Diversity in Recruiting and Hiring - A Strategic Plan

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The recent events in Ferguson, Missouri have brought national attention to a number of issues central to law enforcement operations. The sole purpose of this article is to focus squarely on one of them—the continuing challenge within law enforcement agencies to hire and retain a diverse group of officers that reflect the community they serve. Even more specifically, to discuss the ways in which a continuing process of Strategic Planning for Diversity in Recruiting and Hiring can place agencies in the best possible position to make concrete efforts to attain diversity and demonstrate those efforts to members of the media, to elected officials and to the public.

In recent days, media outlets have focused attention on the disparity between the racial make-up of the general population of Ferguson, MO and the racial make-up of the Ferguson Police Department. Furthermore, these same outlets are focusing attention on disparities in the racial make-up of agencies well-beyond Ferguson, MO. The existence of law enforcement agencies comprised of individuals that do not represent the diversity of the communities they serve has emerged as a focal point for investigative reporters and a talking point for political commentators. It seems reasonable to conclude that agencies across the country are likely to face similarly harsh criticism regarding a lack of diversity within their ranks.

For far too long the response of agency leaders in the face of this criticism has been to give general statements—we are not where we want to be but we are trying our best and always striving to reach out to the community—or to give accounts of isolated, anecdotal outreach efforts—just last month, we sent three officers to X, Y or Z job fair. These statements may very well reflect law enforcement leaders’ honest assessments of good faith efforts to diversify. However, it seems clear that these types of responses are not serving agencies well in diversifying their ranks nor in defending their good faith efforts to do so. It is for these reasons that undertaking the process of strategic planning is called for within agencies of all sizes across the country.

Provided below is a brief overview of some crucial steps involved in the process of Strategic Planning for Diversity in Recruiting and Hiring for law enforcement agencies seeking to proactively address this issue.
Step 1: Creating a Strategic Plan for Diversity in Recruiting and Hiring

Creating a Strategic Plan can seem like a daunting task. From the outset, agencies should recognize that their organization will not think of everything. It is nearly inevitable that after a year’s worth of good faith recruiting efforts, there will be criticism levied against the department arguing that more should have been done. Understanding this from the outset and crafting the Strategic Plan as a “living document” which evolves with community input is vital.

There is a difficult question to be asked regarding an agency’s designated recruiting officer: is the individual committed to working tirelessly in recruiting qualified applicants from every segment of the community or are they simply looking to “get off the street” in favor of regular work hours. The success of the Strategic Plan hinges on this officer’s commitment to the task at hand.

Within the plan—designate accountability. What are the specific duties of the designated recruiting officer? To the extent possible, what members of the department will be responsible for engaging in what outreach and recruiting activities? Assigning responsibility for specific tasks to specific individuals to the extent that is possible reflects a transparent “nuts and bolts” approach to the effort more so than a list of generalized goals without individualized accountability.

The designated recruiting officer is not the only individual in the department who has a job to do. He or she may be dedicated to this position but this is not a one person job. In fact, a crucial part of the designated recruiting officer’s duties should be to ensure that the year-end Annual Report on the Strategic Plan for Diversity in Recruiting and Hiring is chock-full of details and that the community input regarding missed opportunities are responded to swiftly, genuinely and with a sincere effort to incorporate suggestions.

Rather than simply scheduling times to hand out brochures, reasonable efforts should be made to partner with religious organizations, chambers of commerce, professional organizations, neighborhood associations and other organizations to speak and make the recruiting “pitch” alongside those who can act as conduits to untapped applicant pools within the community. Furthermore, is the recruiting effort extending beyond those members of the community eligible for immediate hire to the youth in the community? Is the agency doing everything possible to ensure that all youth in the community have an opportunity to see officers engaging in positive interactions beyond the undoubtedly necessary but nonetheless unpleasant task of confronting and arresting a young person’s neighbors and relatives? These kinds of undertakings, such as police athletic leagues and police explorer programs, can serve as a means of planting the seeds that can result in diversifying an agency in the long-term. Many law enforcement officers from diverse backgrounds can readily recount positive interactions with law enforcement in response to the question, what made you want to become a cop?

Also, an important question must be asked: are there unnecessary hurdles in the application process that hinder the ability of those with no ties to the agency to apply. Is the application process as stream-lined and accessible as possible? If the answer is no, then the department does not only have a recruiting problem, but a diversity in recruiting problem. The perception that an agency is unwelcome to outsiders is often fostered by overly-complicated or unwelcoming application processes that are difficult to negotiate. The absence of a user-friendly online application process, an interested individual’s inability to meet with a representative at headquarters, etc. may well send the message that those individuals without social or familial ties to the agency are not particularly welcome.
Lastly, applicants should be asked to self-identify their demographic backgrounds and that information should be retained. Furthermore, all decisions not to hire an applicant should be accompanied by documentation for the rationale underlying that decision. In some cases, the reason for not hiring will be that the applicant is subject to an automatic disqualifier (felony conviction, etc.). In other cases, the rationale will be more nuanced and based on what answers were given during an oral board interview or what information was uncovered during the background investigation that rendered an applicant unqualified for the position. The appearance of discriminatory hiring practices can easily arise when documentation of hiring decisions is absent.

**Step 2: Implementing the Plan and Documenting that Implementation**

As previously stated in Step 1, a crucial part of the designated recruiting officer’s duties should be to ensure that the year-end Annual Report on the Strategic Plan for Diversity in Recruiting and Hiring is chock-full of details and that the community input regarding missed opportunities are responded to swiftly, genuinely and with a sincere effort to incorporate suggestions. Who attended what, when and in what manner did they reach out? Detailed accounts of the day to day, week to week efforts of individual members of the department are crucial to demonstrating that the Strategic Plan reflects a transparent “nuts and bolts” approach.

**Step 3—Taking In and Incorporating Additional Recruiting Strategies**

This third step is vital to the strategic planning process. Equal to the crucial task of documentation, the designated recruiting officer must ensure responsiveness to outside organizations who indicate an interest in partnering with the agency and inviting department members to appear, speak or otherwise participate in events with the potential to aid recruiting efforts. Phone calls must be returned promptly. E-mails must be returned promptly. And the designated recruiting officer must make every effort to allow the schedules of the outside leaders to dictate when meetings will occur, rather than the other way around. Whether in the form of grand-standing criticisms or in the form of respectful invitations, all reasonable suggestions pertaining to diversity in recruiting and hiring should be taken in, acknowledged as quickly as possible, and meetings must be scheduled in a manner that clearly communicates to the entire community that partnership in strategic planning is welcomed by the agency.

Particular emphasis must be placed on turning critics into partners whenever possible. If and when such a partnership is an impossibility, the recruiting officer must ensure that such impossibility is clearly demonstrated to be the result of an outside organization’s unwillingness to meet and offer constructive suggestions rather than the agency’s unwillingness to listen.

**Step 4—Creating a Revised Strategic Plan for Diversity in Recruiting and Hiring and REPEAT**

The fourth and final step of this ongoing and unending process could reasonably be interpreted as a circular return to Step 1. After implementation, documentation and revision based on outside feedback, a revised plan should be issued and the process should begin again. Just as recruitment in general is not a one-time under-taking, neither are the focused efforts regarding diversity in recruiting. The ever-evolving nature of the plan is of particular importance in light of the fact that the community is ever-evolving.
Concluding Thoughts

There is no doubt that there are agencies throughout the country prioritizing diversity in recruiting and hiring and that these agencies are engaged in out-reach on a regular basis. However, these efforts often appear insufficient to ensure (1) that all plausible steps are being taken in the recruiting and hiring process and (2) that the agency can defend its efforts in the face of public criticism.

Similarly, however, there is no doubt that some agencies can and must do a better job prioritizing diversity in recruiting and hiring.

For both categories of agencies, there seems to be no better means of addressing these challenges than to adopt a formal Strategic Plan, implement it, document its implementation, incorporate suggestions from community partners, and consistently revise the plan to reflect those suggestions.

The challenge of maintaining an agency that represents the community being served is not a new one, nor is it one that will become less vital with time. Good faith efforts to prioritize diversity within the ranks and the detailed documentation of that effort in a way that provides transparency may well be the only means by which agencies across the country can improve their success in diversifying their force and defend their agencies from unfounded claims that disparities always result from discrimination. For the sake of agencies across the country, the public discussion must no longer be solely about results, but about process. Agencies cannot guarantee that their personnel reflect the community they serve, but they can guarantee the implementation and continuing evolution of Strategic Plans to address the challenge without lowering the standards to which they hold all would-be officers.

Note: Court holdings can vary significantly between jurisdictions. As such, it is advisable to seek the advice of a local prosecutor or legal adviser regarding questions on specific cases. This article is not intended to constitute legal advice on a specific case.