Editor's Note: This commentary and the two following were written at the invitation of the Editor. The authors were invited specifically to critique, or use as a stimulus, an article that appeared in the *New York Times Magazine* (June 20, 1999). The article, entitled "The Color of Suspicion" and authored by Jeffrey Goldberg, was an analysis of the practice that has come to be commonly known as racial profiling, articulated by Goldberg as "the stopping and searching of blacks because they are black." The activity has led to a major debate about the place of such a practice in law enforcement and, by extension, has raised questions about the tainting by racism of the myriad rituals associated with the arrest, trial, and disposition of offenders. In his insightful piece, Goldberg raises other profound questions about the use of race as an indicator of specific qualities. We might ask ourselves, do forensic psychiatrists ever use racial characteristics to reach conclusions in their argumentation?

Some Reflections on Racial Profiling

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Racial profiling has a statistical origin, at least in part. Goldberg's article[1] summarized the following statistics. Black males, who represent 12% of the total U.S. population, accounted for 58% of all car-jackings in 1992-1996 with whites held responsible for only 19%. Black males age 14 to 24, 1.1% of the U.S. population, committed 28% of its homicides—usually killing black persons in their own communities.[1]

Other workers have provided us with useful information in a context somewhat defined by race. Griffith and Bell,[2] in 1989, reviewed the data on suicide among African Americans and black-on-black homicide. In an earlier book published in 1980, Poussaint[3] addressed the psychosocial context as well as societal factors that contributed to black-on-black homicide. Bell and colleagues,[4–7] over the past 10 years, have focused upon mental health initiatives to decrease violent crimes in the black community in Chicago, including a gun amnesty program. The psychiatric sequelae for children and adults of drive-by shootings precipitated by drug-related activities have only begun to receive attention through the work of Earls and his co-investigators.[8]

Statistical profiling is based on the fact that in 100 instances, at least 51 or more times, a specific fact is observed. There remain 49 or less times in which there is at least one other observation. Although communities that are composed predominately of minority (non-white) persons are more likely in 100 instances to be classified as lower socioeconomic, to have poor resources, and to be perceived as not carrying "political clout," a significant number of middle-class and upper-class minority communities exist across the nation and demand effective represen-

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tation from their elected officials. An unkempt, white male wearing baggy clothes walking in an affluent, African-American neighborhood in Atlanta, GA is as likely to be reported to the local police as an unkempt, black male with Rastafari braids, walking the streets in Scarsdale, NY. Both communities are practicing an alternative form of racial profiling based upon the residents' knowledge of who lives in their community, the community's dress code, and the probabilities of an individual being involved in some capacity (resident, worker, tutor, visitor) in the community.

When forensic psychiatrists complete an evaluation of a defendant, their knowledge of profiles of persons who complete specific crimes,[1,9] of the epidemiology of psychiatric disorders, the frequency of various patterns of the presence of dual disorders, and their clinical experience all influence the scope of the evaluation and the eventual recommendation. An examining forensic psychiatrist is unlikely to pursue an extensive exploration for the presence of paraphilia in a 40-year-old Asian female with schizophrenic illness who has been arrested for assaulting a woman she believed was persecuting her. Such an exploration is less likely, based on what is known of the characteristics of persons usually involved in such crimes,[10] as well as the forensic psychiatrist's knowledge of the probability of violence among persons with paranoid schizophrenia.[11] The statistical probability of paraphilia in such a patient is considerably lower, based also on what we know of persons with paraphilic disorders.[10] Racial profiling is therefore a component of our national fabric.

As several police officials in different states said in the *New York Times Magazine* article, race is one of several factors they consider in their work. Given that profiling is predicated on the probability that in 100 instances of a given crime a specific observation about the race of the perpetrator will be made, the need to address the remaining number of instances when such an observation is not made is crucial. Sensitivity training about cultural issues continues to be an important component of police work, but the need to demystify statistical profiling is equally important. An African-American male, driving at night with a litter of fast food in his car, could be anyone's son returning from college for a weekend at home.

A chilling aspect of the *New York Times Magazine* article was the absence of recognition by white *and* black officers interviewed that they slipped into using race exclusively as the initial reason for stopping an individual and then identifying other justifications. Although the chiefs of police of several major cities were clear in emphasizing a composite profile including several characteristics, the front line officers too frequently focused upon race and gender. Any African-American male, including police officers, may be stopped by local or state police because of his race. I found it ominous that an African-American police officer avoided the New Jersey State Police who patrolled the New Jersey Interstate Highway. If the police officers, who understand the system, are afraid of a

violent arrest, then what should be the response of other citizens? The hesitant acknowledgment by one white police officer that a middle-class, white suburban community would not be subjected to the same aggressive stop-and-search policing that is implemented in several black communities across the country suggested a dual standard of policing.

In the 1940s, African-American parents warned their sons about specific ways to avoid being lynched. In the 1990s, parents of African-American and Hispanic-American young men need to warn them how to handle being stopped by "aggressive policing" officers who may stop them because of the color or their skin and may be anticipating resistance. A person of color who "has done all the right things" to realize the American dream[1] may be shot because he moved too quickly or too slowly for a given police officer.

Although the probabilities of facing someone who is an addict or a drug dealer is greater in certain communities, responsible working parents also live in those communities and send their children to troubled schools. Helping officers to differentiate between law-abiding citizens and potential arrestees may require more than sensitivity training. Increasing the number of minority officers who look at residents and see persons who could be their relatives (aunts, uncles, or neighbors) may help. The need to address the possibility of chronic stress resulting in posttraumatic stress disorder or other psychiatric illnesses among police officers also needs to be acknowledged.

Police officers who are assigned to school patrol in the major cities in the 1990s, as contrasted with the 1960s, face the risk of death. Today these officers must address the management of substance-induced violence and gang fights among students as well as the need to intervene in unexpected assaults with a deadly weapon of one student upon another.

The need to address the effect on a police officer of witnessing repeated violence and being on "red alert" through most tours of duty, as well as the impact of departmental investigations, needs to be acknowledged and dealt with. There remain few positions in law enforcement that are not associated with the need to remain hyper-vigilant to the prevention or containment of violence. Understanding the toll of chronic hyper-vigilance upon judgment, decision-making, and reaction times are crucial, but psychiatric and psychological evaluations are not usually welcomed by city and state police departments because of a perceived stigma.

As with most things, there are no easy answers to the use of statistical profiles of criminals. What is important is to begin to address the areas that need further exploration and action. The firing of the Superintendent of the New Jersey State Police by that state's governor made a statement that racial profiling would not be accepted as the sole criterion for police action.[1] In the *New York Times Magazine* article, African-American Police Chief Bernie Parks of Los Angeles emphasized that the commission of crimes by black males was a reality reflected in the statistics developed from crime reports. Ben Ward, the first black Police Commis-

sioner of New York City, emphasized the need for African-American communities to become less tolerant of crime. Communities with high rates of crime have some responsibilities to identify criminals, because law-abiding citizens live there also. Although "the bad guys get the press," the initiation of "safe block" programs and criminal hot-lines to anonymously identify community residents who are drug dealers, assailants, and criminals would aid the local police as well as empower community residents to "fight back against the bad elements in the community."

References

1. Goldberg J: The color of suspicion. New York Times Magazine, June 20, 1999, p 49
2. Griffith EEH, Bell CC: Recent trends in suicide and homicide among blacks. JAMA 262: 2265–9, 1989
3. Poussaint AF: Why Blacks Kill Blacks. New York: Emerson Hall, 1972
4. Bell CC: Pimping the African-American community. Hosp Community Psychiatry 45:711–13, 1994
5. Jenkins EJ, Bell CC: Adolescent violence: can it be curbed? Adolesc Med 3:71–86, 1992
6. Bell CC: Community violence: causes, prevention, and intervention. J Nat Med Assoc 89:657–662, 1997
7. Bell CC, Clark DC: Adolescent suicide. Pediatr Clin North Am 45:365–80, 1998
8. Earls F: Adolescent violence and the community. Solomon Carter Fuller Award Lecture, presented at the 150th Annual Meeting of the American Psychiatric Association, San Diego, CA, May 1997
9. Hempel AG, Meloy JR, Richards TC: Offender and offense characteristics of a nonrandom sample of mass murders. J Am Acad Psychiatry Law 27:213–25, 1999
10. Zonana J, Abel G, Bradford J, *et al*: Dangerous sex offenders: A Task Force Report of the American Psychiatric Association. Washington, DC: APA, 1999