

2015


## Policy Point – Counterpoint: Mandating Law Enforcement to Receive Annual Certification in Cultural Diversity through Critical Thinking

Christine Sereni-Massingier  
*Saint Leo University*

Joseph Bawden

William Rowe

Follow this and additional works at: <http://digitalcommons.northgeorgia.edu/issr>

 Part of the [Anthropology Commons](#), [Communication Commons](#), [Economics Commons](#), [Geography Commons](#), [International and Area Studies Commons](#), [Political Science Commons](#), and the [Public Affairs, Public Policy and Public Administration Commons](#)

---

### Recommended Citation

Sereni-Massingier, Christine; Bawden, Joseph; and Rowe, William (2015) "Policy Point – Counterpoint: Mandating Law Enforcement to Receive Annual Certification in Cultural Diversity through Critical Thinking," *International Social Science Review*: Vol. 91: Iss. 2, Article 21.

Available at: <http://digitalcommons.northgeorgia.edu/issr/vol91/iss2/21>

This Response or Comment is brought to you for free and open access by Nighthawks Open Institutional Repository. It has been accepted for inclusion in International Social Science Review by an authorized administrator of Nighthawks Open Institutional Repository.

**Policy Point – Counterpoint:  
Mandating Law Enforcement to Receive Annual Certification in Cultural Diversity  
through Critical Thinking**

**Moderator:** Christine Sereni-Massinger

Law enforcement officers are experiencing growing challenges within their communities as a result of the expansion of multiculturalism. The opinions held in many of these diverse communities are increasingly negative in regards to law enforcement.<sup>1</sup> Cross-cultural leadership is a skill that law enforcement need to protect their communities and themselves. Traditionally, this topic has been taught substantively in the academies. However, substantive training is ineffective.<sup>2</sup> As the role of police expands from the role of paramilitary to the role of community advocate, education provided to these officers must also expand. This education should begin in the academies and extend annually through mandatory certification training.

The evolution of the police officer's role requires competencies in decision-making and problem solving. The questioning of assumptions and biases is a learned skill through critical thinking and lends towards a law enforcement officer's abilities in decision-making and de-escalation.<sup>3</sup> Current studies show that less than 1 percent of sheriff's offices and police departments require a four-year degree.<sup>4</sup> Police academies are often the entryway into a law enforcement career, yet these academies currently utilize a paramilitary approach in training.<sup>5</sup> Critical thinking geared to de-escalation, discretion and decision-making should be initiated in the academy and continued annually throughout the law enforcement officer's career.<sup>6</sup>

**POINT:** Joseph Bawden

**Critical Thinking Is an Effective Approach to Cultural Diversity Training for Law  
Enforcement**

Critical thinking is the ability of an individual to think about what it is they are thinking, why it is they are thinking what they are thinking, and the ability to separate themselves from their initial thought processes in an attempt to analyze and produce a more equitable outcome.<sup>7</sup> Critical thinking has been studied and applied in numerous occupational settings, including nursing, business, and investigations.<sup>8</sup> Philley applies the standards of critical thinking to incident investigations. Philley further describes critical thinking as thinking in a logical manner with conclusions derived from evidence and facts rather than from subjective sources. Philley iterates four steps to assist investigators in interjecting logical conclusions in their investigations. Those steps include: identifying causes which are credible and possible to have produced the outcome, evaluate or refute supporting evidence for the possible causes, identify when the necessity arises for

specific evidence to refute or support the possible cause, and select the cause most appropriate to the scenario.<sup>9</sup>

The outcome of structured critical thinking is “to prevent erroneous and premature conclusions, inaccurate assumptions, and inaccurate cause determinations.”<sup>10</sup> Another way of thinking about the results of critical thinking is that it produces in its user a greater level of self-regulation, “applying skills in analysis and evaluation to one’s own inferential judgments.”<sup>11</sup> This ability in self-regulation is also called metacognition.<sup>12</sup> This type of structured thinking has obvious benefits for investigators. The possibility exists for this structure to have greater influence and usefulness in police work than simply in investigations. Teaching these patterns of thought to new officers, specifically teaching them to apply critical thinking structure in regard to their own thought processes, in addition to investigative purposes, will afford officers more options to resolve difficult situations, and will lead to better interactions in multicultural situations.<sup>13</sup>

Every interaction between people of different cultures is an interaction of differences. These interactions are between two or more people who have not been exposed to the ideas, practices, and customs of the other. Law enforcement has the difficult task of bridging the gap between their culture and the culture they are presented. Self-regulation will facilitate these types of verbal transactions. Self-regulation is applying the cognitive skills of critical thinking toward inferential judgments. Critical thinking and its structure is the avenue through which an officer can accomplish self-regulation or metacognition.<sup>14</sup> By its nature then, self-regulation lends itself to equitable interaction with stimuli and between people who are different. Self-regulation also lends itself to equitable interaction with stimuli which is antithetical to the officer’s perception because it calls into question the officer’s self-interest and personal biases.<sup>15</sup> This means when an officer is presented with a situation in which his personal biases or self-interest may weigh on his decision he will have the ability to evaluate those thoughts and feelings and come to analyze the situation based on fact rather than subjective feeling.<sup>16</sup>

The main avenue of approach to learning in a great number of police academies is teacher-directed learning, learning in which knowledge is thought to be transferred from instructor to student.<sup>17</sup> This type of learning is not conducive to instilling critical thinking skills. The model of teacher directed learning may work for portions of law enforcement learning, like memorizing law or how to become proficient with a firearm, however to gain critical thinking skills and the ability of self regulation, an individual’s cognitive skills must be developed.<sup>18</sup> There have been attempts to introduce critical thinking skills into police academy training in the past. However, when studied these attempts have not been informed by academic research and as a result have drawn questions regarding their reliability.<sup>19</sup> The academic community has much to offer pertaining to the topic of critical thinking skills and the teaching method through which they are attained.<sup>20</sup> Their influence ought to be allowed to direct the process.

Critical thinking should be integrated into the curriculum of law enforcement training academies. Logic and reason are fundamental to the criminal justice system and a

firm grasp of their structure will assist law enforcement officers categorically in their careers.<sup>21</sup> The undertaking of adding critical thinking into law enforcement academy curriculum should be conducted in the same manner, as critical thinking would dictate. The implementation should be logical and reasonable, and attention should be paid to its efficacy. Engel argues introducing literature to the curriculum of criminal justice students will have an advantageous effect on their ability to think critically.<sup>22</sup> By teaching literature to students, they are required to reflect on the circumstances pertaining to victim, perpetrator, and familial characters. This activity garners an empathetic response from a greater number of aspects. The learner is required to contemplate, conclude, and produce justifications for their decisions relating to the characters involved. Engel concludes “The ability of our students to engage in critical thinking is enhanced when forced to reflect on and apply the research in the field in different ways.”<sup>23</sup> This type of teaching could be integrated into police academy training in addition to other law enforcement skills, which require a greater degree of teacher-directed learning.

A second avenue of approach for teaching critical thinking skills to police recruits is to incorporate it into the training on situational awareness many police officers already receive. Jeff Cooper developed a color scheme for situational awareness beginning with white, and proceeding through yellow, orange, and red. Each level corresponds to a greater degree of awareness to a volatile or dangerous situation.<sup>24</sup> This system is beneficial to officers because it not only instructs them on threat awareness, but how to think pertaining to situational awareness while on and off duty. Incorporating critical thinking and self-regulation into this system or a similar system could bridge the gap between academic thoughts of critical thinking and the line officer.<sup>25</sup> The cognitive skills, listed by Facione, which lead to greater critical thinking skills and greater self-regulation, could also be included in this curriculum. These cognitive skills include: interpretation, analysis, evaluation, inference, and explanation.<sup>26</sup>

We as a society look to police officers and expect them to enter a situation and know how to resolve it. A seasoned officer can seem almost superhuman in his/her ability to assess and resolve situations. We should not wait for the rigors of the job to produce critical thinking skills and self-regulation; we ought to invest them in young officers. Self-regulation derived from critical thinking skills are the ways we accomplish that goal and make that investment.

**COUNTERPOINT: William Rowe**  
**Critical Thinking May Not Be an Effective Approach to Cultural Diversity Training for Law Enforcement**

While it might be difficult to dispute that critical thinking is essential for enhancing an officer’s decision-making ability in a variety of law enforcement situations, the question becomes how effective this approach is when it comes to addressing diversity training. As previously discussed, critical thinking is defined as the ability for an individual to think about what it is they are thinking, why it is they are thinking what they are thinking, and the ability to separate themselves from their initial thought

processes in an attempt to analyze and produce a more equitable outcome.<sup>27</sup> The issue with this is if there is no practical knowledge of a subject, the information that is applied by the individual to analyze the problem is faulted from the beginning.

While students can obtain knowledge of a particular culture, or ethnic group, through studies in a classroom setting, can they truly develop an understanding of other cultures without having truly immersed in it? Can the middle-class Caucasian from suburbia attend a police academy and then be expected to have a clear understanding of a lower-income minority community, which they have had no previous exposure to, and police it effectively? Typically it is not about the new officer lacking the desire to make a difference; rather, they do not have a proper understanding or the experience with the communities they serve.

Justice Scalia has been identified as a great critical thinker. When the Supreme Court was addressing arguments on affirmative action, Justice Scalia's comments spurred an enormous amount of controversy. Scalia had questioned whether minority students could achieve their highest potential in top-ranked universities and perhaps would excel better in lower-ranked universities where there would be fewer pressures.<sup>28</sup> Observers could look at this situation and question how such a great critical thinker could arrive at such a conclusion. Justice Scalia was one of the greatest legal minds of our times; however, it seemed that he truly lacked an understanding of many minorities' situations, possibly due to not relating to minorities issues.

Perhaps a solution for improving community relations, in respect to diversity, is to hire officers that best represent the communities they serve. Throughout the United States the racial composition of local police forces severely mismatch the demographics of the communities they serve.<sup>29</sup> If law enforcement were to seek out applicants who best represent the demographics of the community that it is serving, this could provide a logical solution to the diversity issue. This solution does not come completely without difficulties. Many smaller departments have had issues with attracting qualified officers who represent the demographics of the community due to competition from larger surrounding agencies who have more to offer these new recruits.<sup>30</sup>

The purpose of community-oriented policing is to form a partnership between the police and the communities they serve. While improving police diversity training with critical thinking for officers could possibly help bridge the gap of cultural difference, educating the public on police procedures and practices has been greatly overlooked in this endeavor. The purpose of diversity training is to help two groups find some common understanding and respect for each other. Providing training for only side of the issue can be an uphill battle. It would stand to reason that to accomplish this goal of mutual understanding, providing training for all groups involved would clearly have better results. Finding a way to educate communities on police procedures is a difficult task as well. In Lima, Ohio the local police department attempted to help educate local residents on how to react to law enforcement during encounters with four televised public service announcements. PSAs aired over three months. While these PSAs did not have any negative effects on community-police relations, they did not have any positive effects

either.<sup>31</sup> While educating the public is important, the method of how this is accomplished is paramount.

To truly make a difference, law enforcement needs to understand and respect those they serve. Law enforcement needs to simply see the people they serve. The ‘seeing,’ however, needs to flow in both directions. Citizens also need to really see the men and women of law enforcement. They need to see what police see through the windshields of their squad cars, or as they walk down the street. They need to see the risks and dangers law enforcement officers encounter on a typical late-night shift. They need to understand the difficult and frightening work they do to keep us safe. They need to give them the space and respect to do their work, well and properly.<sup>32</sup>

Critical thinking alone cannot solve the problem of understanding other cultures. The goal should be to achieve a better understanding of each other resulting in a change in behavior. This change can only occur through experience and exposure. This issue is more than learning a series of particular facts and circumstances of a particular group in a classroom setting; rather, it is about changing one’s belief system. CNN produced a story about a high school girl, Amanda Shaffer, and her experiences of going to a predominately black high school. At first she was uneasy and unsure of what to say in fear of offending someone. Over time she grew to understand her fellow classmates, her perspective changed due to being immersed into the black culture. “It shifted my point of view,” Shaffer says. ‘It’s like when you go to the optometrist, and they slap those new lenses on you -- you see the world differently.’<sup>33</sup>

In order to help solve the problems of better understanding those who are different from what is comfortably familiar, perhaps opening their eyes so they can see clearer could possibly add clarity. Clarity and understanding should be a two-way street with both law enforcement and the communities they serve opening their eyes and truly trying to understand each other’s perspective. Sitting in a classroom and learning about a particular culture while utilizing critical thinking skills is not enough to solve this problem alone. Experience, exposure, and education are the key elements to help break down barriers and provide a better understanding for all.

## **Conclusion**

With the growth of multiculturalism in America, a law enforcement officer’s role is changing into a problem solver with their communities. Education provided at the academies must reflect this evolution. The paramilitary and tactical approach to law enforcement training is outdated. Law enforcement should be educated in critical thinking and problem solving skills geared towards improved decision making and professional self-regulation. This education should begin in the academy before a new officer’s professional outreach into the community and continue in annual education until an officer’s retirement. Although critical thinking and problem-based education may not resolve all conflict, incorporating this type of education into the law enforcement curriculum may arguably aid in de-escalation and conflict resolution. Teaching officers to question assumptions and biases and to find multiple solutions to the problems they face

on a daily basis benefits both the law enforcement officer and the community that they serve.

## ENDNOTES

- 
- <sup>1</sup> D. Hudson, *Building Trust between Communities and Local Police*, <http://www.whitehouse.gov/blog/2014/12/01/building-trust-between-communities-and-local-police>, accessed December 1, 2014.
- <sup>2</sup> R.F. Vodde, *Andragogical Instruction for Effective Police Training* (Amherst, NY: Cambria, 2009).
- <sup>3</sup> A. Safi and D. Burnell, "Developing Critical Thinking Leadership Skills in Homeland Security Professionals, Law Enforcement Agents and Intelligence Analysts" *Homeland Defense Journal* 5 (6, 1999).
- <sup>4</sup> M Hickman and B. Reaves, *Local Police Departments* (Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 2006).
- <sup>5</sup> Vodde.
- <sup>6</sup> D. Diamond and M. Weiss, *Community Policing Looking Towards Tomorrow*, <http://ric-zai-inc.com/ric.php?page=detail&id=COPS-W0520>, 2009.
- <sup>7</sup> J. Philley, "Critical Thinking Concepts" *Professional Safety* 50 (3, 2005): 26-32.
- <sup>8</sup> K. Shin, D.Y. Jung, S. Shin, and M.S. Kim, "Critical Thinking Dispositions and Skills of Senior Nursing Students in Associate, Baccalaureate, and RN-to BSN Programs" *Journal of Nursing Education* June 45 (6, 2006): 233-7; N.M. Braun, "Critical Thinking in the Business Curriculum" *Journal of Education for Business* 79 (4, 2004): 232-6; and Philley.
- <sup>9</sup> Ibid.
- <sup>10</sup> Ibid., 27.
- <sup>11</sup> P.A. Facione, *Critical Thinking: What it is and Why it Counts*, 7<sup>th</sup> Ed. (Hermosa Beach, C.A.: Measured Reasons, 2015), 7.
- <sup>12</sup> A.E. Woolfolk, *Educational Psychology*, 10<sup>th</sup> Ed (Boston: Allyn Bacon Publisher, 2007); I.A. Lubin and X. Ge, "Investigating the Influence of a LEAPS Model on Preservice Teachers' Problem Solving, Metacognition, and Motivation in an Educational Technology Course" *Educational Technology, Research and Development* 60 (2, 2012), 239-70.
- <sup>13</sup> Philley; Facione.
- <sup>14</sup> Ibid.
- <sup>15</sup> Ibid.
- <sup>16</sup> Ibid.
- <sup>17</sup> M.R. McCoy, *Blackboards and Badges: Teaching Style in Law Enforcement Education and Training in Oklahoma* (Doctoral dissertation, 2000), <http://search.proquest.com.ezproxysaintleo.edu/docview/304656738?accountid=4870>; D. Jonassen, "Designing Constructivist Learning Environments," In *Instructional Design Theories and Models: A New Paradigm of Instructional Theory*, vol. ii, edited by Charles Reigeluth (New York: Routledge, 1999), 215-239.

- 
- <sup>18</sup> Facione; B.A. Barker, *Higher Order, Critical Thinking Skills in National Policy Academy Course Development* (Doctoral dissertation, 2011), <http://search.proquest.com.ezproxy.saintleo.edu/docview/893842919?accountid=4870>.
- <sup>19</sup> Ibid.
- <sup>20</sup> Jonassen; McCoy; Facione; Barker.
- <sup>21</sup> Ibid.
- <sup>22</sup> S.T. Engel, “Teaching Literature in the Criminal Justice Curriculum” *Journal of Criminal Justice Education* 14 (2 2003): 345-54.
- <sup>23</sup> Ibid.
- <sup>24</sup> R. Fairburn, *Cooper’s Colors: A Simple System for Situational Awareness*, <http://www.policeone.com/police-trainers/articles/2188253-Coopers-colors-a-simple-system-for-situational-awareness/>.
- <sup>25</sup> Ibid.
- <sup>26</sup> Facione.
- <sup>27</sup> Philley.
- <sup>28</sup> A.A. Hartocollis, “With Remarks in Affirmative Action Case, Scalia Steps into a ‘Mismatch’ Debate” *The New York Times*, December 10, 2015.
- <sup>29</sup> U.S. Department of Justice Civil Rights Division office of Justice Programs, *Diversity in Law Enforcement: A Literature Review* (Washington, D.C.: Government Printing Office, 2015).
- <sup>30</sup> A.A. Pearsall III, “Strategies to Improve Recruitment” *The Police Chief* LXXVII (4, April 2010).
- <sup>31</sup> M.B. Chamlin and C.R. Stormann, *Educating the Public about the Police: The Lima PSA Project, Final Report* (181083) (Washington, D.C.: Government Printing Office, 2000).
- <sup>32</sup> J.B. Comey, *Hard Truths: Law Enforcement and Race*, <http://www.fbi.gov/news/speeches/hard-truths-law-enforcement-and-race>.
- <sup>33</sup> J. Blake, “When you’re the only white person in the room” September 11, 2014, <http://www.cnn.com/2014/09/11/us/white-minority/>.