

Increasing Diversity is More than Good Public Relations: How the FBI can increase the number of black Americans working in the Special Agent job role

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This research paper, written by the author during the Academic Year 2021-2022, was prepared in partial completion of the requirements of the Counterterrorism and Public Policy Fellowship Program at the Sanford School of Public Policy at Duke University. The research, analysis, and policy alternatives and recommendations contained in this paper are the work of the Fellow and do not represent the official or unofficial views of the Sanford School of Public Policy. Additionally, the views expressed herein are those of the author and do not necessarily reflect the official policy or position of the Department of Justice, the Federal Bureau of Investigation, or the U.S. Government.

ABSTRACT

As America's leading law enforcement agency, the Federal Bureau of Investigation (FBI) has a responsibility to reflect the demographic makeup of the United States. The agency must lead by example and actively recruit and hire persons who reflect the racial, ethnic and linguistic diversity of the U.S. This is not an easy task, and it has been made more difficult by historic missteps. However, by actively engaging diverse communities and reviewing and modifying dated guidelines, the FBI can increase diversity recruitment and hiring and reverse the almost 8% decline it experienced in black special agents between 2001 and 2021

INTRODUCTION

To accomplish its law enforcement and intelligence missions, the Federal Bureau of Investigation (FBI) seeks individuals from diverse backgrounds, experiences and expertise to work as special agents. However, despite concerted efforts and a stated goal to increase overall diversity recruitment, the number, specifically, of blacks successfully recruited and hired as agents has decreased and is not proportional to their representation as part of the population in the United States. The FBI could, through a series of changes to policy and procedure, increase its recruitment and subsequent hiring of blacks to the special agent job role.

Different from other job roles (for example, intelligence analyst, electronics technician, or laboratory specialist) the special agent is the FBI employee with the greatest in-person interaction with the U.S. public and other law enforcement professionals to conduct investigations, and to gather information and intelligence. It is critical for FBI agents to be representative of the diverse U.S. population, and thus incumbent upon the FBI to improve its recruitment and hiring of black special agents as part of working toward this goal. While this paper focuses on hiring of black Americans as special agents, future research could be done on ways to improve recruitment of individuals who identify as American Indian or Alaska Native, Asian, Hispanic or Latino, Native Hawaiian or Pacific Islander and mixed race as the FBI strives to achieve increased diversity.

This paper will analyze the history and current state of the FBI's efforts to increase employee diversity through case studies. Through case studies and findings, this paper will make recommendations for ways the FBI could increase its recruitment of the next generation of black special agents.

THE PAST

The FBI (1908-present) is the premier law enforcement and domestic intelligence agency of the United States. It is charged with protecting the United States and its citizens from traditional crime, cyber-crimes, national security threats, and international and domestic terrorism. In order to meet these objectives, the FBI employs special agents, intelligence analysts, scientists, technicians and other professionals.

The first special agents were law enforcement professionals who transitioned directly into the FBI's predecessor agency – the Bureau of Investigation (BOI) – and immediately began working. The segregated American landscape of the early 20th century meant white men were the backbone of the BOI and subsequently the FBI for many years.

While white males were the majority of the special agents, the FBI did hire a handful of black males to the job role at the close of World War I, including James Wormley Jones, in 1919. Jones served many years as a D.C. police officer and a captain in the U.S. Army where he developed extensive knowledge of explosives and bomb making before joining the FBI.

(Intel.gov, 2021) He is considered to be the first black male special agent and worked exclusively in an undercover capacity using his extensive knowledge of bombs and explosives in support of the FBI's anti-terrorist mission. (FBI, 2011)

Like Jones, the other black agents hired in the early 1920s worked as “undercovers” or in a covert capacity. These men were successful in advancing the FBI's investigations into the nation's burgeoning black nationalist movement and terrorist bombings of the era. (FBI, 2011) These men were able to successfully infiltrate, investigate and arrest Marcus Garvey and others on charges of mail fraud in 1923. While white agents could have successfully investigated and

arrested Garvey, they would have been unable to gain his trust and learn the inner workings of his organization.

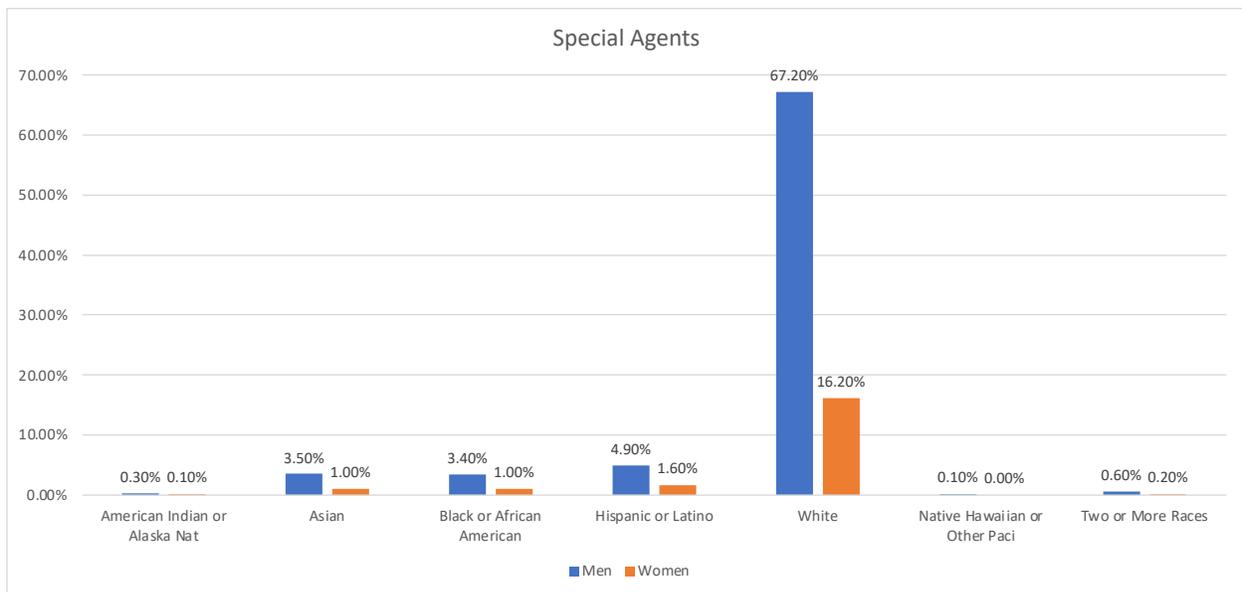
In 1962, Aubrey Lewis and James Barrow were the first black men to be accepted into and complete training at the FBI Academy. (FBI, 2011) During an interview at the time of their appointment, former Director J. Edgar Hoover said, “we want college trained men of principle and integrity, and race is no factor.” (Booker, 1962) During that same interview, Director Hoover provided several instances where black and white agents worked together to bring cases to conclusion and where black agents were specifically successful in working within a close-knit black community in Miami which was impenetrable to white agents. (Booker, 1962)

In the spring of 1972, just after Director Hoover’s death and shortly before the passage of Title IX of the Civil Rights Act in 1972, acting Director L. Patrick Gray announced the FBI would accept female applicants to the special agent position. (FBI, 2012) During his tenure, Mr. Hoover believed only men could serve in the agent position. (Intel.gov, 2022) He, was not, however, averse to employing women in other areas of the organization. In fact, one of the first two white women to enter the training academy in the summer of 1972 was already employed by the FBI as a researcher. (FBI, 2012) In 1976, they were followed by Sylvia Mathis the first black female to graduate training and be sworn-in as an agent; she was the only black women in her training class. (FBI, 2019)

TODAY

As of 2021, the percentage of black male and female agents accounted for 4.4% of all special agent personnel working across the FBI’s 56 field offices, headquarters and various overseas assignments. (FBI, 2021) It should be noted that, per the 2020 U.S. Census, 41.1 million people or 12.4% of United States residents identified as black or African American.

As shown in the graphic below, the percentage of all agents who identify as non-white is generally low.



In a 2016 diversity recruitment speech, former Director James B. Comey told the audience that currently “eighty-three percent of the FBI’s special agents are white.” He described this increasing homogeneity as a crisis and stated, “It’s a huge problem ... because I worry about the effectiveness of the FBI.” He continued by stating, “We’re obviously less effective because we have to operate in communities that are increasingly diverse.” (Comey, 2016)

Similar to the black population, the population of Hispanic or Latino identified agents is not in proportion to their representation in the overall U.S. population. According to the 2020 Census, the number of Hispanic or Latino identified Americans is 62.1 million or 18.7% of the U.S. population. While the author believes the percentage of all non-white agents should reach parity with their share of the U.S. population, this paper focuses on black agents because the percentage dropped from 12% in 2001 (Lichtblau, 2001) to 4.4% in 2021 in direct opposition to the FBI's recruitment goals.

Regarding the low number of applicants from the black community, former Director Comey stated, "The history of the Bureau's interaction during the 1950s and 60s, especially with black Americans is decidedly mixed... We were slow getting off the bench to get in the game to destroy the Ku Klux Klan. During the 1960s, we tried intentionally to destroy Martin Luther King. That's our history." That history and an effort to improve upon it led Director Comey to task the Human Resources Division (HRD) with addressing the problem and increasing diversity in the special agent job role.

In attempting to tackle diversity recruitment, HRD identified other areas of the application process which required change. They updated interview questions, modified the standardized test administered to all agent applicants and set standards to improve communication between recruiters and applicants. Specific to diversity hires, HRD used census and historical application data to tailor goals to guide each field office toward improved diversity applicant recruitment. Previously, there were no set targets for how many applicants the recruiter or office should strive to attain, regardless of race. After 2019, failure to make progress

toward recruitment goals negatively impacted a field office's overall performance metrics.

(McLaren, 2019)

In his speeches, Director Comey was forthright in mentioning historic difficulties between the black community and the FBI. Interested applicants need only a family member with a long memory or an internet search to discover allegations of bias or discrimination against black agents to potentially discount the FBI as an employer. Previous directors attempted to improve the FBI by addressing issues related to the allegations of discrimination in performance reviews, promotional opportunities, and workplace conditions after black agents filed lawsuits in the 1980s and 1990s. (Sanders, 2018; Lichtblau, 2001)

Historically, blacks have experienced formal barriers to hiring and employment as FBI special agents. Initially, they were not considered for employment with the agency. Once blacks were hired as agents, they worked solely in a covert capacity on specially selected investigations usually targeting elements of the black community. In the 1950s and 1960s, the FBI's work investigating the American Civil Rights Movement and its leaders made it an agency the average black American did not trust. Lastly, in the 1980s and 1990s, black agents sued the organization for not combatting harassment and discrimination by its personnel.

HOW DO YOU BECOME AN FBI SPECIAL AGENT

According to [fbi.gov](https://www.fbi.gov), the Special Agent Selection System is a “mentally and physically challenging process designed to identify the most capable applicants” which “typically takes one year, often longer.” (SASS, 2022) This year long process involves the initial application, a three-hour written test, a meet and greet with application verification, a physical fitness test, and a panel interview before a thorough check of the applicant’s financial, criminal, drug, and educational background. This process is daunting for most applicants.

During a talk in 2019, the FBI’s senior executive of recruiting and hiring, Peter Sursi, highlighted some of the difficulties faced by his team. In addition to out-of-date processes and general bureaucracy, HRD did not have a mechanism for reviewing applicant supplied data related to gender and ethnicity during the application process. This lack of visibility meant HRD could not identify where and/or when diverse applicants fell out of the application process – was it the math intensive phase one testing, the writing sample and interview, the physical and medical tests, the psychological review or during the thorough background investigation. While Sursi and his team made changes, as noted below, to address some of these issues, questions still remain as to when and why black applicants voluntarily or involuntarily leave the applicant pool.

To increase the number of overall and diverse agent applicants, Sursi’s team revised and shortened the initial application because the breadth and depth of information required turned off applicants and revamped the phase one testing which was determined to be “creating an adverse impact among some underrepresented candidate pools.” (McLaren, 2019) Additionally, the candidate interview questions were revised for the first time in 10 years and mandatory

interviewing and unconscious bias training was implemented for all interviewers. The team also set up a system for communicating with applicants throughout the process to keep them apprised of their progress and help them prepare for next steps in the more than year long process.

Sursi noted, the FBI traditionally used the length of the process as a test of the applicant's ability to persevere and stated, "this attitude was creating a barrier to entry for diverse candidates." He further stated, "You know who won't crawl through broken glass? Women and minorities, the opportunities for them are limited, and they don't have time to wait for you." (McLaren, 2019) However, by keeping applicants informed HRD was able to keep more black applicants moving through the process.

While HRD continues to make improvements in recruiting blacks or African Americans, women and other diverse candidates, the FBI's history as a "majority male and white organization" (Bubl , 2020) makes it difficult. "Recently, the Justice Department inspector general cited the Office of Personnel Management in asserting that "law enforcement is an area where there is a critical need for civil servants who look like the people and communities they serve." (Cherneva, 2021)

The need for increased diversity has been the subject of Congressional concern and during a hearing before the Senate Judiciary Committee in March 2021, FBI Director Wray stated, "I do believe the FBI has to be more diverse and more inclusive than it is, and that we need to work a lot harder at and we're trying to work a lot harder at that." (Schneider, 2021) In an effort to address overall issues of diversity Wray appointed Scott McMillion as Chief Diversity Officer and director of the Office of Diversity and Inclusion in April 2021. (McMillion, 2021)

“The Bureau has historically been the least diverse of the major federal law-enforcement agencies”; (Weichselbaum, 2015) however, since Comey’s 2016 request for HRD to increase recruitment numbers the organization has made some progress. “The number of minority special agent applications has increased recently, with minorities representing 47% of applicants in fiscal year 2021. Plus, the bureau notes that the percentage of new black agents at its academy in Quantico over the past six years has doubled from 4% in fiscal year 2014 to 8% in fiscal year 2020.” (Schneider, 2021)

The case studies highlighted below reflect efforts by other organizations to address diversity shortfalls. These case studies prove useful in their analysis as they highlight specific, relevant policy adjustments that could improve outcomes for diversity recruiting and hiring at the FBI.

CASE STUDIES

Bellevue (NE) Police Department

In an interview with The Washington Post, Bellevue (NE) Police Chief Ken Clary noted, “diversity makes for better policing and decreases the use of force against civilians.” (Klemko, 2022) To increase his department’s recruitment of diverse candidates, Clary promoted a black (male) officer to lead recruiting efforts in hopes he “would relate well to a younger, more diverse audience.” (Klemko, 2022) Eighteen months after Clary’s hiring, Bellevue PD has experienced an increase in the number of applicants and new hires from diverse backgrounds.

During a 2021 instructional session at the Nebraska Law Enforcement Training Center, Clary discussed applicant credit requirements and recruiting blacks and other ethnic or racial minorities. He said, “If you’re looking at hiring from minority communities, historically, you’re going to get bad credit.” (Klemko, 2022) Similar to many police departments, the FBI considers bad credit to be a disqualifier for an otherwise capable candidate. By encouraging law enforcement leaders to reconsider their (over)reliance on credit requirements – Clary, his local law enforcement colleagues, and the FBI may be able to increase the number of black applicants who succeed in the application process.

North Carolina Department of Public Safety (Raleigh, NC)

The North Carolina Department of Public Safety offers paid internships to junior and senior college students enrolled at Historically Black Colleges and Universities (HBCUs). The program is funded by the Governor’s Task Force for Racial Equity in Criminal Justice and was

established by executive order in 2020 with the stated goal “to recruit a workforce reflective of the entire community.” (North Carolina Executive Order No. 145, 2020)

To be eligible the students must be in good academic standing (GPA of 2.8 or higher) and majoring in criminal justice, emergency management, homeland security, social work, psychology, sociology or another human service degree programs. During the internship, the students rotate through the areas of NCDPS’ responsibility and learn firsthand about working in their chosen field(s) of study. (NCDPS, 2022) Due to its recent creation, outcomes for the program are not yet available. While this program shares similarities to the FBI’s Honors Internship Program and Collegiate Hiring Initiative, the GPA requirements for the FBI’s programs put them out of reach for many students. This case study demonstrates that objective GPA requirements matter less than the practical experience and support students can receive via internships while attending HBCUs which enroll a large pool of qualified applicants.

Lincoln University Law Enforcement Training Academy (Lincoln, MO)

Lincoln University, an HBCU in Missouri, created a law enforcement training academy to train local youth who wanted to make a difference in their community but lacked access to law enforcement training programs found in the larger cities of St. Louis and Kansas City. These young people, who are mainly black and from the semi-rural area of Jefferson City, MO, did not have a family history of law enforcement service and were often misinformed about requirements and the application process.

The academy, which students attend part-time, provides support and encouragement to students throughout the application and learning process. Through the academy’s law

enforcement partnerships, students learn about policing at all levels – state, local, and federal. Lincoln University has a 99% placement rate for its graduates. The academy is an example, of how working on a smaller scale at a local level can increase recruitment and serve the community. (Interview, 2022)

RECOMMENDATIONS

The FBI should consider several options as it seeks to increase the number of blacks serving as special agents. Specifically: –

1. Increase recruiting of blacks currently serving as police officers and law enforcement personnel. There is a proven history behind this policy at the FBI and black officers who become special agents bring with them a wealth of experience from their prior careers which will benefit their FBI colleagues.
2. Reduce reliance on credit scores and GPA, which have both been shown to disproportionately disadvantage blacks. Additionally, these non-abstract qualifiers have been proven to exclude large portions of able candidates. Less rigid adherence to these requirements will enable more black candidates to be more comprehensively considered and result in more black candidates completing applications.
3. Provide structured mentorship opportunities for black applicants by pairing them with recently retired or senior agents who can help them understand and navigate the application process. This recommendation applies to all candidates seeking to become FBI special agents, but black applicants should be identified as a priority for these formal mentorship opportunities because white mentorship relationships already exist on an informal level at greater numbers due to the paucity of black special agent informal networks.
4. Establish partnerships with local colleges to create opportunities for on-the-job training in all job roles which could lead to increased special agent applications. Outreach of this

nature, targeted at HBCUs or colleges with strong black representation will increase understanding of FBI opportunities and reduce barriers to entry.

5. Internally, the FBI should embrace data analytics to understand key steps in the recruiting and selection process during which black candidates fail to progress. To do this, the FBI should begin with a review of internal data to find the root cause for the decrease in black agents between 1998 and the present.

FURTHER RESEARCH

As the demographics of the United States become increasingly diverse racially, ethnically, and linguistically, further research will be needed to help the FBI recruit special agents from these populations to match their representation in the U.S. population. Closely following recruitment, the FBI should conduct research on ways to improve the retention of agents from diverse populations, including black Americans.

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