(1), 96-126.
- Blumstein, A. (1982). On the racial disproportionality of United States' prison populations. *Journal of Criminal Law and Criminology*, 73, 1259–1281.
- Campbell, V. (1980). Double marginality in black policemen. *Criminology*, 17(4), 447-484.
- Carter, J. S., & Corra, M. (2016). Racial resentment and attitudes toward the use of force by police: An over-time trend analysis. *Sociological Inquiry*, 86(4), 492-511.
- Cohn, E. G. (1996). The citizen police academy: A recipe for improving police-community relations. *Journal of Criminal Justice*, 24(3), 265.

- Cureton, S. R. (2000). Justifiable arrests or discretionary justice: Predictors of racial arrest differentials. *Journal of Black Studies*, 30, 703-719.
- Diversi, M. (2016). The ever-shifting excuses for demonizing black people in America. *Cultural Studies/Critical Methodologies*, 16(3), 245-252.
- Donohue, J. J. and Levitt, S. D. (2001). The impact of race on policing and arrests. *Journal of Law and Economics*, 44(367-394).
- Eitle, D., Stolzenberg, L., & D'Alessio, S. J. (2005). Police organizational factors, the racial composition of the police, and the probability of arrest. *JQ: Justice Quarterly*, 22(1), 30-57.
- Feinstein, R. (2015). A qualitative analysis of police interactions and disproportionate minority contact. *Journal of Ethnicity in Criminal Justice*, 13(2), 159-178.
- Greene, J. R. (2000). Community policing in America: Changing the nature, structure, and function of the police. In J. Horney (Ed.), *Policies, processes, and decisions of the criminal justice system* (299-370). Department of Justice, Washington, DC.
- Harpaz, A., & Herzog, S. (2013). Police officers' acceptance of community policing strategy in Israel and their attitudes towards the Arab minority. *Israel Affairs*, 19(1), 191-213.
- Jackson, R. (2016). If they gunned me down and criming while white. *Cultural Studies/Critical Methodologies*, 16(3), 313-319.
- Jones, C. A. (2016). Is disproportionate minority contact improving? An exploratory analysis of the arrest, confinement, and transfer stages in rural and urban settings. *Journal of Ethnicity in Criminal Justice*, 14(1), 40-57.
- Lee, J., & Gibbs, J. (2015). Race and attitudes toward police: the mediating effect of social distance. *Policing: An International Journal*, 38(2), 314-332.
- Lichtenberg, I (2007). Contacts between the police and the public: Three tests of convergent validity. *Police Practice and Research*. 8, (1), 47-62.
- Lurigio, A. J., & Loose, P. (2008). The disproportionate incarceration of African Americans for drug offenses: The national and Illinois perspective. *Journal of Ethnicity in Criminal Justice*, 6(3), 223-247.
- Mastrofski, S. D., Worden, R. E., & Snipes, J. B. (1995). Law enforcement in a time of community policing. *Criminology*, 33(4), 539-563.

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- Mbuba, J. M. (2007). Race and women in crime: A longitudinal and cross-sectional Comparison of arrests for Black and Latino females with White females. *International Journal of Criminal Justice Sciences*, 2, 101–108.
- Mbuba, J. M. (2009). Do members of racial minority groups have an affinity with serious crimes? An empirical analysis. *Journal of Ethnicity in Criminal Justice*, 7(2), 121-134.
- Mbuba, J. M. 2010. Attitude toward the police: The significance of race and other factors among college students. *Journal of Ethnicity in Criminal Justice*, 8(3) 201-215.
- Novak, K. J., Brown, R.A. & Frank, J. (2011). “Women on patrol: an analysis of differences in officer arrest behavior”. *Policing: An International Journal of Police Strategies & Management*, 34(4), 566-587.
- President’s Commission on Law Enforcement & Administration of Justice (1967). “The challenge of crime in a free society”. Taskforce report. United States Government Printing Office, Washington, DC.
- Rojek, J., Rosenfeld, R., & Decker, S. (2012). Policing race: The racial stratification of searches in police traffic stops. *Criminology*, 50(4), 993-1024.
- Rosenbaum, D. P., Lurigio, A. J., & Lavrakas, P. J. (1989). Enhancing citizen participation and solving serious crime: A national evaluation of crime stoppers programs. *Crime & Delinquency*, 35(3), 401.
- Sharp, E. B. (2014). Minority representation and order maintenance policing: Toward a contingent view. *Social Science Quarterly* (Wiley-Blackwell), 95(4), 1155-1171.
- Sterling, R. W. (2013). Fundamental unfairness: In Re Gault and the road not taken. *Maryland Law Review*, 72(3), 607-681.
- Sun, I. Y., Payne, B. K., & Wu, Y. (2008). The impact of situational factors, officer characteristics, and neighborhood context on police behavior: A multilevel analysis. *Journal of Criminal Justice*, 36(1), 22-32.
- Viki, G. T., Culmer, M. J., Eller, A., & Abrams, D. (2006). Race and willingness to cooperate with the police: The roles of quality of contact, attitudes towards the behaviour and subjective norms. *British Journal of Social Psychology*, 45(2), 285-302.
- Welsh, W. N., Jenkins, P. H., & Harris, P. W. (1999). Reducing minority overrepresentation in juvenile justice: results of community-based

delinquency prevention in Harrisburg. *Journal of Research in Crime & Delinquency*, 36(1), 87-111.