



February 23, 2023

Dear Justice Mokgoro, Dr. Keesee, and Professor Méndez:

On behalf of the Society for the Psychological Study of Social Issues (SPSSI) and the American Psychological Association (APA), we are pleased to submit this response to the recent **“Call for Inputs on the Upcoming Country Visits to the United States of America by the United Nations International Independent Expert Mechanism to Advance Racial Justice and Equality in the Context of Law Enforcement,”** (herein referred to as the Expert Mechanism). Our organizations are committed to addressing systemic racism, including law enforcement officers’ excessive use of force against Africans and people of African descent.¹ Our comments will explain the psychological dynamics underlying racism; provide several psychological reasons for law enforcement officers’ disproportionate use of force; describe the individual and communal consequences of a disproportionate use of force; and conclude with policy recommendations regarding training, community policing, mental health, data collection, reporting procedures, organizational partnerships, and oversight.

SPSSI and APA are professional organizations representing psychological science and practice. They consist of clinicians, researchers, statisticians, educators, consultants, and students across the U.S. and around the world. Both are Non-Governmental Organizations (NGOs) having consultative status with the United Nations Economic and Social Council (ECOSOC) and association with the Department of Global Communications (DGC). SPSSI and APA have active teams of volunteer psychologists advocating at the United Nations (UN) headquarters in New York. APA also collaborates with the European Federation of Psychologists’ Associations and the Federation of Swiss Psychologists to support a team of volunteer psychology advocates in Geneva.

SPSSI recently celebrated 75 years of engagement with the UN. Beginning in 1954 in collaboration with UNESCO, SPSSI has engaged in a number of issues including ongoing efforts to combat systemic racism and racial, ethnic, and related forms of discrimination. More recent efforts include a SPSSI-initiated anti-racism campaign, which began in September 2020, and involved partnering with Missions to the UN from Costa Rica, Mexico, and South Africa, and with over 100 NGOs and Civil Society Organizations to address systemic racism embedded in the Sustainable Development Goals. In collaboration with UN Mission Co-Sponsors and APA, SPSSI hosted [side events](#) at two High-Level Political Fora on this issue, as well as a [side event](#) at the first Permanent Forum on People of African Descent in Geneva in December 2022. SPSSI also submitted a [written statement](#) to the Commission on Crime Prevention and Criminal Justice in May 2021, addressing the excessive use of force by law enforcement.

APA has also demonstrated its commitment to opposing systemic racism, including the excessive use of force by law enforcement. APA has [many resources](#) expressing its commitment to addressing systemic racism, including a Resolution passed by our governing Council of Representatives on [“Psychology’s role in addressing the impact of, and change required with, police use of excessive force against people of color and other marginalized communities in the United States”](#) (American Psychological Association, 2022). APA responded to the 2022 call for input by the Office of the High Commissioner for Human Rights on law enforcement officers’

¹ In this document we will use the more commonly recognized term in the United States, “African Americans.”

use of force against people of African descent, and were gratified that [our feedback](#) was cited in the [High Commissioner's report](#) to the Human Rights Council.

Our two organizations welcome the opportunity to address the psychological dynamics underlying systemic racism and the disproportionate use of force by law enforcement officers against African Americans, as well as promising mechanisms to improve policing practices and accountability.²

Psychological dynamics underlying systemic racism.

Racism is not limited to thoughts, feelings, and behaviors held by individuals, but includes structural factors that have undermined elements at every level of U.S. society, including our values; laws; educational, health, and justice systems; and social customs. It has weakened our political and civic institutions and created political and social fissures. (Anderson, 2016; Helms, 2017, 2020; Liu et al., 2019). APA's 2021 Resolution on harnessing psychology to combat racism conceptualizes four distinct levels of racism, all of which potentially influence law enforcement's excessive use of force:

- *Structural racism* results from laws, policies, and practices that produce cumulative, durable, and race-based inequalities, and includes the failure to correct previous laws and practices that were explicitly racist (Yearby et al., 2020).
- *Institutional racism* results from policies, practices, and procedures of institutions—such as schools, health care, law enforcement, and criminal justice systems—that marginalize diverse racial groups (APA Multicultural Guidelines, 2017; Kovera, 2019; Yearby et al., 2020).
- *Interpersonal racism* occurs when persons from socially and politically dominant racial groups behave in ways that diminish and harm people identified with disenfranchised and marginalized groups. Interpersonal racism is therefore distinct from bigotry (negative attitudes about an outgroup, not necessarily tied to race) or prejudice (a preconceived opinion that is not based on reason or actual experience; APA, 2019; Yearby et al., 2020).
- *Internalized racism* refers to the acceptance by diverse racial populations of the negative societal beliefs and stereotypes about themselves—including about complexion and color (i.e., colorism) that reinforce the superiority of Whites and can lead to the perception of themselves as devalued, worthless, and powerless (Jones, 2001). For example, following centuries of European colonization and/or domination, some African Americans may act out biased attitudes and behaviors, whereby lighter-skinned African Americans assume the psychological demeanor of the dominant White group (APA, 2021).

The United Nations Office on Drugs and Crime (2017) notes that law enforcement agencies tend to share the values, attitudes, and stereotypes of their society, formed, and reinforced, in part, by a lack of interaction and contact with different ethnic groups. Psychological research confirms these observations in Western countries (e.g., France, United States) as well as developing nations (e.g., India, South Africa; Blaisdell et al., 2015; Body-Gendrot & de Wenden, 2003; Hakeem et al., 2012; Jacobs, 2017). These findings have shown for over 70 years that interracial experiences could disrupt this pattern, leading to “mutual understanding and regard” (Lett, 1945; Pettigrew & Tropp, 2006). Positive intergroup contact – for example between police and minority community members – is one strategy that can reduce bias and build empathy between groups (Pettigrew &

² We note that other groups in the United States also experience systemic racism and disproportionate use of force, but these comments will be restricted to the experiences of African Americans to specifically address the mandate of the Expert Mechanism.

Tropp, 2006). But when groups are isolated from each other, “prejudice and conflict grow like a disease” (Brameld, 1946).

Psychological factors contribute to and result from disproportionate use of force by police officers against people of African descent.

There is a disproportionate use of force

Disparities in the use of excessive force by police have received significant global attention since the murder of George Floyd on 25 May 2020 and Tyre Nichols on 10 January 2023 in the United States. These events served as catalysts for renewed national and global protests against systemic racism, arising from a long history of worldwide police brutality towards minoritized racial, ethnic, religious, and other vulnerable groups.

Given the ongoing history of racism in the US, it is unsurprising that racial disparities extend to the criminal justice system, including policing. When an officer’s values are rooted in society’s values, they influence quick decision making, especially in ambiguous situations (Greenwald et al., 2009). African Americans and other marginalized racial/ethnic groups are stopped by police more often than White Americans (Harris, 1999; U.S. Government Accountability Office, 2000; Wordes et al., 1994) and treated unfairly (Cervantes et al., 1989; Jackson & Volckens, 1998; Norris, 1992; Vrana & Rollock, 1996). Additionally, findings suggest that many police officers speak less respectfully to African Americans than to Whites during everyday traffic stops, even after controlling for the officer’s race, infraction severity, stop location, and stop outcome (Voight et al., 2017).

Finally, police officers are likely to be more lenient with and use less force when stopping White versus African American suspects for suspected illegal behavior ranging from relatively minor (e.g., traffic infractions) to more severe (e.g., threatened or actual violence) violations (Kovera, 2019).

Why is there a disproportionate use of force?

Psychological science findings suggest that some disparities may be the result of implicit or explicit racial bias - that affects our understanding, actions, and decisions often in an unconscious manner (Eberhardt, et al., 2004). Implicit biases are beliefs (stereotypes) and feelings (prejudices) that are activated without intent or control and are often outside of conscious awareness or with limited conscious control (Amodio & Devine, 2006). There is substantial research demonstrating that even well-intentioned individuals, who consider themselves non-prejudiced, have unconscious biases (Dovidio et al., 2010). These biases can predispose people—potentially including police officers—to more aggressive responses against African Americans, especially under conditions of threat, physical and cognitive challenges, and lack of familiarity.

Excessive force can perpetuate itself. Disparities in force damage law enforcement’s credibility and legitimacy leading to a loss of public trust, which impairs officers’ ability to enforce the law (Kumssa, 2015; Williams, 2002). Findings suggest that officers who expect to be met with disrespect will use more force when interacting with African Americans (Kahn & Martin, 2016). Likewise, when officers are concerned with being stereotyped as prejudiced, their confidence in their power to enforce the law decreases and they are more likely to employ excessive force (Trinkner et al., 2019).

Finally, studies have documented “shooter-bias” related to the strength of a person’s association between Black versus White individuals and weapons (Glaser & Knowles, 2008). These studies demonstrate that when simply viewing an African American man’s face, people (including police officers) were more likely to “perceive” a gun that was not actually there (Eberhardt et al., 2004). Other findings reveal that in simulations, people are faster to “shoot” African American men holding guns than White men holding guns and more likely to erroneously “shoot” unarmed African American than White men (Correll et al., 2002).

What are the psychological consequences of a disproportionate use of force?

Findings indicate that African Americans are more likely than their White counterparts to report stress resulting from encounters with police officers (e.g., Gellar et al., 2014). For example, neighborhood-level frisks and use of force were linked to higher levels of psychological distress among men living in these neighborhoods (Sewell et al., 2016) and police stops predict youth school disengagement (Del Toro, Jackson, & Wang, 2022). African Americans who experience police brutality suffer not only heightened generalized psychological distress but also heightened vigilance, for example, anticipation of insults and increased attentiveness to what they say, do, and wear (Alang, et al., 2022). Even absent physical violence, several studies have shown that stops by law enforcement officers that are perceived as unwarranted, discriminatory, or invasive were associated with adverse mental health outcomes, including anxiety, depression, and Post Traumatic Stress Disorder (DeVylder et al., 2017; Gellar et al., 2014), as well as future delinquent behavior (Del Toro et al., 2019).

Additional findings suggest an association between police killings of African American adults and subsequent poor mental health among African American adults living in the same state (Bor et al., 2018). Indirect exposure through the media to racism-based police use of force was associated with lower self-esteem as well as higher depression, hypervigilance (e.g., trouble sleeping), and physical symptoms (e.g., poor appetite) among African American young adults (Motley et al., 2022).

Recommendations for promising practices and mechanisms based upon findings from psychological science.

Based on our review of the research, and the research evidence and recommendations detailed in APA's 2022 policing resolution, we have identified several promising practices to reduce police use of force against African Americans.

- 1. Base law enforcement work upon a foundation of respecting, protecting, and fulfilling human rights.** Law enforcement agencies should:
 - Regularly ensure that their policies and practices adhere to a culture of respect for the human dignity and rights of everyone, without distinctions based on race, ethnicity, or other status.
 - Require the revision of explicit or implicit police department policies, general orders, or directives that legitimize the inappropriate and/or discriminatory use of force.
- 2. Improve training procedures.** Law enforcement agencies should:
 - Increase training of police officers on topics such as emotional self-regulation, de-escalation, conflict management, and communication principles.
 - Train police officers to actively intervene when a fellow officer takes an excessive action.
- 3. Emphasize the need for community policing to increase cooperation, partnership, and trust between communities and law enforcement agencies.** Law enforcement agencies should:
 - Partner with local communities to develop policies and practices that provide for community-focused policing consistent with community expectations, explore strategies for collective policing, and engage in collaborative problem solving with citizen groups and panels.
 - Employ evidence-based strategies that increase positive contact between law enforcement and minority communities, facilitate a variety of non-enforcement interactions, and build empathy between groups.
 - Recruit and hire personnel from within the communities they serve.

4. **Develop partnerships with other organizations.** Law enforcement agencies should:
 - Establish multidisciplinary teams including staff from mental health and human services organizations to protect police officers' and community members' health and safety and equip police officers with the tools and resources to de-escalate threats.
 - Partner with social scientists, NGOs, and academic institutions to evaluate the effectiveness of policing policies and practices.
5. **Increase investments in mental health supports.** Law enforcement agencies should:
 - Hire more mental health professionals to support police officers.
 - Invest in crisis intervention teams, mental health response teams, and other community-based human services to support people with behavioral health treatment needs.
 - Explore adding referral networks in communities to assist in dealing with individuals in crisis.
6. **Strengthen data collection and bolster research.** Law enforcement agencies should investigate:
 - Assessment tools to improve recruitment and selection.
 - Interventions to reduce explicit and implicit bias.
 - Strategies to encourage interventions when witnessing excessive use of force.
 - Approaches to encourage restorative justice techniques bringing together law enforcement personnel and members of minority communities to share their experiences of police enforcement procedures, aiming for recognition, restitution, and apologies for disparate treatment.
7. **Improve reporting procedures.** Law enforcement agencies should:
 - Adopt policies that incentivize and require the collection of valid and reliable data on the use of force continuum, including data on stops and searches, uses of force, officer involved shootings, or other police actions, disaggregated by situational factors and demographics.
8. **Ensure independent oversight.** Law enforcement agencies should:
 - Be supported by robust and genuinely independent entities, such as civilian police complaint boards, to investigate police uses of force resulting in injury, death, or disability.

We appreciate the opportunity to provide input to inform your important visit to the United States. Our Associations would welcome the opportunity to meet with you to further discuss these issues. Please contact Gabriel Twose, PhD (gtwose@apa.org) or Deborah Fish Ragin, PhD (ragind@mail.montclair.edu) if we may answer any questions.

Sincerely,



Anila Balkissoon
Executive Director
Society for the Psychological Study of Social Issues



Jaime L. Diaz-Granados, PhD
Deputy Chief Executive Officer
American Psychological Association