

THE BILL BLACKWOOD  
LAW ENFORCEMENT MANAGEMENT INSTITUTE

A REPORT ABOUT AFRICAN AMERICAN PROMOTION  
IN LARGE CITIES UNDER THE TEXAS  
POLICE CIVIL SERVICE SYSTEM

A RESEARCH PROPOSAL  
SUBMITTED IN FULFILLMENT  
OF THE REQUIREMENTS FOR  
MODULE III

BY  
MICHAEL C. MCDONALD

AUSTIN POLICE DEPARTMENT  
AUSTIN, TEXAS  
OCTOBER, 1993

## TABLE OF CONTENTS

INTRODUCTION.....	1
CIVIL SERVICE PROMOTIONAL PROCEDURES.....	6
Purpose.....	6
Examination Procedures and Eligibility.....	6
Alternative Promotional System.....	8
CURRENT DEPARTMENTAL STANDINGS.....	13
Houston Police Department.....	21
Austin Police Department.....	24
San Antonio Police Department.....	27
Fort Worth Police Department.....	27
THE ADMINISTRATORS.....	33
SOCIOECONOMICS.....	38
CONCLUSION.....	49
END NOTES.....	53
BIBLIOGRAPHY.....	59

## INTRODUCTION

African American advancement in police departments that operate under the Texas Civil Service System has been the focus of much concern in recent years. The purpose of this research is to examine African American police officers' representation and ability to promote to supervisory and management positions under The Texas Civil Service System (Section 143 of the Local Government Code). Furthermore, the research will determine if the State of Texas' largest cities operating under the Civil Service System, with populations over 440,000, are utilizing a promotional system that offers African Americans a fair opportunity for advancement into supervisory and management positions. The Houston, Austin, San Antonio and Fort Worth Police Departments will be the agencies studied.

The legal basis for this concern is quite clear: the Equal Employment Opportunity Act of 1972 requires employers to take positive steps to ensure fair representation in a number of areas, including promotion of personnel.<sup>1</sup> It is important to determine whether the Civil Service regulations facilitate or impede police administrators and personnel in the accomplishment of this requirement.

The importance of African American advancement in law enforcement cannot be overestimated. It is not only a

question of economics or of supervisory and management positions being prestigious. Effective policing is the issue. The composition of all police department rank and file should be a reflection of the community it serves.<sup>2</sup>

Effective policing is multi-faceted. It consists of technical, administrative and human relations (leadership). Police departments should use a more comprehensive and relevant method to test which would assess knowledge as it relates to the technical aspects of policing; the ability to devise and manage "bureaucratic" and routine administrative systems; and the skills to lead people (department and community).<sup>3</sup>

Complaints of discrimination and a need for better African American representation in ranking positions has been expressed from both within and outside the four police organizations. Data obtained from African American officers of each department indicates that some officers feel a lack of fair representation in supervisory and management positions. Officers also indicate that some type of action is needed to correct the condition.<sup>4</sup> Furthermore, research on the impact of other worker attitudes suggests that individuals who perceive discrimination would tend to have lower morale and perhaps be less productive.<sup>5</sup> The discrimination seen to exist by the community (the external observer) stems primarily from

the perceptions of officers communicated to the public and the media.

Developing remedies for existing minority imbalances in police departments have been difficult for cities to obtain. In many cases solutions are impeded by guidelines and limitations set forth by Section 143 of the Texas Local Government Code. These guidelines dictate the methods and procedures police departments that operate under the Civil Service System may use to select personnel for entry level and promoted positions.

There also appears to be a lack of understanding regarding the provisions of the Texas Civil Service promotional procedures on the part of many officers and the community. African American officers from the four departments studied were asked the question, "Do you feel you have a good understanding of the Texas Civil Service System's regulations and requirements for promotions in your police department?" Forty percent (40%) stated that they were not very familiar with the procedures.<sup>6</sup>

The inflexibility of the Local Government Code to allow for changes through procedures such as affirmative action measures and the lack of understanding by officers and the community in many situations result in impasses and lawsuits. In 1993,

the City of Houston settled a 20 year class action lawsuit that will promote 69 African American and 37 Hispanic officers over the next five years.<sup>7</sup> The original 1975 lawsuit, consolidated with a similar case in 1982, complained that questions on the Houston Police Department promotional exam hampered minority promotions.<sup>8</sup> In 1993, several minority officers of the Austin Police Department filed complaints with the Equal Employment Opportunity Commission (EEOC) claiming that the Civil Service promotional exams were biased and did not offer minorities fair opportunities to promote.

Complaints pertaining to lack of African American advancement exists in each of the four largest cities that operate under the Texas Civil Service System. This indicates a need to compare, review and analyze the Local Government Code promotional guidelines. It is highly unlikely that all four police departments are operating in conspiracy to deny African Americans, and other ethnic minority officers, the opportunity to promote although they all appear to be experiencing similar problems. Research must be conducted to examine conceptually a problem that appears to be occurring throughout the state, as a flaw in the system, and not the result of intentional discrimination on the part of police departments. This research will address the following:

- Document and analyze the advancement of African

American officers in the Houston, Austin, San Antonio and Fort Worth police departments over the last six years.

- Document the opinions of African American officers and police administrators from the four departments regarding the Civil Service Promotional System.
- Discuss societal problems that effect outcomes of the Civil Service promotional process.
- Demonstrate the need for legislative change in the promotional procedures of the Texas Civil Service System.

## CIVIL SERVICE PROMOTIONAL PROCEDURES

### Purpose

The Texas Police Civil Service System was established to ensure the separation of politics from the responsibilities and duties of public servants. According to the Local Government Code 143.001:

(a) The purpose of this chapter is to secure efficient fire and police departments composed of capable personnel who are free from political influence and who have permanent employment tenure as public servants.

(b) The members of the Firefighters' and Police Officers' Civil Service Commission shall administer this chapter in accordance with this purpose.<sup>9</sup>

In order for a municipality to adopt the Code it must have a population of 10,000 or more; have a paid police department; and has been voted to adopt by majority of the citizens in an election.<sup>10</sup> A local Commission is established (Civil Service Commission) to ensure that all civil service rules are followed by the municipality.

### Examination Procedures and Eligibility

Ninety days previous to the date a promotional examination is held, the Civil Service Commission posts the source material for which the promotional examination questions are taken.<sup>11</sup> After the materials are posted officers eligible for the examination study source material. A police officer is not



eligible for promotion unless the person has served in the next lower position or other positions specified by the commission for at least two (2) years immediately before the date the promotional examination is held.<sup>12</sup>

The positions below the rank of Chief of Police in all four departments are appointed by the Chief of Police upon approval by the governing body (example- City Council). With the exception of the Houston Police Department which requires an assessment system in conjunction with the captains' examination and the San Antonio Police Department also requiring a similar process for lieutenant and captain, all promotions are appointed from a eligibility list on the basis of an officer's performance on a standardized written test.

Each police officer is entitled to receive one point for each year of seniority as a classified police officer in that department, with a maximum of ten points.<sup>13</sup> The test is administered by the Civil Service Commission of each department. The seniority points are added to the written examination scores (usually a maximum of 100 points), of all officers who pass the test. An eligibility list is established with officers ranked according to cumulative score.

Each promotional eligibility list remains in existence for one

year after the date on which the written examination is given, unless exhausted. At the expiration of the one year period, the eligibility list expires and a new examination may be held.<sup>14</sup> Promotions are made by the Chief of Police of the departments when a vacancy occurs.

The Local Government Code inserted penalties to safeguard against violations of security and to maintain the confidentiality of the examination source material. According to the Local Government Code Section 143.032:

(h) A person commits an offense if the person knowingly or intentionally:

1. Reveals a part of a promotional examination to an unauthorized person; or
2. Receives from an authorized or unauthorized person a part of a promotional examination for an unfair personal gain or advantage.

(i) An offense under subsection (h) is a misdemeanor punishable by a fine not less than \$1,000, confinement in jail for not more than one year, or both fine and confinement.<sup>15</sup>

#### Alternative Promotional System

Currently, the police departments are not allowed the opportunity to consider personnel evaluations, attendance or other issues related to on-the-job performance and knowledge for promotional consideration. The Civil Service System does allow departments the flexibility of adopting an "Alternative Promotional System". The alternative promotional system must be voted upon by the officers of the department. For example,

the alternative promotional system may consist of the combination of a written test, interview boards, assessment centers, performance rating, etc. According to the Local Government Code (Section 143.035), which applies to the Austin, San Antonio and Ft. Worth Police Departments (This section does not apply to a municipality that has a population of 1.5 million or more or that has adopted the Fire Police Relations Act):

(b) On the recommendation of the head of the police department and a majority vote of the sworn officers in the department the Commission may adopt an alternative promotional system to select persons to occupy non-entry level positions other than positions that are filled by appointment by the department head.

(c) The commission shall order the director to conduct an election and to submit the revised promotional system either to all sworn police officers within the rank immediately below the classification for which the promotional examination is to be administered or to all sworn police officers in the department.<sup>16</sup>

Police departments across the nation have invested a great deal of time and money insuring that their promotional systems are job related, valid, reliable and non-discriminatory. Although there appears to be no "perfect" solution to selecting officers for promotion, the assessment center process presents a promising alternative. As explained by Calvin Swank and James Conser:

Some police departments have moved away from using a comprehensive written test and now use the assessment center method to select personnel for entry level positions and promotions. An assessment center is a

multiple assessment strategy that involves using various techniques (job-related simulations, structured interviews, psychological evaluations, etc.) to screen candidates.

1. Behavioral samples are obtained and submitted to a standardized evaluation based on multiple inputs by trained observers.
2. Judgments are pooled by the observers at an evaluation meeting during which all relevant assessment data are reported and discussed.
3. A final assessment is drafted and a recommendation is submitted to the hiring authority.<sup>17</sup>

Assessment Centers have proven to be far less discriminatory than many other employment screening procedures. While the assessment center approach is certainly superior to standardized test, it is a fairly sophisticated process and requires a great deal of skill. It also costs more.<sup>18</sup>

Opponents of the assessment centers usually attack the assessors or "human element" of the process. Concerns range from not knowing what hidden prejudices those individuals selected to conduct assessments may have against African Americans, Hispanics, women, etc. to an individual assessor(s) controlling final outcomes. Domination may stem from the assessors' personality, charisma or exceptional interpersonal skills to influence others. Problems may also arise if assessors are chosen in close proximity (nearby city) increasing the likelihood that one of the assessors may know an applicants; thereby creating an advantage or disadvantage.

It appears that the alternative promotional system offers police departments the flexibility necessary to correct or overcome any difficulties that may develop as a result of a standardized test promotional system. The obtainment of an alternative promotional system, even in light of needed change, is not always achievable.

In 1991, the Austin Police Department administration distributed questionnaires to all officers asking if they wanted a change in the current promotional system. The questionnaire was formulated in response to officers' expressed concerns that the current promotional system did not take into consideration performance or supervisory and management characteristics persons may or may not possess. Furthermore, there were also complaints that the current system only tested officers abilities to take written tests. The results of the questionnaires indicated that a majority of the officers felt that the department needed a new system for selecting officers for promotion.

That same year the officers of the Austin Police Department were presented with an alternative promotional system that entailed a written test and assessment center. The proposed assessment system, similar to many in police departments across the nation, consisted of an interview board and in-basket task scenario that evaluated performance. The proposed

alternative promotional system failed because a majority vote was not obtained.

In an attempt to gain further insight as to the reason the proposed system failed to win support an interview was conducted with a Caucasian Austin Police Department sergeant. The sergeant was asked "Why do you think so many white officers voted for the need of a new promotional system, but did not vote for the proposed alternative promotional system?". The sergeant responded:

"Most white officers in the department feel that we need a new method of promotion that tests something more than your ability to take a test. Most white officers are also aware that there should be more minorities in the higher ranks of the department than what currently exists. It became common knowledge prior to the new promotion method being placed for a vote, and felt by many white officers, that if a new promotional system was adopted that included an interview board of any type it would make it easy for minority officers to win an affirmative action law suit. It is much easier for a court or anybody to attack imbalances that exist as a result of an interview process, that contains the human element versus a straight written test".

"Assessors read the newspaper and watch television just as we do. If they discovered that Austin did not have enough blacks and hispanics in rank or was under lawsuit because not enough blacks and hispanics were promoted they would be pressured to favor minorities".

" Many white officers view affirmative action as bean counting and people favoring blacks because of what was done to them in the past. I am afraid that an assessment center process will make me pay for what whites before I came to this department have done to hold back black officers. I know there are still white officers on the department that discriminate against minorities, in fact I have witnessed it; but they should pay, not me".<sup>19</sup>

### CURRENT DEPARTMENTAL STANDINGS

In order to obtain fair minority representation in management and supervisory positions it is first and foremost important that police departments have fair representation within the department itself. The importance of attracting women and minority officers cannot be taken lightly or ignored. It is not a question of providing them with economically desirable government jobs that is important. As mentioned earlier, effective policing is the issue. It is very difficult for minorities who feel discriminated against to view law enforcement as being responsive to their needs, unbiased and generally interested in justice if they do not see members of their group adequately represented on the department's personnel roster.<sup>20</sup>

In no major city in the United States does the percentage of non-whites in blue approximate the proportion of non-whites in the overall community. A national survey has revealed that the percentage of black and hispanic officers in America's 50 largest cities is, on average, only half that of the blacks and Hispanics in their populations.<sup>21</sup>

Each of the four police departments studied have experienced problems attracting African Americans to their organizations. All have made noticeable efforts to obtain balance by either adding to their recruiting staff, establishing affirmative

action coordinators and expanding recruiting efforts to other Texas cities and out of state. According to George Cole:

"The ethnic character of American society makes it absolutely essential that participants in administration of justice reflect the character of all the community."<sup>22</sup>

Although the Houston and Fort Worth Police Departments currently have far better African American representation than in past years, the proportion of African American officers representation, as compared to that of the community, is significantly lower. The 1990 U.S. Census indicates that Houston's African American population was 447,144 (27%) and Fort Worth's as 96,928 (22%).<sup>23</sup> African American officers make only 18 percent of the Houston Police Department and 11 percent of the Fort Worth Police Department.<sup>24</sup>

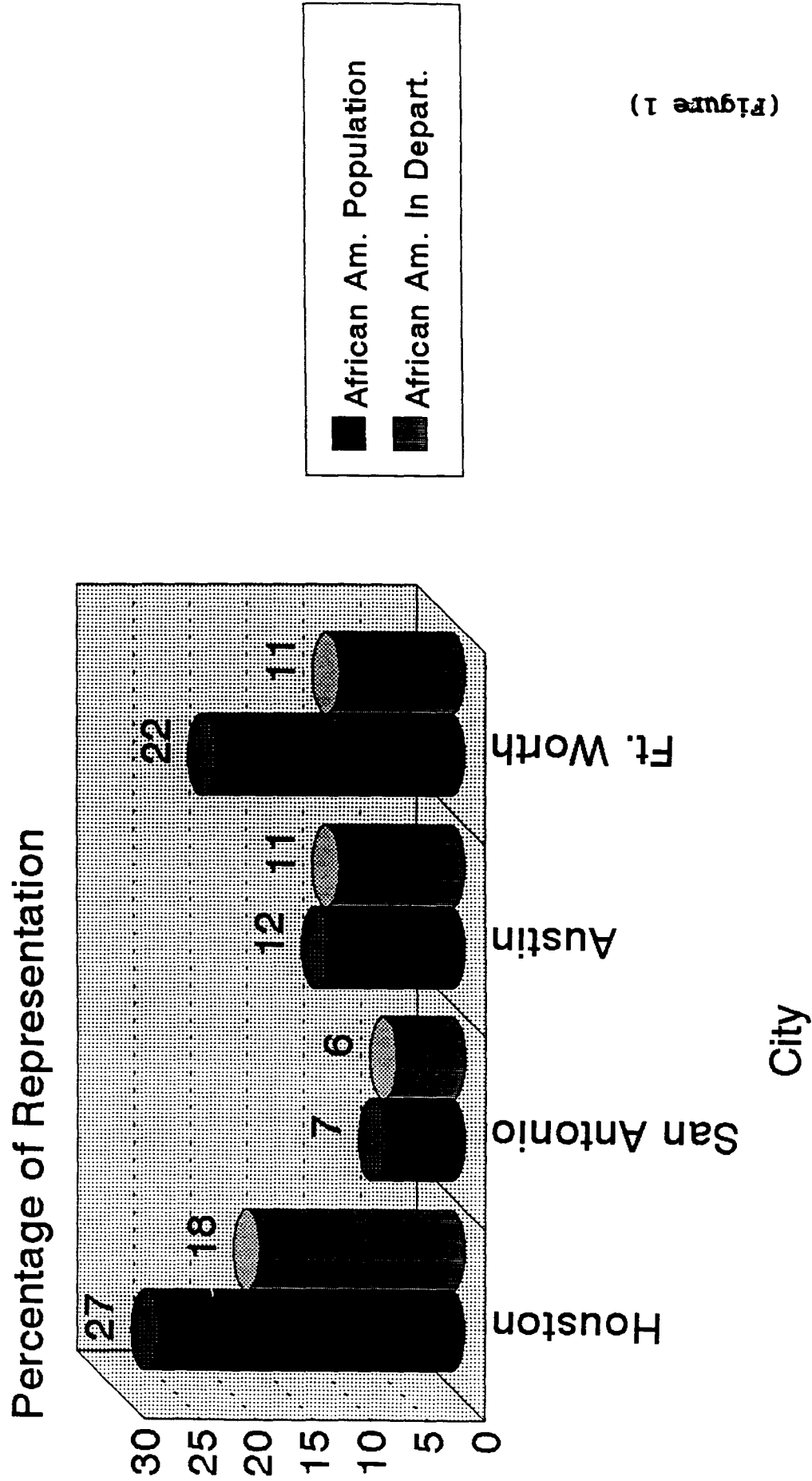
The Austin and San Antonio Police Departments have made tremendous gains in achieving an appropriate level of African American representation. This could be attributed to an increase in recruiting efforts by both departments. According to the 1990 census, the City of Austin has a population of 465,622 with 55,824 (12%) being African American and San Antonio has a population of 935,933 with 63,260 (7%) that are African American.<sup>25</sup> As of June 1993, Austins' Police Department was comprised of 11 percent African American and San Antonio Police Department 6 percent (See Figure 1).<sup>26</sup>



# Departmental vs. Population

## Percentage of Representation

---



Year to Date: June 1993

**Balance**, as it pertains to the total number of African Americans or any minority group in entry level positions, within a particular department does not guarantee fair representation in supervisory and management positions. **Balance** is, however, an important component because of the likelihood that more African Americans will participate in the Civil Service promotional process.

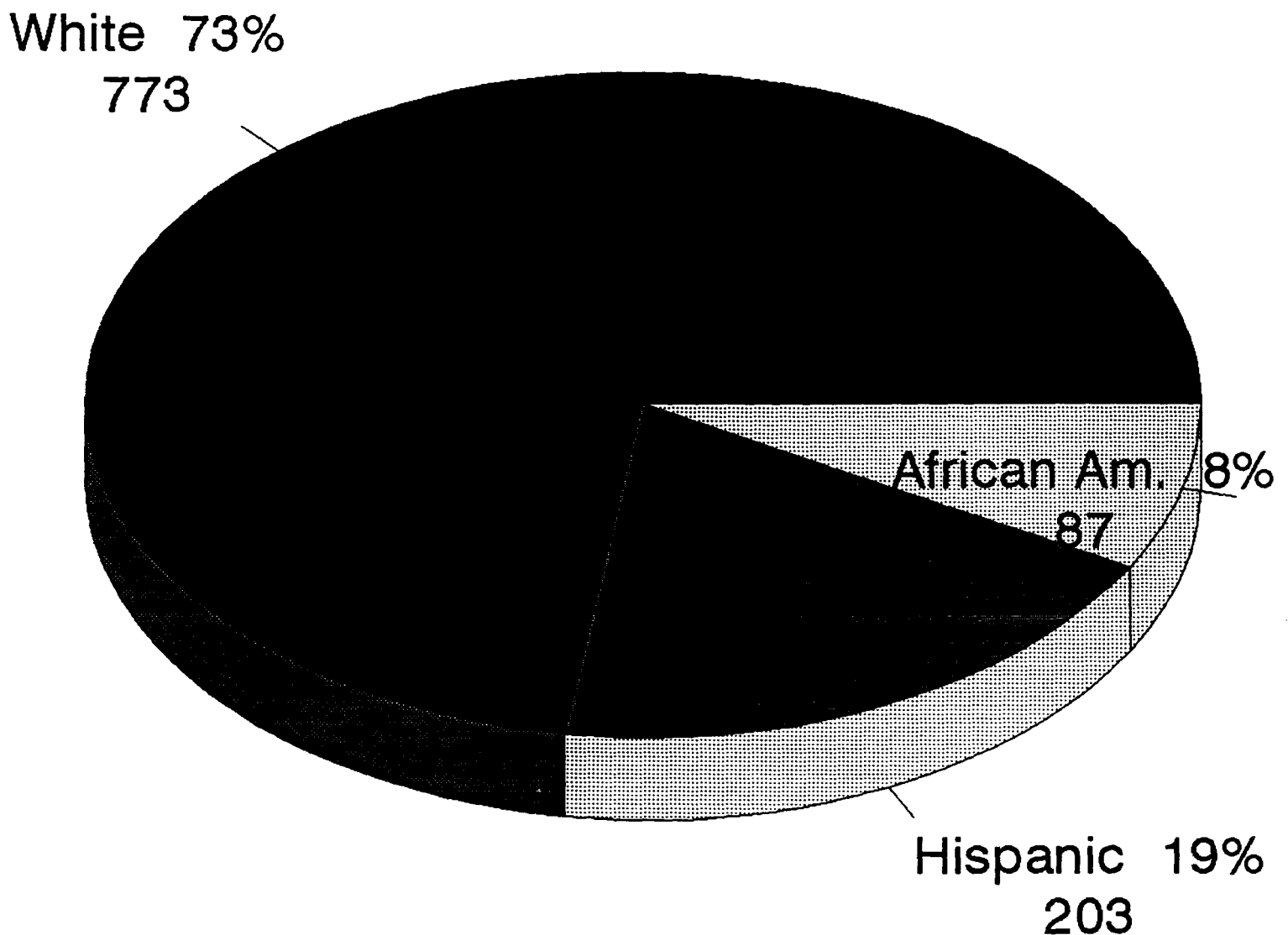
Although two of the departments studied are experiencing success regarding the attainment of African Americans in entry level police officer positions, all four are experiencing problems in African Americans being promoted within their respective departments. From January 1988 until June 1993 there was a combined total of 1,063 promotions made in the four departments. Only 87 (8%) of the promotions were African American officers (See Figure 2).<sup>27</sup>

By comparing the percentage of African American officers in promoted positions versus the percentage of African American citizens in each of the four jurisdictions, the lack of representation in those positions becomes very apparent. The Houston and Fort Worth Police Departments appear to be experiencing the most difficulty promoting African Americans.

# African American Promotions

State of Texas (Civil Service)

(Figure 2)



(Houston, Austin, San Antonio, & Ft. Worth)

1988 thru 1993 (As of June 1993)

Both the Houston and Fort Worth Police Departments have 8 percent African American representation in promoted positions although African Americans account for 27 percent of the total population in Houston and 22 percent of the total population in Fort Worth. African Americans represent 12 percent of the Austin community with only 5 percent of promoted positions in its police department being occupied by African Americans. The San Antonio Police Department has four percent of their African American Officers in promoted positions and the African American population is 7 percent (See Figure 3).

The first promoted rank of sergeant or detective at the Austin, Fort Worth and San Antonio Police Departments are investigative positions. These positions carry no supervisory authority. This fact impacts the deficiencies that exists regarding African American participation in departmental planning, supervisory and management decisions. Supervisory and management personnel, as in most public and private institutions, are responsible for most day-to-day decision making, assigning personnel to specific units and overall departmental operations. Although many large police departments across the nation are adopting management concepts such as Total Quality Management (TQM- a participatory form of management empowering personnel at the service delivery level to make many decisions once reserved for "management only"), many of the major decisions are reserved for supervisors and

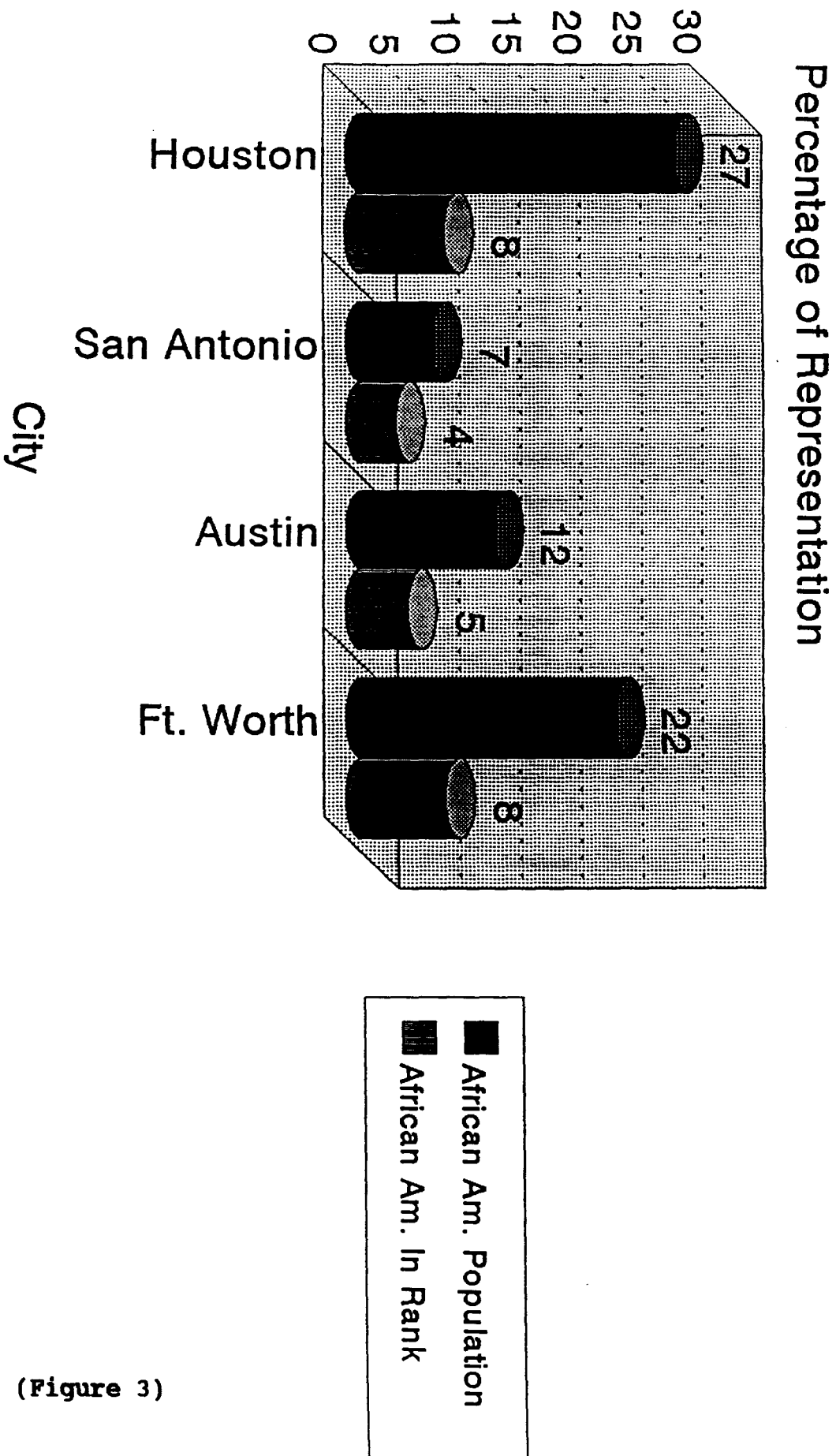
managers.

When examining the problems associated with African American promotions in the studied departments four very important facts must be kept in mind:

1. The departments operate independent of each another.
2. All four departments are experiencing similar difficulties regarding the promotion of African Americans and other ethnic minorities.
3. The probability of faulty test writing format is unlikely to be a consistent problem. Each test is changed yearly for the various ranks and the local Civil Service Offices, that operate independent of each other, write their own tests. Personnel writing the tests at each of the departments also change periodically.
4. Each department is governed by the same promotional guidelines imposed by the Texas Civil Service System (Section 143 of the Local Government Code).

# Promoted Ranks vs. Population

Percentage of Representation



Year to Date: June 1993

(Figure 3)

The Houston Police Department

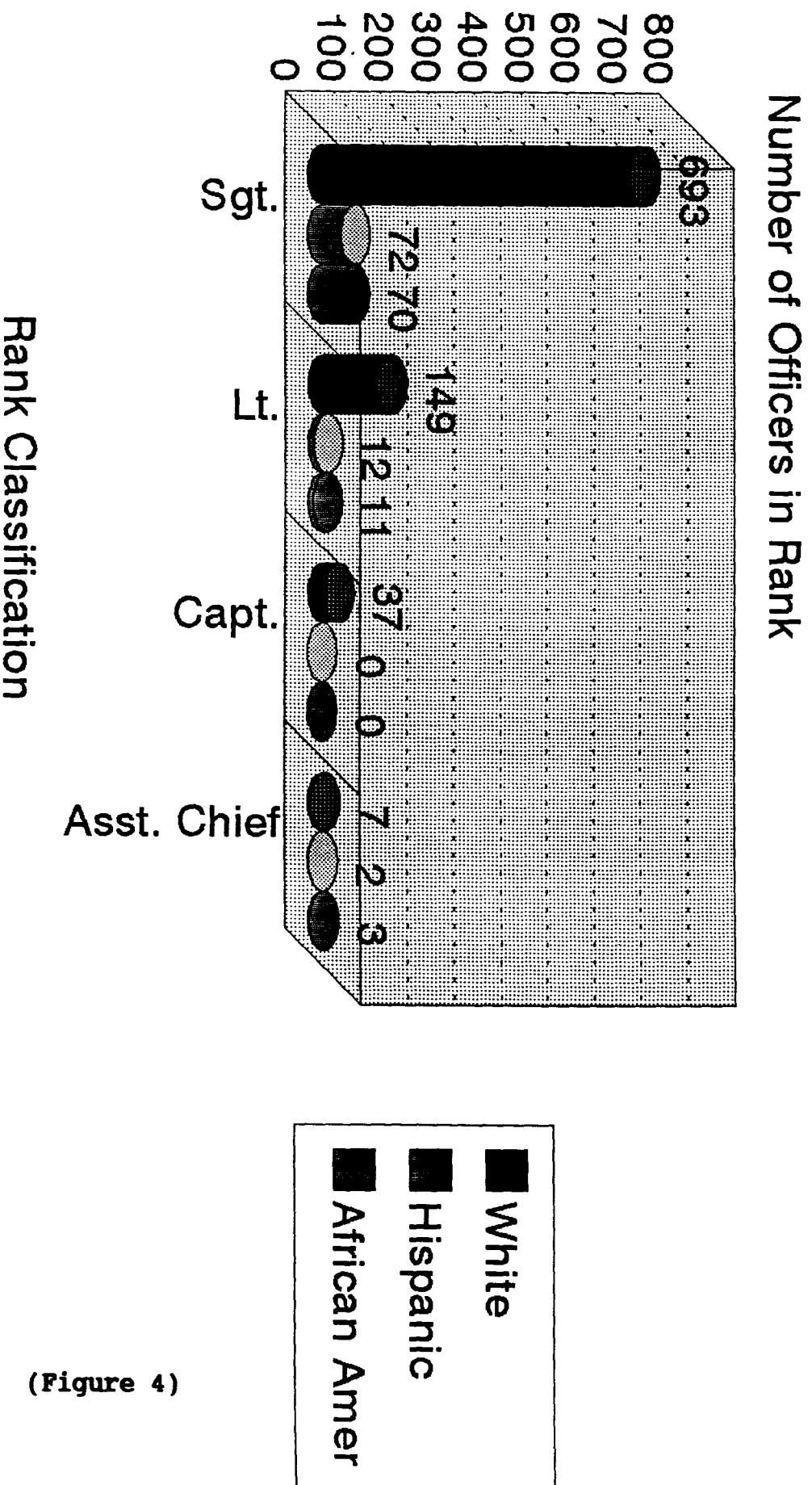
In 1990, Houston Police Chief Elizabeth Watson promoted Jimmy Dotson to Asst. Chief. This appointment marked the first time in Texas history that an African American officer, in a major city under the Texas Civil System, was appointed to the next rank below chief of police. In fact, on a percentage basis, African American officers in the Houston Police Department are best represented in the assistant chief rank holding 25 percent of the positions.<sup>28</sup>

Although appointments such as that of Asst. Chief Dotson are to be commended, these types of appointments do not resolve the imbalances in the tested positions of the Houston Police Department. As of June 1993, there were 1,056 supervisory and management positions in the Houston Police Department. African Americans officers occupied 84 of the positions and Hispanics 86. The rank of captain had no African American or Hispanic representation (See Figure 4).<sup>29</sup>

From January 1988 to June of 1993 African American promotions in the Houston Police Department were at a minimum. African Americans accounted for only 52 (12%) of the 422 promotions during this period (See Figure 5).<sup>30</sup>

# Houston Police Department

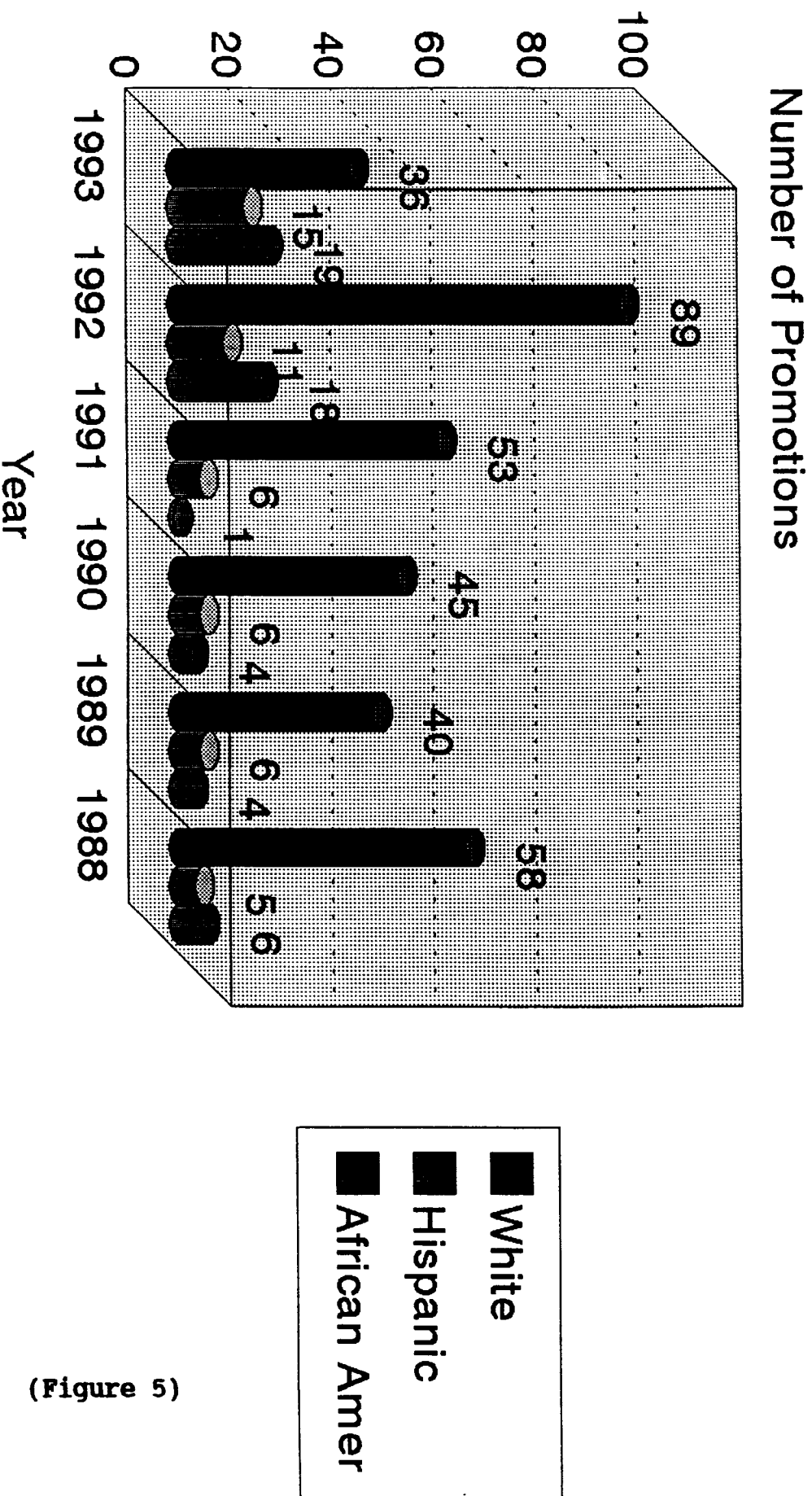
## Current Departmental Ranks





# Houston Police Department

Promotions from 1988 to 1993



### Austin Police Department

There has never been an African American officer promoted above the rank of captain in the history of the Austin Police Department. Currently, the highest ranking African American officer is Lieutenant Woodrow Moses, a veteran of over 25 years.

Although the representation numbers are low at the Austin Police Department, retired Austin Police Captain Louie White feels Civil Service still offers some benefits. According to Captain White:

"In the sixties there was a good-old-boy system in place and no African Americans could get promoted. All tests were administered by white police administrators. They had a system in place that did not allow officers to review their test if they failed the written examination. Minority officers never managed to pass the test."

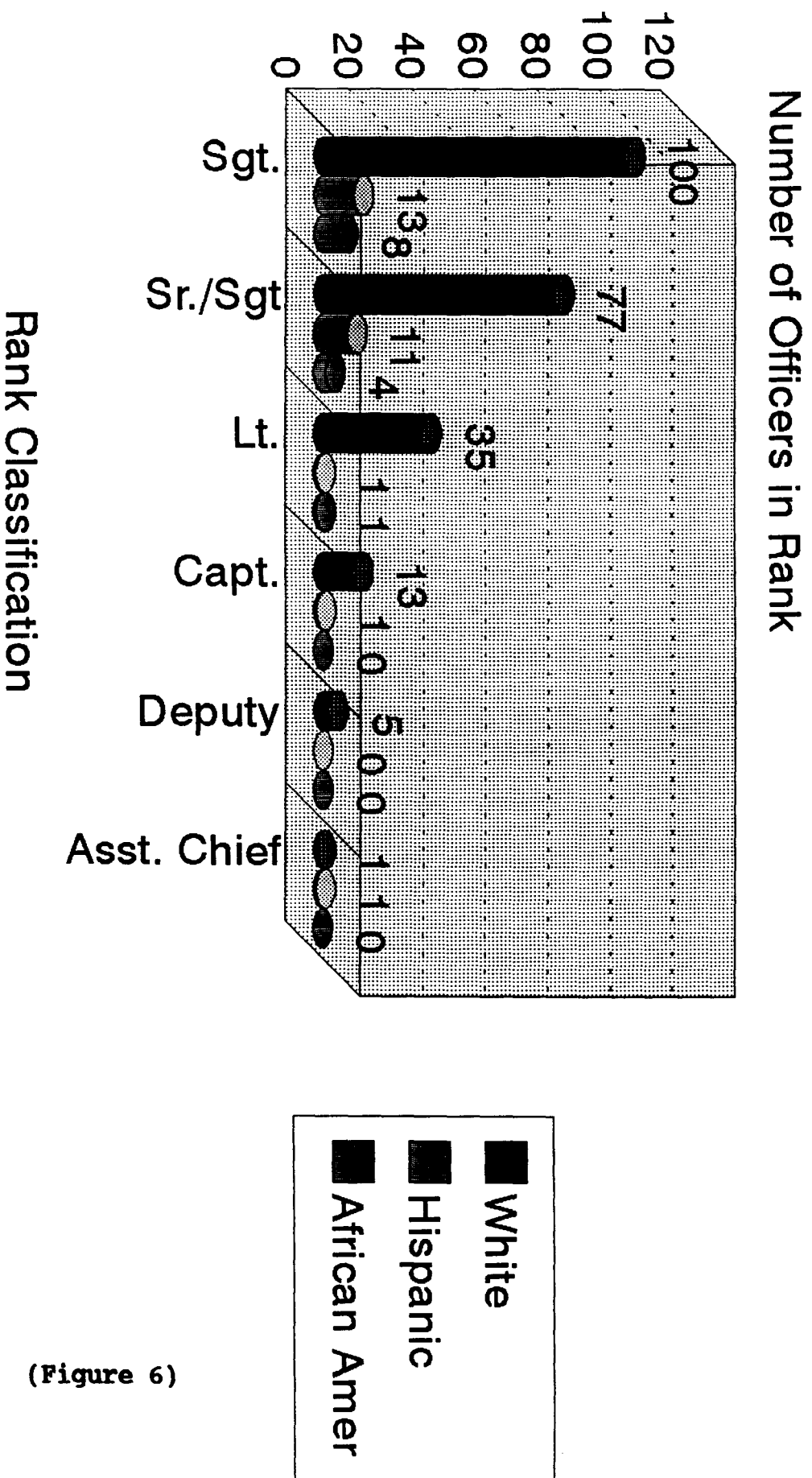
"When the police department was forced to adopt Civil Service we were suddenly smart enough to pass the tests. In fact, each time Captain Freddie Maxwell (retired Austin Police Captain) and I took the promotional test we were promoted."

"Overall, I feel Civil Service is good for law enforcement. It is not perfect and there is room for improvement. Other qualifications need to be reviewed besides an officer's ability to take a test. Something is definitely wrong when so few African Americans are being promoted."<sup>31</sup>

There is a total of 13 African American officers in promoted positions, out of 271 positions, in the Austin Police Department. Only 5 occupy supervisory and management positions (See Figure 6).<sup>32</sup> From 1988 to 1993, there were 132 officer promotions in the Austin Police Department. Only 7 of

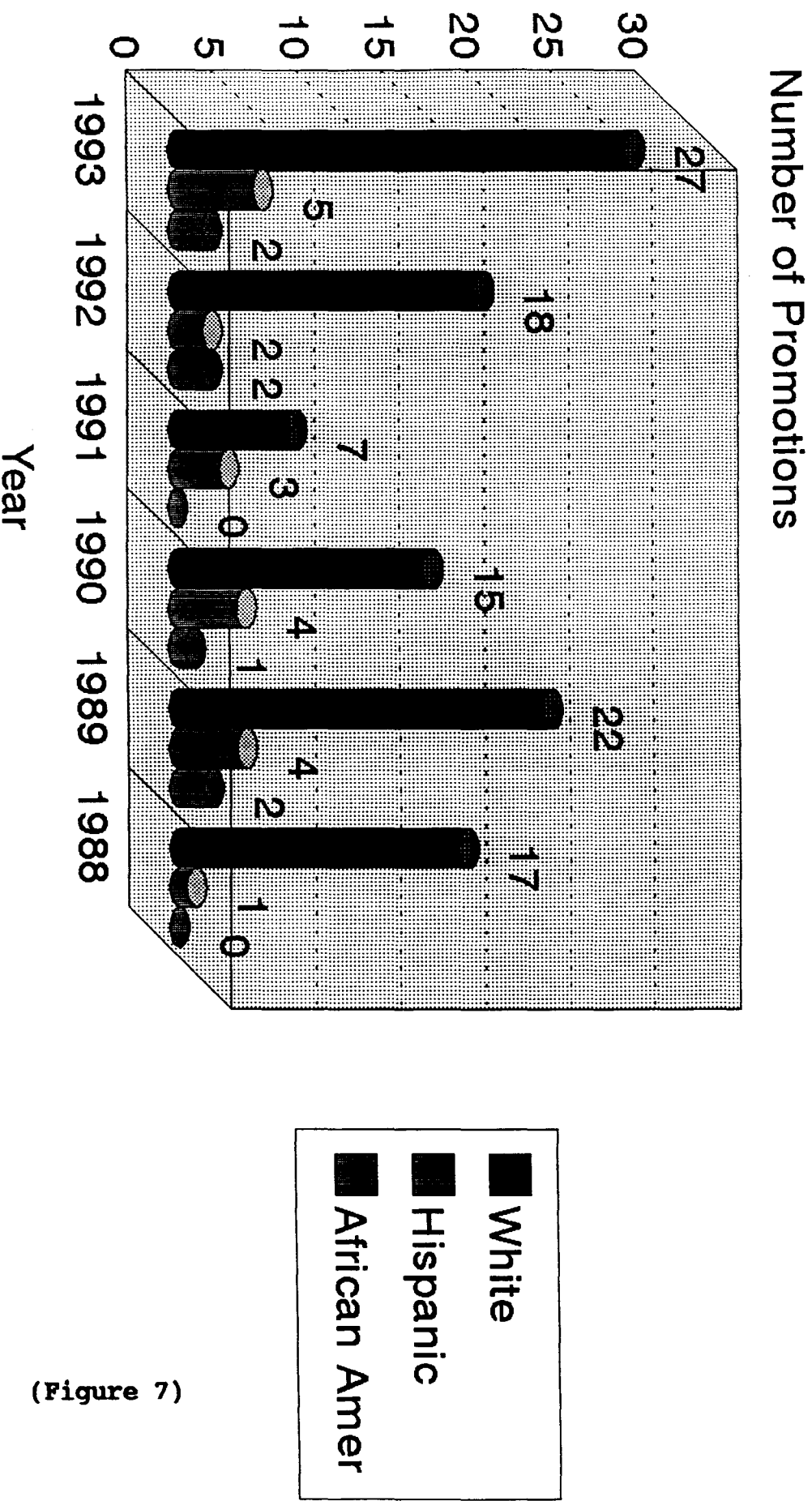
# Austin Police Department

## Current Departmental Ranks



# Austin Police Department

## Promotions from 1988 to 1993



(Figure 7)

these promotions were African American officers (See Figure 7).<sup>33</sup>

#### San Antonio Police Department

The San Antonio Police Department has experienced much progress in recruiting African American officers, but there are few in supervisory and management positions. Only 8 of the 239 supervisory or management positions (Sergeant, Lieutenant, Captain, Deputy Chief) are staffed with African American officers (See Figure 8).<sup>34</sup>

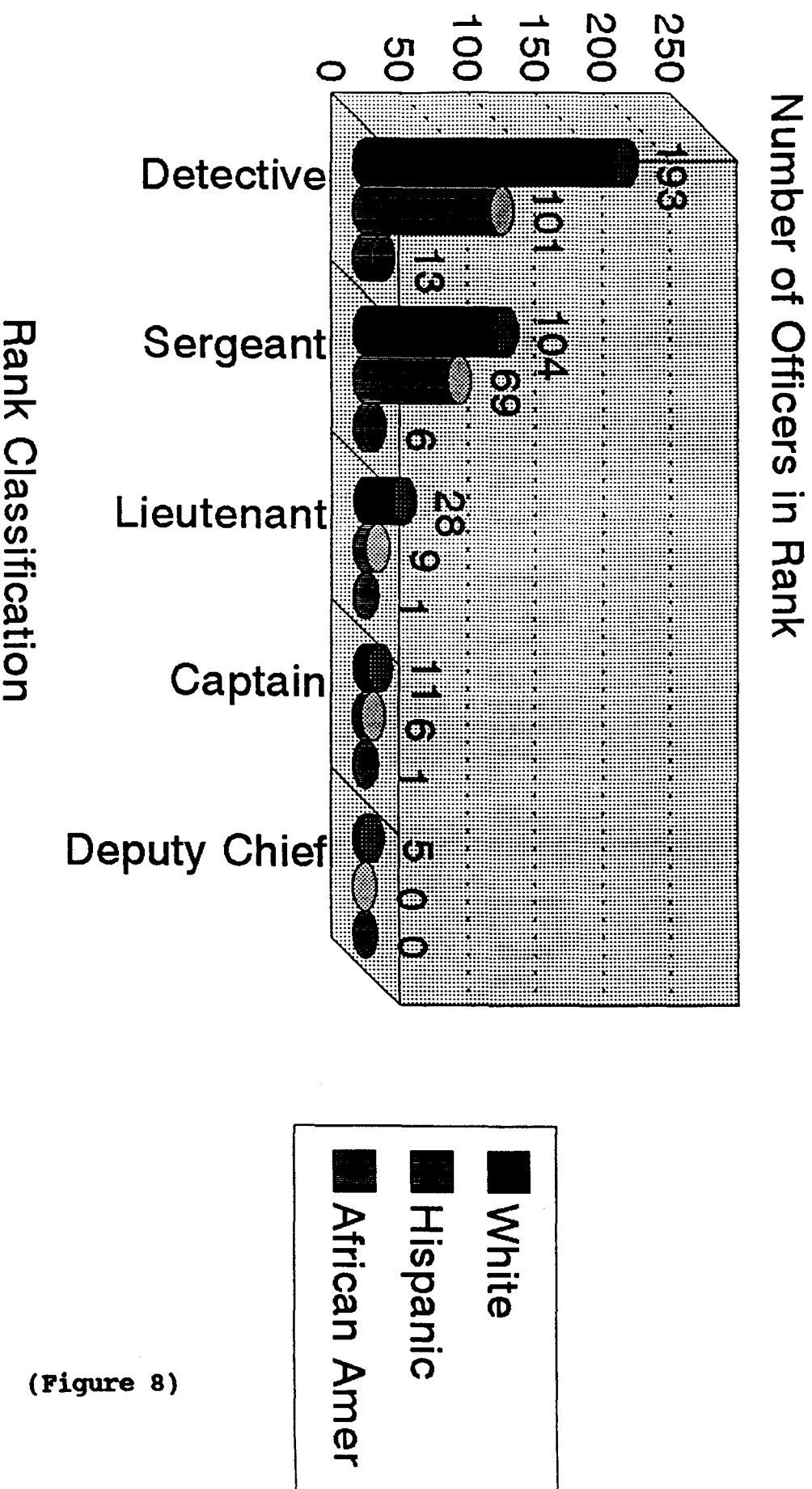
A review of San Antonio Police Department promotions from January 1988 to June 1993, reveals that only 10 of the 326 promotions made during those years were African American officers (See Figure 9).<sup>35</sup> Furthermore, since 1989 there have been 63 supervisory and management promotions; none of which were African American officers.

#### Fort Worth Police Department

In 1990, Chief Thomas Windham appointed S.C. Hill to the rank of Deputy Chief. For the first time in the history of the Fort Worth Police Department an African American officer was appointed to second in command.

# San Antonio Police Department

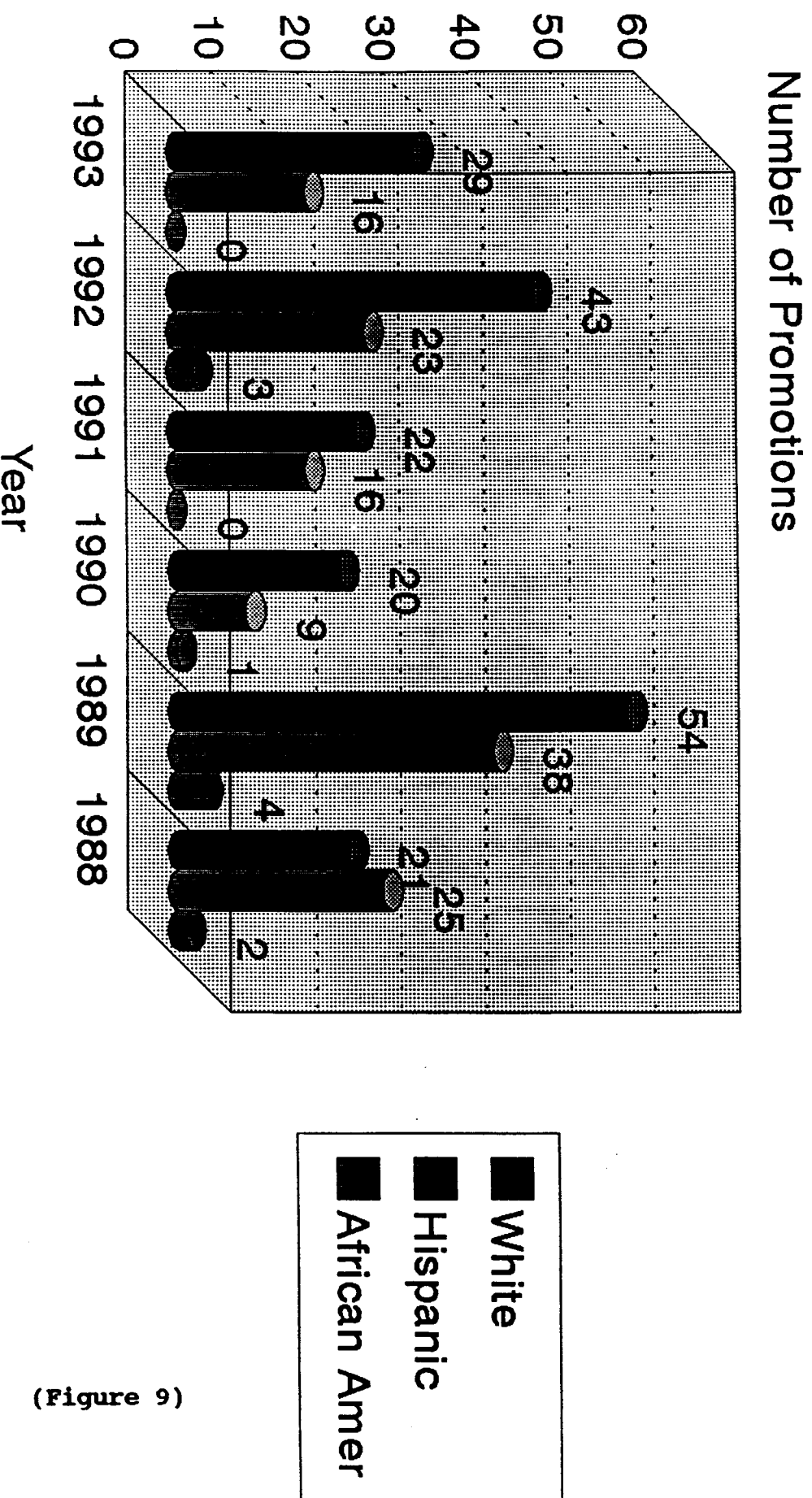
## Current Departmental Ranks



(Figure 8)

# San Antonio Police Department

Promotions from 1988 to 1993



(Figure 9)

Although African American representation in promoted positions are very disproportionate to African Americans in the Fort Worth community, it appears to be a result of the promotional system and not an act of insensitivity on the part of the police chief. African American officers of the Fort Worth Police Department were asked the following question:

Question: Do you feel your departments' command staff (ex: Chief, Asst. Chiefs, Majors) are sensitive to the importance of African Americans being in supervisory and management positions?

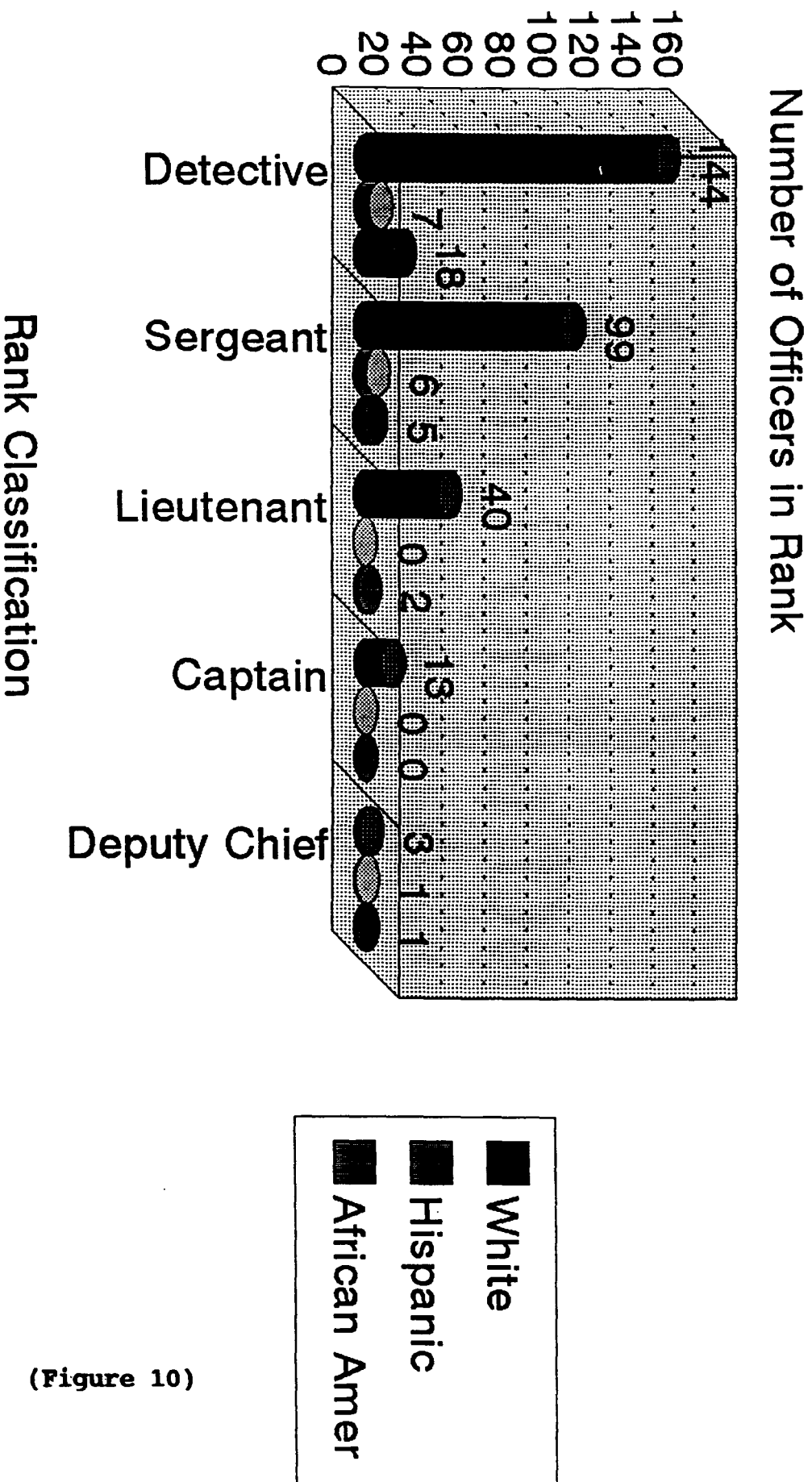
Result: Eighty percent of the African American officers responding stated that they felt Chief Windham was sensitive and cared if African Americans were fairly represented in supervisory and management positions.<sup>36</sup>

There are currently 339 promoted positions in the Fort Worth Police Department. African Americans occupy 26 (8%) of the positions with only 8 officers (5 Sergeants, 2 Lieutenants, and 1 Deputy Chief) being of supervisory level or above (See Figure 10).<sup>37</sup> From January 1988 to June 1993, there was a total of 183 promotions in the Fort Worth Police Department. Only 18 of the promotions were African American Officers (See Figure 11).<sup>38</sup>



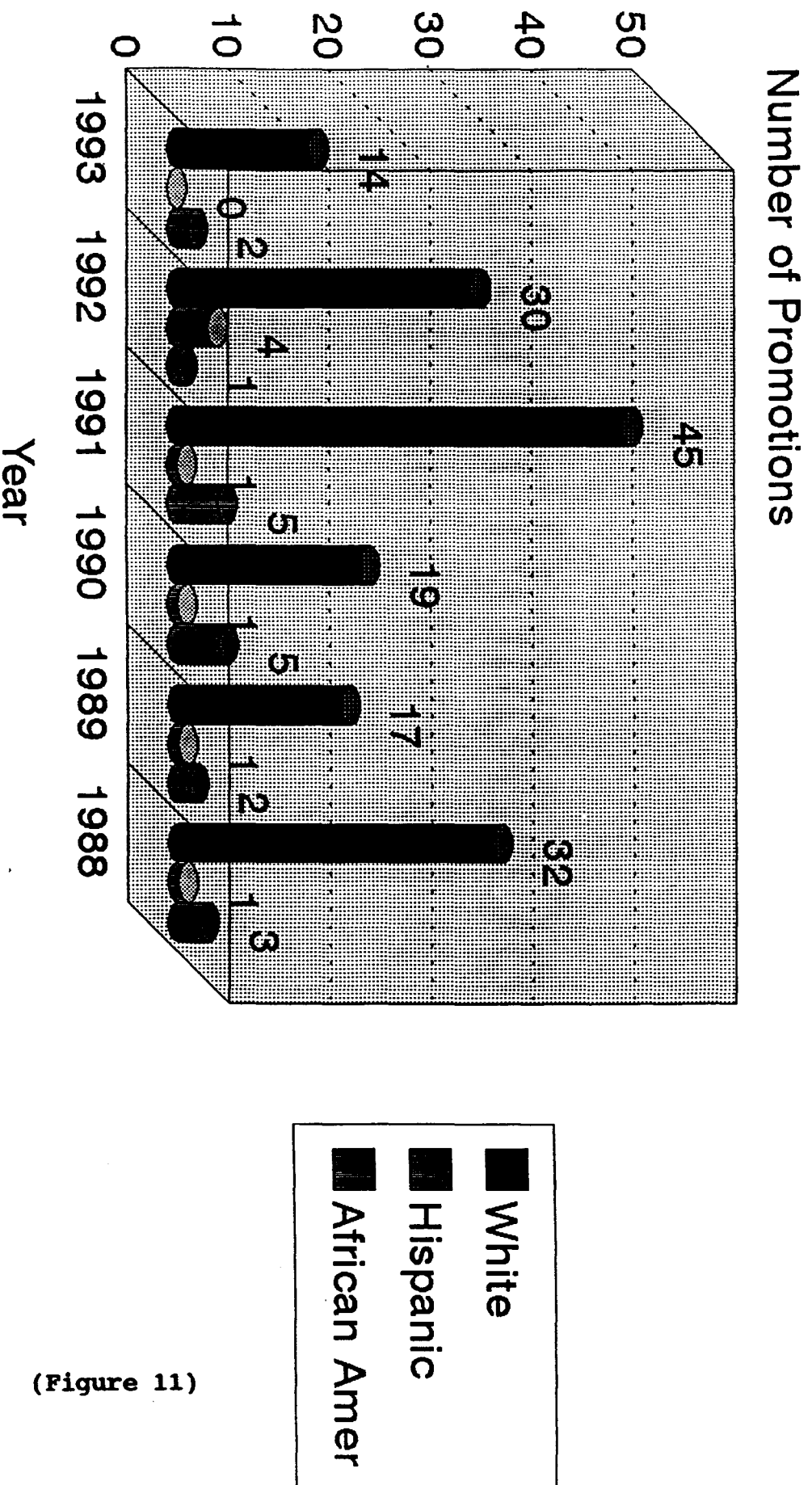
# Fort Worth Police Department

## Current Departmental Ranks



# Fort Worth Police Department

Promotions from 1988 to 1993



(Figure 11)

Year to Date: June 1993

### THE ADMINISTRATORS

There are many factors that support the importance of African American and other minorities being represented in supervision and management. Among the most important is the issue of managing a diverse work force. The growth in the U.S. labor force, now and in the foreseeable future, will be largely composed of women, minorities and immigrants. They will constitute about 85 percent of the new entrants in the work force, according to the landmark Hudson Institute Study.<sup>39</sup>

Police administrators should realize that they must attract, retain and promote this wide spectrum of people to strengthen their department's relationship with the community and effectively police cities. Beyond these matters is the issue of creating an appropriate departmental culture and set of organizational systems. Stated differently, a white male manager could have excellent interpersonal relations with women and African Americans, and still not know how to manage them - still not know how to create a culture with appropriate related systems that would work for them and white males.<sup>40</sup>

Another issue facing police administrators is the changing demographic complexion of urban America. The composition of the communities the four police departments serve are changing as more whites migrate to rural areas and the minority population increases in the inner city areas. Added to rising

unemployment; information processing replacing manufacturing as the dominant economic activity in central cities; and a higher percentage of minorities being handled in the Texas correctional system, means that police departments must learn how to best serve and understand the cultures of its newest primary customers: "the minority community".

According to Gary Bledsoe, Texas State President of the National Association for the Advancement of Colored People (NAACP), it is paramount that African Americans and all minorities obtain supervisory and management positions in law enforcement. Bledsoe sites four major reasons of importance regarding African American advancement, from a community perspective:

1. Serves to safeguard the ranks in general to insure the proper officers are placed in the proper positions.
2. Promotes a better image of police departments to citizens in the community.
3. Supports quality in routine police work and investigations because crime is inclusive of many races and cultures. It is crucial to have persons familiar with these cultures and races in positions to have a positive impact on outcomes.
4. Aids in attracting and recruiting minorities to law enforcement because it signifies opportunity for advancement.<sup>41</sup>

All four of the departments studied recognized problems with African American representation in supervisory and management

positions. Although departmental representatives did indicate that their organizations were better overall by having the Texas Civil Service System, citing specifically that it provided freedom from political patronage.

The Houston and San Antonio police departments have taken steps to improve their selection process. The City of Houston was recently successful in obtaining legislative changes allowing them to automatically adopt the alternative promotional system for rank of captain.<sup>42</sup> The San Antonio Police Department had the assessment center process approved for the ranks of lieutenant and captain through a collective bargaining agreement.<sup>43</sup>

Questionnaires were sent to executive staff level personnel (Chief, Asst. Chief, Deputy Chief) of the four departments requesting responses to several questions regarding African American officer advancement in their departments. One of the questions asked, "If your department has an imbalance of African American supervisors and managers, is there a future strategy to overcome this imbalance?". None of the police departments indicated that a comprehensive strategy was in place or planned for the future. There were, however, efforts to address African American representation in supervisory and management positions (See Figure 12).<sup>44</sup>

Figure 12

<p><b>QUESTION:</b> If your department has an imbalance of African American supervisors and managers is there a future strategy to overcome this imbalance.</p>	
DEPARTMENT	RESPONSE
Houston	"The Houston Police Dept. is in a consent decree to promote 106 minority officers outside of the standard test procedure. We have also begun intense recruitment of minorities in order to have a sufficient amount of minority police officers to promote from."
Austin	"The city is committed to affirmative action and we now have a female Chief and Hispanic Asst. Chief. The Recruiting Division has been increased not only to recruit more officers but also target minorities."
Fort Worth	"Our present and future plans focus on exposing African American officers to all areas of the department and providing assistance in training and education within and outside the department. Training and education has and will continue to include programs such as the FBI Academy, Southern Police Institute, Law Enforcement Management Institute (LEMI), etc."
San Antonio	"The San Antonio Police Dept. recruits African Americans heavily; in fact the recruiting office is located in an area of the city which has an large African American population. Like other large cities we loose a substantial number of African Americans to other fields that pay more and have better benefits."

Police administrators must be cognizant that some of their procedures, while not intended, may institutionally discriminate against African Americans and other minorities. Many traditional job requirements, such as educational credentials and high scores on multiple choice tests, exclude more African American than white applicants.<sup>45</sup> The 1971 Griggs vs. The Duke Power Plant decision held that when a requirement excluded more African American than whites, an employer had to show that the requirement was really related to job performance.<sup>46</sup> According to Christopher Jencks:

"As a result of the 1971 Griggs decision, many large employers responded by hiring consultants to evaluate their hiring and promotion requirements. These consultants were often unable to find a statistically reliable relationship between job performance and the firm's traditional selection criteria. Indeed, they were often unable to find a statistically reliable relationship between job performance and any selection criteria. Some firms dropped their old screening systems and began hiring and promoting in such a way as to get a larger number of black workers."<sup>47</sup>

### SOCIOECONOMICS

After the Civil War, southern states established public schools, but they often provided for education of white children long before they got around to building schools for African Americans. The Supreme Court's Plessy vs. Ferguson decision in 1896 permitted states to organize separate but equal systems of education; however, schools for blacks and whites were seldom equal.<sup>48</sup>

Although schools have now desegregated, the quality of education obtained by the average African American student as compared to the education received by the average white student is substantially lower. There are numerous societal reasons for these differences such as type of school (public or private), tracking (grouping of students by ability or curriculum based on academic ability) and geographic location (where a person resides).<sup>49</sup>

There are those who believe that white students perform better than African Americans and other minorities because whites are naturally (biologically) more intelligent than African Americans and other minorities. Arguments supporting this theory date back as far as the nineteenth century by Francis Galton, the founder of eugenics and cousin of the famous sociologist Charles Darwin. Galton attempted to use Darwin's theory of biological evolution to explain social evolution.



To support his belief that class and racial hierarchies exist for genetic reasons, he devised tests of sensory reactions, which he assumed to be a measure of intelligence. He dropped his tests when members of the upper class failed to have more acute reactions to sound, heat, cold, etc., than he had anticipated.<sup>50</sup>

In 1969, the view that certain groups might have inferior genes was revived by Arthur Jensen, an educational psychologist at the University of California at Berkeley. He speculated that African American children might be doing poorly in school because of their genetic backgrounds. Much of the evidence he used in his hypothesis; however, was apparently faked by Sir Cyril Burt in England.<sup>51</sup>

More recent arguments of biological superiority, proven through the use of IQ (intelligence quotient) tests, are argued by individuals such as author Daniel T. Seligman of Fortune Magazine. In "A Question of Intelligence: The IQ Debate in America" Seligman reports that human intelligence (1) can be measured; (2) matters, a lot; (3) differs by heredity; and (4) differs, on average, among various groups, such as races.<sup>52</sup>

Seligman fails to mention if environment or quality of education has an effect on IQ tests. There are many studies

that prove that IQ scores can be altered by enhanced education. A report released by the Boston Globe indicates that at-risk childrens' IQ scores can be raised if they receive academic and health services assistance in their early years.<sup>53</sup> Therefore, academic performance is influenced by academic ability and prior performance.<sup>54</sup>

Sociologists also challenge the way intelligence itself is measured. According to Dr. Caroline Hodges Persell in her book, "Understanding Society":

"Intelligence is often measured by an IQ test, which is a standardized paper-and-pencil test of verbal and numerical knowledge and reasoning. IQ tests do not measure originality, interpersonal sensitivity, motivation, energy, or scientific and artistic talent. In fact, no one knows exactly what they do measure. Despite the claim of some test designers that they have developed culture free tests, most sociologists claim that IQ tests are culture-bound-- that is, they require knowledge and culture skills possessed by a particular group. In fact, a "culture-free" test is an impossibility, since every test requires background in some culture in order to take it. What thoughtful test designers mean by "culture-free" is a test composed of items that are no more likely to be missed by members of one group (say, African Americans) than by members of another (whites)."<sup>55</sup>

The Department of Psychology at Coe College Iowa conducted a study of lower socioeconomic preschool children. The following research hypotheses was tested:

STUDY: Statistically significant differences exist in (a) mean IQ between white and African American children; (b) mean IQ girls and boys; (c) interaction effect between race and sex; (d) mean IQ gain for the same children tested one year apart.

RESULTS: Results showed (a) nonsignificant statistical mean IQ difference between African American and white children; (b) statistically significant mean IQ difference (alpha .05) between girls and boys; (c) nonsignificant interaction effect between race and sex; (d) significant mean IQ gains (alpha .01) for the children tested one year apart, after entering public school classes.<sup>56</sup>

There is overwhelming evidence that intelligence is strongly influenced by socioeconomic milieu. A multiple regression procedure was used by Dr. William Lawrence of A & T University and Dr. Duane Brown from the University of North Carolina to develop a further understanding of the relationship of self-concept (SC), intelligence (IQ), socioeconomic status (SES), race and sex to career maturity as measured by the Career Maturity Inventory (CMI).

The results suggested that when predicting career maturity as measured by the CMI , a separate equation utilizing different predictors, depending on race and sex of subjects should be considered. Results further indicated that socioeconomic status and self-concept seem to have a differential effect upon career maturity. They found that lower class black and white students did not vary in career maturity as measured by a Readiness for Vocational Planning Scale.<sup>57</sup>

American public schools reflect their geographic locations. In practice this would make no difference if all areas were similar, but anyone who has traveled from downtown urban area

to a suburban or rural area knows that such areas may differ immensely. Residential segregation based on income, occupation, and race abounds. Such segregation results in schools that tend to be economically and ethnically homogeneous. As a result, African American and Hispanic youth have less access to educational resources, teachers and counselors than whites. This increased their deficits over time.<sup>58</sup>

On an average basis, income is a very critical component in determining if a family resides in communities where children have access to better quality schools. African American families below the poverty level more than doubles that of white families (See Figure 13).<sup>59</sup>

### Families In Poverty

Figure 13

Characteristic	1987		1982		1979	
	Black	White	Black	White	Black	White
UNITED STATES TYPE OF FAMILY						
All Families	2,149	4,592	2,158	5,118	1,666	3,515
% Below Poverty Level	29.9	8.2	33.0	9.6	27.6	6.8
Married Couple	454	2,440	543	3,104	437	2,058
% Below Poverty Level	12.3	5.2	15.6	6.9	13.0	7.0
Female Householder- No Husband Present	1,593	1,930	1,535	1,813	1,195	1,328
% Below Poverty Level	51.8	26.7	56.2	27.9	49.2	22.3

\* Numbers in the thousands. Families as of March 1988.

The disparity that exists between the quality of education received by African Americans and other minorities as compared to that obtained by whites at primary and secondary schools is significantly different. While African American versus white differences in academic performance is narrowing, with African American students now spending almost the same number of years in school, overall African American students still learn considerably less than whites during any given year of school.<sup>60</sup>

The family differences appear to be rooted in the economic, political, and ethnic inequalities of the society, not in the failings of individuals. Moreover, existing differences have not been pinpointed as causes of school failure. So this view does not provide a convincing explanation of unequal school achievement. Indeed, where lower-class or minority children are taught by teachers who assume they can learn and who take responsibility for teaching them, they do learn, sometimes better than white middle-class children.<sup>61</sup>

When eighth grade students across the nation are divided into quartiles (Lower Quartile, Lower Middle Quartile, Upper Middle Quartile and Upper Quartile) according to their academic performance in history, mathematics, reading and science the differences in quality of education is evident. The majority of white students in the eighth grade finish in the top

quartile and the majority of African American and Hispanic students fall into the lowest quartile (See Figure 14).<sup>62</sup> A review of high school seniors performance, nationwide, on Scholastic Achievement Tests (SAT) also indicates that white students score well above African American and Hispanic students (See Figure 15).<sup>63</sup>

#### ACHIEVEMENT: 8TH GRADE STUDENTS

Figure 14

Achievement test and score quartile	Distribution of eighth graders' achievement by score quartile		
	White	Black	Hispanic
HISTORY	100.0	100.0	100.0
Lower quartile	19.6	41.9	40.4
Lower mid. quartile	23.0	31.9	26.2
Upper mid. quartile	28.2	17.4	18.4
Upper quartile	29.2	8.8	13.3
MATHEMATICS	100.0	100.0	100.0
Lower quartile	18.3	49.0	39.2
Lower mid. quartile	24.1	28.7	30.1
Upper mid. quartile	27.0	15.1	19.9
Upper quartile	30.6	7.2	10.8
READING	100.0	100.0	100.0
Lower quartile	19.9	45.0	38.2
Lower mid. quartile	23.5	29.4	30.5
Upper mid. quartile	26.2	16.6	20.1
Upper quartile	30.4	9.0	11.2
SCIENCE	100.0	100.0	100.0
Lower quartile	19.2	47.7	37.8
Lower mid. quartile	22.4	30.1	30.7
Upper mid. quartile	28.8	15.9	20.6
Upper quartile	29.6	6.3	10.9

## AVERAGE SAT SCORES: TRENDS

Figure 15

	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
*VERBAL*										
White	442	442	444	443	445	449	N/A	447	445	446
African Am	330	332	341	339	342	346	N/A	351	353	351
Mexican Am	372	373	377	375	376	382	N/A	379	382	381
*Math*										
White	482	483	483	484	487	490	N/A	489	490	491
African Am	360	362	366	369	373	376	N/A	377	384	386
Mexican Am	413	415	416	417	420	426	N/A	424	428	430

As discussed earlier, the primary requirement for advancement under the Texas Civil Service system is based on individual performance on a standardized tests. Even those departments utilizing an alternative promotional systems require officers to score in the top percentage, of those competing, before being allowed to continue in the selection process. Because African Americans and other racial minorities do not receive the same quality of education on an average basis as whites they are placed at an disadvantage on Civil Service promotional examinations.

There are those individuals that offer the argument that everyone receives the same material and are given the same period of time to study. Furthermore, there are those persons who believe that personal drive, commitment and perseverance are the overriding determinant to how well an officer scores

on Civil Service promotional exams.

While it is true that issues such as perseverance are very valid and important to any goal or venture, individuals aspiring to promote are still placed at a disadvantage when competing against someone of equal commitment that also received a better quality of education. There are thought processes, study methods and superior test taking skills associated with quality education.

Dr. Patrick M. Wright, Assistant Professor of Management at Texas A&M University, states that there are two very important factors regarding written employment tests; (1) they tend to be valid measures of ability to perform the job and (2) they tend to have "disparate impact" against ethnic minorities. DISPARATE IMPACT is a facially neutral employment practice that disproportionately affects a protected group relative to a non-protected group.<sup>64</sup>

The burden of proof in disparate impact cases can be established through such methods such as the 4/5th's (80%) Rule. In this procedure, if the hiring or promotion rate of the minority group is less than 4/5th's (80%) of the hiring or promotion rate of the majority group adverse impact exists. The defendant's rebuttal (burden of proof), business necessity (validity) and the plaintiffs' rebuttal are also examined in



a disparate impact cases (See Figure 16). According to Wright:

"It is not reasonable or economically efficient to eliminate the use of tests because of there "Adverse Impact". Thus, in the short term all we can do is attempt to develop tests which are valid measures of ability to perform on the job, and to provide additional training to the under-privileged to try to bring the skills up to an appropriate level. However, the more important long term solution is to reform the educational system to eliminate the differences in educational opportunities that currently exist."<sup>65</sup>

---

Figure 16

**4/5th's Rule**

If the hiring or promotion rate of the minority group is less than 4/5th's (80%) of the hiring or promotion rate of the majority group.

E.g.:

PROMOTIONAL TEST EXAMPLE

	<u>Whites</u>	<u>African American</u>
Taking the Test	100	50
Promoted	50	10
Promoted Rate	50%	30%

$$20\% / 50\% = 40\% < 80\%$$

Thus, conclude adverse impact exists

---

Dr. John Houghton, Associate Professor of Sociology at St. Edward's University, indicates that educational quality does impact mobility generally, and would have special impact on advancement where performance on standardized tests is a major

criterion for advancement. Dr. Houghton further states:

"Education impacts career mobility in a powerful way, with educational credentials being the single most important determinant of access to employment, especially technical, managerial, and professional employment."

"There is little relationship between level of education attained, or between educational performance as measured by grades, and actual job performance. This seems to be the case because, beyond basic cognitive skills and general knowledge, schools do not generally impart, or screen for, the specific skills required by non-academic, non-research occupations. Given that all or most incumbents of the same occupational positions are required to have the same basic level of educational credential, quantitative or qualitative increments above that basic level seem to make little difference to quality of job performance. Thus, where performance is the criterion for advancement, quality of education would make little difference."

"However, in the case where occupational advancement is contingent on relative performance on standardized paper and pencil tests, educational quality may be decisive. Tests (e.g., SAT, GRE, GMAT) are the principal measure of educational quality, with educational institutions of high quality defined as those which produce graduates who do well on such tests; and one of the principal skill sets imparted by educational institutions of "high quality" (in this sense of quality only) is the ability to do well on such tests. Thus, those who graduate from high quality primary and secondary schools would be significantly advantaged for occupational advancement that is test-performance based. There is, of course, a very well established relationship between access to schools of such quality and socioeconomic status. Schools with high proportions of low-income students and/or high proportions of socially disadvantaged minority students produce lower test scores than do higher-income, non-minority schools. Because poor and minority students are highly concentrated in schools of the former type, it is to be expected that those with low socioeconomic status and/or minority backgrounds would be generally less well prepared for advancement up test-based career ladders."<sup>66</sup>

### CONCLUSION

The Texas Civil Service Systems' (Local Government Code Sec.143) rules and procedures that govern police promotions needs to be revisited by the Texas State Legislature. There are over 400 miles separating the Houston, Austin, San Antonio and Fort Worth Police Departments but each are experiencing very similar problems with regards to African American advancement within their respected departments. Each of the studied police department's methods for selecting source material (books, departmental orders, etc.), dates and times, test writers and question review processes for examinations are independent of the others although a similar result is produced. These facts alone should direct attention to the one distinct component that they all have in common: The promotional guidelines of the Texas Civil Service System.

Some attention should be shifted away from accusations that individual police departments, operating under the Texas Civil Service System are intentionally discriminating against African Americans and other ethnic minorities. Attention should be directed towards the Texas Civil Service System which imposes restrictions that create adverse impact to African Americans and other minorities. Although the imbalances that result from the effects of the Civil Promotional System may not be intentional, the results do institutionally discriminate against African Americans.

Police departments that operate under the Civil Service System should take an active and aggressive part in becoming "change agents"--to obtain promotional procedures that test the application of technical, administrative and human relation skills. A paper and pencil exam might be testing for knowledge but not necessarily application. A useful, relevant and carefully designed selection process could test both qualities.

To become "change agents" police administrators should first unite. Administrators must realize that the problems associated with African American and other racial minorities promoting are not unique to any one agency but difficulties being experienced by several police departments. A combined effort (affected cities) must be taken to lobby the Texas State Legislature to give cities the flexibility necessary to adopt promotional systems that allow departments to effectively select supervisors and managers.

Less emphasis should be placed on standardized tests as criteria for selecting police supervisors and managers. More importance needs to be placed on prior work performance, leadership, originality, interpersonal skills and commitment to the organization. According to Dr. Lodis Rhodes, (Professor of Psychology at the LBJ School of Public Affairs (University of Texas at Austin):

"Quality of schools is correlated to performance on standardized tests because that's what schools teach learners to do--take tests. Students, whether African American or white, who attend well endowed schools and did well will out test those who attend poorer schools. However, you have effective police officers from both kinds of schools. Therefore, by only using a standardized testing system the chance of making errors in promotions increases--you promote officers who prove ineffective while overlooking many who are and would be effective in leadership positions."<sup>67</sup>

Written promotional test should not be totally eliminated from selection processes because they are valid measurements of job knowledge. The challenge to the police profession is to develop promotional systems which achieve an equilibrium of both knowledge and performance.

In order to attract African Americans with higher education to the law enforcement profession police managers will have to become "salespersons" and advertise the rewards and benefits of the profession. This could result in the attraction of higher qualified applicants. College-educated African Americans fair quite well in the labor market, competing successfully for prestigious jobs and high incomes.<sup>68</sup>

The profession must somehow remove cultural barriers that reject policing. These negative views of police have been instilled in the African American culture for over a century. Police organizations must demonstrate to communities across the nation that the mass abuses of persons and their civil

rights that once existed in the nineteen sixties and early seventies, are long since a thing of the past. Furthermore, administrators must advertise and sell law enforcement as a profession that is unbiased, rewarding and meaningful with opportunities for advancement regardless of race or gender. To accomplish this task, better ethnic representation must be obtained and maintained by not only the four studied police departments but throughout the law enforcement profession.

Service to the community should be the #1 incentive in accomplishing fair representation from the service delivery level officers to the chief executive officer in police departments. TO AFFECT LONG-TERM SOLUTIONS IN THE COMMUNITY IT IS IMPORTANT NOT ONLY TO DELIVER SERVICES BUT TO ALLOW CITIZENS TO BE FAIRLY REPRESENTED IN THE PROCESS.

### END NOTES

1. Equal Employment Opportunity Coordinating Council Act. Federal Policy on Remedies Concerning Equal Employment Opportunity in State and Local Government Personnel Systems. Washington D.C. 1973: Title VII.
2. More, Harry W and Wegener, Fred W. Effective Police Supervision. Cincinnati: Anderson Publishing Co. 1990:389.
3. Rhodes, Lodi. Written opinion to author, 10 October 1993, University of Texas, Austin, Texas.
4. African American Officer Questionnaires. Distributed by author. Houston Police Department. May 1993.
- African American Officer Questionnaires. Distributed by author. Austin Police Department. May 1993.
- African American Officer Questionnaires. Distributed by author. San Antonio Police Department. May 1993.
- African American Officer Questionnaires. Distributed by author. Fort Worth Police Department. May 1993.
5. Hopkins, Anne H. "Perceptions of Employment Discrimination in the Public Sector". Public Administration Review Vol 1. January/February 1980:131.
6. Ibid., African American Officer Questionnaires, 1993.
7. Mason, Julie and Williams, John. "Lanier Offers Solution to Lawsuit: Promote 106 Minority Officers." Houston Chronicle, January 1993, Sec. A, 1.
8. Ibid., Houston Chronicle. January 1993
9. Texas State Legislature. Texas Local Government Code. As Amended Through the 1991 Second Called Session of the 72nd Legislature. St. Paul: West Publishing Co. 1992: 189.
10. Ibid., Texas Local Government Code, 1992, 190.
11. Ibid., Texas Local Government Code, 1992, 198.

12. Ibid., Texas Local Government Code, 1992, 198.
13. Ibid., Texas Local Government Code, 1992, 199.
14. Ibid., Texas Local Government Code, 1992, 201.
15. Ibid., Texas Local Government Code, 1992, 199.
16. Ibid., Texas Local Government Code, 1992, 200.
17. Swank, Calvin J and Conser, James A. The Police Personnel System. New York: John Wiley and Sons Publications Inc. 1983.
18. Ibid., More and Wegener, 394.
19. Personal Interview with Austin Department Sergeant. Austin, Texas. Interview by author, 15 March 1993.
20. Ibid., More and Wegener, 1990, 389.
21. Walker, Samuel. The Police in America. New York City: McGraw-Hill Book Company. 1983.
22. Cole, George F. The American System of Criminal Justice. Pacific Grove: Brooks-Cole Publishing Company. 1989.
23. Bureau of the Census. 1990 Census of Population and Housing. Washington D.C.: U.S. Department of Commerce Economics and Statistics Administration. 1991.
24. Police Department Executive Questionnaire. Distributed by author. Houston Police Department. June 1993.
- Police Department Executive Questionnaire. Distributed by author. Austin Police Department. June 1993.
- Police Department Executive Questionnaire. Distributed by author. San Antonio Police Department. June 1993.
- Police Department Executive Questionnaire. Distributed by author. Fort Worth Police Department. June 1993.
25. Ibid., Bureau of the Census, 1991.
26. Ibid., Police Department Executive Questionnaire, 1993.



27. Police Department Research Questionnaire.  
Distributed by author. Houston Police Department. June 1993.

Police Department Research Questionnaire.  
Distributed by author. Austin Police Department. June 1993.

Police Department Research Questionnaire.  
Distributed by author. San Antonio Police Department. June 1993.

Police Department Research Questionnaire.  
Distributed by author. Fort Worth Police Department. June 1993.

28. Police Department Research Questionnaire.  
Distributed by author. Houston Police Department. July 1993.

29. Police Department Executive Questionnaire.  
Distributed by author. Houston Police Department. July 1993.

30. Police Department Research Questionnaire.  
Distributed by author. Houston Police Department. June 1993.

31. Retired Austin Police Captain Louie White,  
interview by author, 18 May 1993, Austin, Texas.

32. Police Department Executive Questionnaire.  
Distributed by author. Austin Police Department. May 1993.

33. Police Department Research Questionnaire.  
Distributed by author. Austin Police Department. June 1993.

34. Police Department Executive Questionnaire.  
Distributed by author. San Antonio Police Department. June 1993.

35. Police Department Research Questionnaires.  
Distributed by author. San Antonio Police Department. June 1993.

36. African American Officer Questionnaire. Distributed  
by author. Fort Worth Police Department. May 1993.

37. Police Department Executive Questionnaire.  
Distributed by author. Fort Worth Police Department. June 1993.

38. Police Department Research Questionnaire.  
Distributed by author. Fort Worth Police Department. June 1993.

39. Johnston, William B and Packer, Arnold H. Workforce 2000: Work and Workers of the 21st Century. Indianapolis: Hudson Institute. 1987.

40. Thomas, Roosevelt R Jr. Beyond Race and Gender: Unleashing the Power of Your Total Work Force by Managing Diversity. New York: American Management Association. 1991: XIV.

41. Bledsoe, Gary (State President NAACP), interview by author, 6 September 1993, Austin, Texas.

42. Police Department Executive Questionnaire. Distributed by author. Houston Police Department. June 1993.

43. Sergeant Larry Cisneros, San Antonio Police Department. Telephone interview by author, 21 September 1993.

44. Ibid., Police Department Executive Questionnaires, June 1993.

45. Jencks, Christopher. Rethinking Social Policy. Cambridge, Mass: Harvard University Press Publishers. 1992: 66.

46. United States Supreme Court. Griggs v. Duke Power Company. 401 U.S. at 431. 1971.

47. Ibid., Jencks, 1992, 66-67.

48. Farley, Reynolds. Blacks and Whites: Narrowing the Gap. Cambridge, Mass: Harvard University Press Publishers 1984.

49. Lee, Valerie and Bryk, Anthony. "Curriculum Tracking as Mediating the Social Distribution of High School Achievement." Sociology of Education Vol 61. 1988:78-94.

50. Mensh, Elaine and Mensh Harry. The IQ Mythology: Class, Race, Gender, and Inequality. Edwardsville: Southern Illinois University Press. 1991:41.

51. Persell, Caroline H. Understanding Society 3rd Edition. New York: Harper and Row Publishers. 1990:396.

52. Brinelow, Peter. "Gambler Dan: As sex was a taboo subject with the Victorians, so with us is the subject of group differences in IQ." Forbes, 1 February 1993, 86.

53. "At-Risk Kids' IQs Can Be Raised." Boston Globe. February 1992.

54. Christopher Jencks, J Crouse and P Mueser. "The Wisconsin Model of Status Attainment: National Replication with Improved Measures of Ability and Aspirations." Sociology of Education Vol. 56, 1983:3-19.

55. Ibid., Persell, 1990, 396.

56. Fredrickson, Lowry C. "Measured Intelligence: Species Specific? Perhaps; Race Specific? Perhaps Not?" The Journal of Genetic Psychology Vol 130. 1977: 95-104.

57. Lawrence, William and Brown, Duane. "An Investigation of Intelligence, Self-Concept, Socioeconomic Status, Race and Sex as Predictors of Career Maturity." Journal of Vocational Behavior Vol 9. 1976: 43-52.

58. Orfield G and Paul F. "Patterns of Decline in Minority Access to Higher Education in Five Metropolitan Areas." Educational Record Vol 69. 1988:52-56.

59. Horton, Carrell and Smith, Jessie. Statistical Record of Black America. Detroit: Gale Research Publishers Inc. 1990:268.

60. Ibid., Jencks, 1992, 17.

61. Brookover, Wilber and Schneider, Jeffery. "Academic Environments and Elementary School Achievement," Journal of Research and Development in Education Vol 9.1975: 82-91.

62. Ibid., Horton and Smith, 104.

63. Ibid., Horton and Smith, 108-109.

64. Wright, Patrick M., Written opinion to author, 8 August 1993, Texas Woman's University, Denton, Texas.

65. Ibid., Wright, 1993.

66. Houghton, John. Written opinion to author, St. Edward's University, 3 September 1993, Austin, Texas.

67. Ibid., Rhodes, 1993.

68. Ibid., Farley, 1984.

### Bibliography

- African American Officer Questionnaires. Distributed by author. Austin Police Department. May 1993.
- African American Officer Questionnaires. Distributed by author. Fort Worth Police Department. May 1993.
- African American Officer Questionnaires. Distributed by author. Houston Police Department. May 1993.
- African American Officer Questionnaires. Distributed by author. San Antonio Police Department. May 1993.
- "At-Risk Kids' IQs Can Be Raised." Boston Globe. February 1992.
- Bledsoe, Gary (State President NAACP), interview by author, 6 September 1993, Austin, Texas.
- Brinelow, Peter. "Gambler Dan: As sex was a taboo subject of Victorians, so with us is the subject of group differences in IQ." 1 February 1993.
- Brookover, Wilber and Schneider, Jeffery. "Academic Environments and Elementary School Achievement." Journal of Research and Development in Education Vol 9. 1975.
- Bureau of the Census. 1990 Census of Population and Housing. Washington D.C.: U.S. Department of Commerce Economics and Statistical Administration. 1991.
- Christopher Jencks, J Crouse, and P Mueser. "The Wisconsin Model of Status Attainment: National Replication with Improved Measures of Ability and Aspirations." Sociology of Education Vol.56. 1983.
- Cole, George F. The American System of Criminal Justice. Pacific Grove: Brooks-Cole Publishing Company. 1989.
- Equal Employment Opportunity Coordinating Council Act. Federal Policy on Remedies Concerning Equal Employment Opportunity in State and Local Government Personnel Systems. Washington D.C. 1973: Title VII.
- Farley, Reynolds. Blacks and Whites: Narrowing the Gap. Cambridge, Mass: Harvard University Press Publishers.
- Fredrickson, Lowry C. "Measured Intelligence: Species Specific? Perhaps; Race Specific? Perhaps Not? The Journal of Genetic Psychology Vol 130. 1977.

- Hopkins, Anne H. "Perceptions of Employment Discrimination in the Public Sector." Public Administration Review Vol. 1 (January/February 1980).
- Horton, Carrell and Smith, Jessie. Statistical Record of Black America. Detroit: Gale Research Publishers Inc. 1990.
- Houghton, John. Written opinion to author, 3 September 1993, St. Edward's University, Austin, Texas.
- Jencks, Christopher. Rethinking Social Policy. Cambridge: Harvard University Press Publishers. 1992.
- Johnston, William B and Packer, Arnold H. Workforce 2000: Work and Workers of the 21st Century. Indianapolis: Hudson Institute. 1987.
- Lawrence, William and Brown, Duane. "An Investigation of Intelligence, Self-Concept, Socioeconomic Status, Race and Sex Predictors of Career Maturity." Journal of Vocational Behavior Vol 9. 1976.
- Lecture by Dr. Patrick M. Wright, Law Enforcement Management Institute (Module 2), Texas Woman's University, Denton, Texas, 8 August 1993.
- Lee, Valerie E. and Bryk, Anthony S. "Curriculum Tracking as Mediating the Social Distribution of High School Achievement." Sociology of Education Vol 61. 1988.
- Mason, Julie and Williams John. "Lanier Offers Solution to Lawsuit: Promote 106 Minority Officers." Houston Chronicle, January 1993, Sec. A,1.
- Mensh, Elaine and Mensh, Harry. The IQ Mythology: Class, Race, Gender, and Inequality. Edwardsville: Southern Illinois University Press. 1991.
- More, Harry and Wegener, Fred W. Effective Police Supervision. Cincinnati: Anderson Publishing Co. 1990.
- Orfield, G and Paul, F. "Patterns of Decline in Minority Access to Higher Education in Five Metropolitan Areas." Journal of Educational Record Vol 69. 1988.
- Persell, Caroline H. Understanding Society 3rd Edition. New York: Harper and Row Publishers. 1990.

Personal Interview with Austin Police Department Sergeant.  
Austin, Texas. Interview by author, 15 March 1993.

Police Department Executive Questionnaire. Distributed by  
author. Austin Police Department. June 1993.

Police Department Executive Questionnaire. Distributed by  
author. Fort Worth Police Department. June 1993.

Police Department Executive Questionnaire. Distributed by  
author. Houston Police Department. June 1993.

Police Department Executive Questionnaire. Distributed by  
author. San Antonio Police Department. June 1993.

Police Department Research Questionnaire. Distributed by  
author. Austin Police Department. June 1993.

Police Department Research Questionnaire. Distributed by  
author. Fort Worth Police Department. June 1993.

Police Department Research Questionnaire. Distributed by  
author. Houston Police Department. June 1993.

Police Department Research Questionnaire. Distributed by  
author. San Antonio Police Department. June 1993.

Retired Austin Police Captain Louie White, interview by  
author, 18 May 1993, Austin, Texas.

Rhodes, Lodis, Written opinion to author, 10 October 1993,  
University of Texas, Austin, Texas.

Sergeant Larry Cisneros, San Antonio Police Department.  
Telephone interview by author, 21 September 1993.

Swank, Calvin J and Conser, James A. The Police Personnel  
System. New York: John Riley and Sons Publications Inc.  
1983.

Texas State Legislature. Texas Local Government Code. As  
Amended Through the 1991 Second Called Session of the  
72nd Legislature. St. Paul: West Publishing Co. 1992.

Thomas, Roosevelt R Jr. Beyond Race and Gender: Unleashing  
the Power of Your Total Work Force by Managing  
Diversity. New York: American Management Association.  
1991.

United States Supreme Court. Griggs v. Duke Power Company.  
401 U.S. at 431. 1971.

Walker, Samuel. The Police in America. New York City:  
McGraw-Hill Book Company. 1983.

Wright, Patrick M., Written opinion to author, 8 August  
1993, Texas Woman's University, Denton, Texas.