KPMG Consulting

P U B L I C S E R V I C E S

U.S. Department of Justice

Support for the Department in Conducting an Analysis of Diversity in the Attorney Workforce

Final Report

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Executive Summary

The U.S. Department of Justice has recognized the importance of having a diverse attorney workforce—both to ensure that it performs at its best and to ensure that it maintains the confidence of the American people. As the "nation's law firm," DOJ must represent the nation.

DOJ commissioned KPMG Consulting and Taylor Cox & Associates to analyze its human resources management practices for their effect on the Department's ability to recruit, hire, promote, retain, and utilize an attorney workforce that is diverse with respect to gender, race, and ethnicity. Our analytical framework, the Interactional Model for Cultural Diversity, focuses on how the work climate at DOJ impacts individual and organizational outcomes.

In order to achieve its diversity goals, the Department must attain the following:

- Female and racial/ethnic minorities are represented at all levels of the Department at a rate consistent with their representation in the overall population of attorneys in the United States.
- All gender and racial/ethnic groups of attorneys achieve parity in job satisfaction and perceptions of fairness in the work climate.

The study involved assessing the Department's human resources administration by interviewing HR managers, analyzing workforce data, conducting interviews and focus groups with attorneys, and administering an employee survey to the attorney workforce. In all, approximately 1,400 DOJ attorneys (out of an approximate total of 9,200) provided input into the study. In addition, we gathered input for the study from the American Bar Association, minority bar associations, and DOJ attorney employee associations. We also explored public- and private-sector organizations for benchmarks and best practices.

Following are the key findings of the study:

Attorneys across demographic groups believe that the Department **is a good place to work**. Most attorneys across race/ethnicity, gender, and component groups report that the environment is **collegial and productive**. They cite their autonomy and the challenging, rewarding work that they perform. Most cite satisfaction with their jobs, an expectation to stay, and a high degree of positive identification with DOJ. Moreover, private industry cites DOJ as a trend-setter for diversity.

However, the Department does face **significant diversity issues**. Whites and minorities as well as men and women perceive differences in many aspects of the work climate. For example, minorities are significantly more likely than whites to cite stereotyping, harassment, and racial tension as characteristics of the work climate. Many of these differences are also present between men and women, although to a lesser extent.

Minorities perceive unfairness in a number of human resources practices, such as hiring and promotion. Among the most common concerns cited were perceptions of unfairness in case assignment and a belief that exclusive informal networks limit access to communication with managers, premium job assignments, mentoring, and promotion.

The Department suffers from an **inadequate human resources management infrastructure**. There is widespread perception, especially among minorities, that HR practices lack transparency. This results in attorneys perceiving that practices are unfair. The Department does not emphasize career development, and tools for performance appraisal are deficient. As a result, attorneys cite poor "people management" by supervisors.

Section Chiefs are an extremely critical element of the Department's diversity climate. They have significant authority in recruitment, hiring, promotion, performance appraisal, case assignment, and career development. The Section Chief workforce is not diverse and turnover is low. This pattern, combined with the generally low attention that these managers pay to staff career development, leads minorities to perceive a lack of advancement opportunities.

The Department's attorney workforce is **more diverse than the U.S. legal workforce**: 38% female, compared to 30% in the U.S. legal labor pool, and 15% minority, compared to 12% in the labor pool. The Department's attorney workforce is about **as diverse as the federal government legal workforce**, whose attorneys are 38% female and 16% minority.

Hiring is serving to make the Department even more diverse: hires in 2001 were 40% female and 21% minority. In particular, **the Attorney General's Honors Program is an important tool** for increasing diversity. Honors Program hires in 2001 were 63% female, compared to 45% of the law school graduating class, and 30% minority, compared to 21% of the class of 2001.

Minorities are **significantly under-represented in management ranks**. They comprise only 7% of (career) SES attorneys and 11% of supervisory Assistant U.S. Attorneys. Women constitute 31% of SESs and 37% of supervisory AUSAs. Among GS-15 attorneys in the Litigating Divisions, minorities comprise 11% of non-supervisors and 6% of supervisors, and women comprise 37% of non-supervisors and 33% of supervisors.

Minorities are substantially more likely to leave the Department than whites. In 2001, the attrition rate was 49% higher among minorities than whites. There was no difference in recent attrition between men and women.

There are also statistically **significant race and/or gender effects** on a number of HR outcomes, including starting grade, current grade, promotions, and compensation. For example, the average minority GS attorney is currently 0.4 steps lower than the average white, and the average woman is 0.3 steps lower than the average man, controlling for seniority, grade, and component.

Based on these findings, we recommend that the Department take the following actions:

Exercise AG- and DAG-level leadership to stress the importance of diversity and their commitment to it. Publicly commit the Department to parity both in diversity outcomes (e.g., comparable representation at all levels) and in attitudes (e.g., job satisfaction) among all demographic groups. Identify levers for change, focusing on AAGs (who are diverse) and Section Chiefs. Implement training of leaders to identify their role in shaping work climate issues and in effectuating change.

Create a **diversity measurement plan** which addresses key elements of diversity by component. Hold management accountable for adhering to the plan and base their rewards on success. As components develop solutions, implement them department-wide.

Implement a **performance measurement system** to track diversity results against measurement plans. Routinize reporting of diversity outcomes by component and section. What gets measured gets done—managers do not like to be at the bottom of lists in areas that senior leadership finds important.

Implement a **career development** process. Hold managers accountable for career development of staff. Emphasize skill in and attention to career development in selecting and nurturing managers. Implement a **staff performance management** system with more than two performance levels, and enforce its use in a value-adding way. Further develop mentoring capabilities in a systematic program with ongoing analysis and improvement. Good diversity management begins with good HR management.

Address the perceived lack of transparency and unfairness in HR systems. Conduct a study of case assignments to determine whether they are fair. Involve more diverse and more junior staff in recruiting and other HR functions. Promulgate consistent standards and policies for employee performance and HR administration.

Administer **exit surveys** and **attitudinal surveys** on an ongoing basis to track diversity climate changes. Statistically model the relationship between survey results and poor staff performance and attrition. Devise proactive strategies to reduce the likelihood of these adverse outcomes.

Leverage some of the successes of the Honors Program for **lateral hiring diversity**. Circulate vacancy announcements more widely, including in DOJ components other than that in which the vacancy occurs. Be more creative about defining qualifications, including partnerships with industry to increase outreach to a diverse audience—especially for fields with historically low diversity. Track data on applicants through the recruiting and selection process for more informed planning and sourcing of candidates.

1. Background and Overview of Study

In January 2002 the U.S. Department of Justice (DOJ or Department) commissioned KPMG Consulting, Inc. and Taylor Cox & Associates to study and analyze diversity in its attorney workforce, focusing specifically on women and minority racial/ethnic groups. The Department understands the value of diversity in improving its mission delivery and the importance of workforce diversity in maintaining the confidence of the American people. After all, as the "nation's law firm," the Department should represent the nation. For DOJ to be effective in enforcing the nation's laws and assuring fairness for all Americans, the citizenry must believe that the Department is itself fair in its hiring practices and its work environment.

This study focuses on the effects of recruiting, hiring, promotion, and retention practices on gender, racial, and ethnic diversity within DOJ's attorney workforce. It was conducted in the eleven departmental *components*, as DOJ refers to its organizational units, with a significant population of attorneys. These components include the six Litigating Divisions—Antitrust (ATR), Civil (CIV), Civil Rights (CRT), Criminal (CRM), Environment and Natural Resources (ENR), and Tax (TAX)—the Immigration and Naturalization Service (INS); the Bureau of Prisons (BOP or Federal Prisons); the Executive Office for Immigration Review (EOIR); the United States Attorneys (USA); and the United States Trustees (UST). These components contain most of the practicing attorneys in DOJ.[1]

DOJ sought to achieve three primary objectives in the study: to take a snapshot of where it stands with respect to diversity now (and in recent history), to diagnose and explain any diversity problems, and to devise solutions and associated implementation strategies and performance measures. Our analytical framework for performing this study is the Interactional Model of Cultural Diversity (Interactional Model). The model defines specific elements of the *work climate*, which is defined as the environment and culture in which employees work, and human resources practices that link to diversity outcomes. We collected data through numerous individual interviews, focus groups, and surveys of attorneys at all levels and components; analysis of the Department's human resources management (HRM) process; benchmarking of other government agencies and best practices of government agencies, private law firms, corporations, and industry associations.

Organization of report

This final report contains the following sections:

- **Section 2, Methodology,** describes the Interactional Model of Cultural Diversity, the analytical framework used for the study, and details the processes used to collect and analyze data.
- **Section 3, Findings,** outlines findings for each element of the model and from the benchmarking/best practices task.
- **Section 4, Recommendations,** outlines recommendations based upon the findings.

[1] Throughout this report we use the terms *diversity* and *workforce* standing alone. When we do so, they always refer to *diversity with respect to gender, race, and ethnicity* and *the attorney workforce in the eleven studied components*.

- **Appendices** provide additional information referenced in the text. They include additional reference materials, graphs, and bibliographies of sources used.

2. Methodology

This section details the study methodology from initial design through implementation.

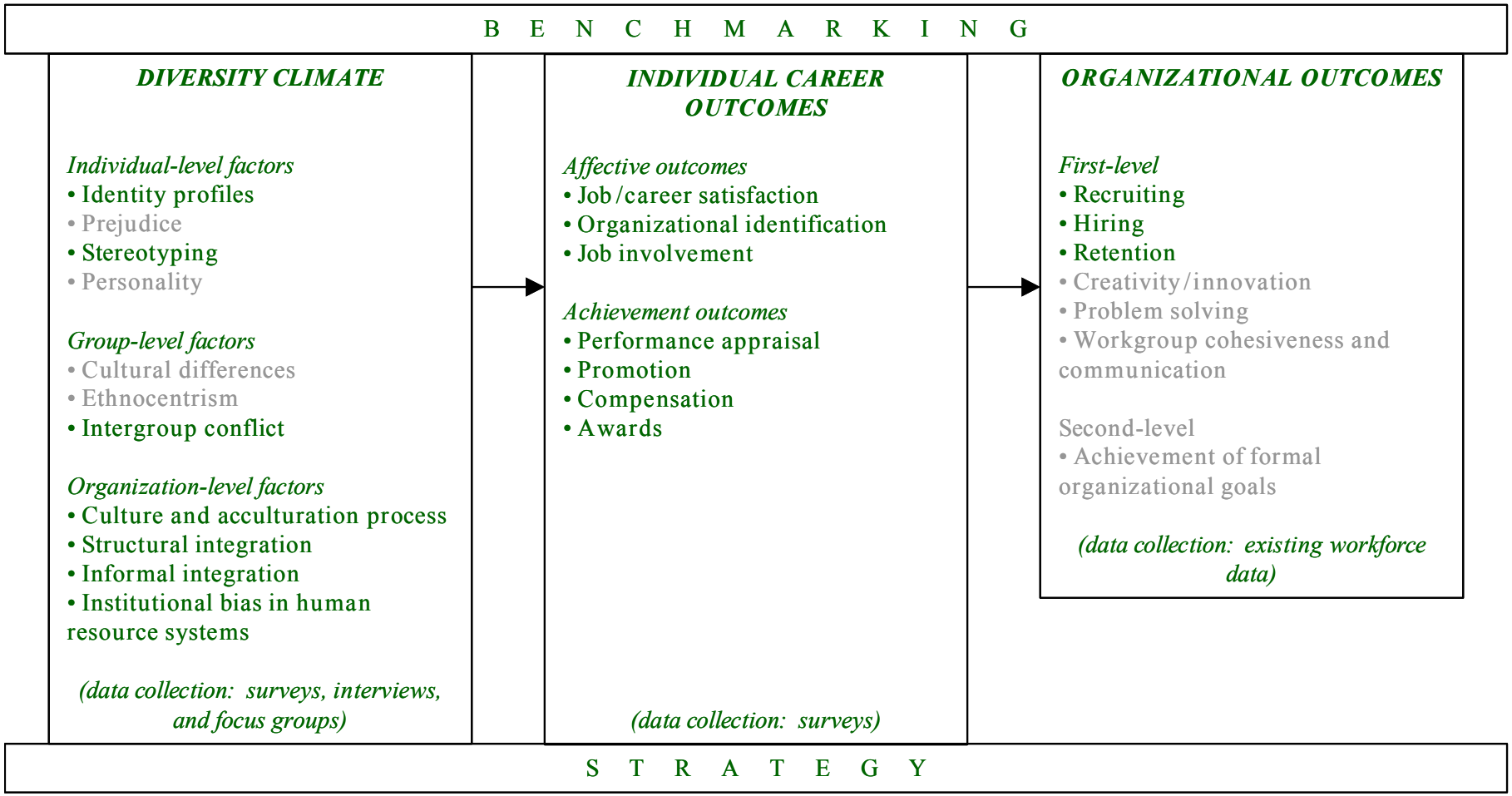
2.1. Analytical framework and Interactional Model of Cultural Diversity

The Interactional Model of Cultural Diversity, a model developed and implemented by Taylor Cox & Associates for dozens of diversity assessments, provided the analytical framework for this study.[2] In the most recent application of the model at Alcoa, it was shown to produce significant measurable change in the climate for diversity in two large manufacturing operations of the company. The Interactional Model's principal tenet is that the diversity climate combines with (or interacts with) the diversity of the workforce to produce outcomes of work both at the individual level (e.g., individual job performance, individual compensation, etc.) and at the organizational level (e.g., workforce productivity, workforce attrition, etc.).

Because the Department sought to focus primarily on the issues of recruiting, hiring, promotion, and retention, we adapted the model to collect data on these areas—as well as on corollary outcomes which are related to these areas—and the diversity climate factors most relevant in determining these model outcomes. The following figure depicts the adapted Interactional Model used for the study:

[2] Adapted with permission from Cox, Jr., Taylor, 1993. *Cultural Diversity in Organizations.* San Francisco, CA: Berrett-Koehler.

Figure 2.1.0.1. Interactional Model of Cultural Diversity (adapted with permission from Cox, 1993)



Note: Elements in gray are parts of the template IMCD model that were not studied in this project

We selected this model for the study for a number of reasons. First, it provides a comprehensive view of the factors that require attention if an organization aspires to attract, retain, and leverage the full potential of a diverse workforce. Second, the model is based on leading-edge theory and empirical research about phenomena related to diversity. Third, as mentioned earlier, the model has been demonstrated to produce measurable results when applied with diligence over a reasonable period of time.[3]

An important part of the study was to provide a definition of diversity in light of the model and DOJ's goals. While workforce composition is an important dimension of workforce diversity, there is increasing recognition in the federal government management community[4] that true workforce diversity must mean more than just appropriate representation of all gender and racial/ethnic groups in the workforce. A well-balanced diversity effort must also include creating an environment in which people of all cultural and social backgrounds can achieve their potential unencumbered by barriers related to their personal identity (e.g., as women, as Hispanics, etc.). A central characteristic of such an environment is that people of all gender and racial/ethnic backgrounds perceive the same level of job satisfaction, organizational identification, career development prospects, and other individual outcomes. Such efforts are more focused on retention and creating a diversity climate that will make recruitment easier in the future.

To understand why these environmental, or *climate*, factors are as important as workforce-composition outcomes, consider an organization that had achieved appropriate representation of women and minorities at all levels of its hierarchy but did not achieve parity in the positive climate factors. The likely result would be that women and/or minorities would be leaving the organization at a greater rate than men and/or whites, so that the organization would have to recruit a larger proportion of women and/or minorities to counteract their higher attrition. Thus, at any given time, the organization would appear to have no diversity problem if diversity were defined only in terms of the numerical composition of the workforce. However, the organization's hiring and attrition patterns would be *masking* what is a bona fide diversity problem—that women and/or minorities were not as satisfied or successful as they could be. In turn, the organization would not able to realize the full potential of a diverse workforce.

Therefore, for the purpose of this study, we propose that the Department of Justice use the following definition to characterize its diversity goals:

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[3] For details, see Cox, Jr., Taylor, 2001. *Creating the Multicultural Organization.* San Francisco, CA: Jossey-Bass.

[4] See, e.g., U.S. General Accounting Office, 1997. *Hispanic Employment Best Practices Used by Selected Agencies and Companies.* GAO/GGD-97-46, and U.S. Equal Employment Opportunity Commission, 1997. *Best Equal Employment Opportunity Policies, Programs, and Practices in the Private Sector*. EEOC.

Workforce diversity is achieved at DOJ when:

- Female and racial/ethnic minorities are represented at all levels of the Department at a rate consistent with their representation in the overall population of attorneys (government and non-government) in the United States.
- All gender and racial/ethnic groups of attorneys achieve parity in job satisfaction and perceptions of fairness in the work climate.

The definition makes a few key points about diversity at DOJ that should not be overlooked. First of all, women and minorities should be sufficiently represented *at all levels of the Department,* meaning in both attorney staff and management positions. Also, we suggest that the relevant comparison be made to *the market of attorneys in the United States*. This may not necessarily represent the true applicable labor force for the Department, as employment law teaches us that a true applicable labor force is the population of those qualified individuals interested in working in an organization. However, given that DOJ attorneys practice in virtually every field of law, its client base is the entire nation, its legal adversaries may be virtually any type of practitioner, it practices in every jurisdiction in the nation, and the market views DOJ attorney jobs as attractive, the entire population of lawyers in the U.S. may be used as a reasonable proxy for the DOJ labor force.

This definition, which reflects the premise of the Interactional Model, informed the study throughout.

2.2. Data collection techniques

Data collection and analysis for the study consisted of five principal modes of data:

- qualitative analysis of human resources practices, including interviews with human resources administrators in each component and analysis of organizational issues which affect the diversity climate;
- analysis of existing workforce data, including composition, recruiting and hiring, promotion, and retention of the attorney workforce;
- focus groups and individual interviews with supervisory and non-supervisory attorneys across gender, race/ethnicity, job classification, component, and geographic groups;
- interviews with DOJ senior career and political leadership in the eleven components and Justice Management Division (JMD); and
- an employee survey administered in person at the conclusion of focus groups and via the Internet department-wide.

The combination of these different modes of data allows us to formulate insight on the design and impact of the Department's HR management practices in the context of the Interactional Model.

The remainder of this section discusses the rationale, methodology, and limitations of each data mode. Section 2.3. presents the inventory of results from each of the modes. Section 3. presents integrated findings based on a synthesis of analysis across the modes.

2.2.1. Analysis of human resources practices

Primarily through interviews with component human resources administrators, and also through reviews of documents provided by the administrators, we sought to characterize the Department's human resources practices—especially in the areas of recruiting, hiring, promotion, and retention, particularly as they relate to diversity.

We interviewed managers in the Executive Offices, including members of the personnel staffs, of the Litigating Divisions; managers responsible for attorney human resource management in the General Counsel offices of the INS and Bureau of Prisons; members of the front office and General Counsel office of the Executive Office for U.S. Trustees; and members of the front offices, equal employment opportunity offices, and personnel staffs of EOIR and the Executive Office for U.S. Attorneys.

We also interviewed managers of the Office of Attorney Recruitment and Management (OARM), a specialized office in JMD responsible for certain human resources management functions for certain segments of the attorney population; the JMD Equal Employment Opportunity Staff; and the JMD Finance Staff, which handles attorney personnel records.

2.2.2. Analysis of workforce data

We obtained data on the current and recent attorney workforces from the JMD Finance Staff, and data on entry-level applicants and hires from OARM. We sought to analyze this data to determine patterns in composition, hiring, performance evaluation, promotion, bonus awards, career growth, and attrition in the attorney workforce.

However, the following data limitations constrained our analysis:

- DOJ did not migrate to the National Finance Center (NFC), a government-wide mainframe personnel system, until April 1993, and no usable personnel records prior to that time are available.
- A change in record keeping in 1997 resulted in personnel records prior to that time being unreliable.
- Electronic data on performance evaluations do not exist.

We also learned from HR administrators throughout the study that data from NFC are of questionable reliability, because of limitations of the system and imperfect record-keeping practices on the part of those who generate the data to be entered into the system.

The most significant consequence of these data limitations is that we could not ascertain the start date or employment histories of attorneys prior to April 1993. This impacts any analysis that takes tenure into account for all but attorneys who were hired after April 1993. Additionally, we were told by the Finance Staff that we could not conduct any analysis of personnel records that were generated before 1997 with a high degree of confidence.

In this report we present results of analyses that we were able to conduct in light of these limitations, and we believe that the data used and results obtained are valid. For data in 1997 and after, we presented several results to the Finance Staff for validation.

The data extract that we received is as of December 31, 2001. Thus in the text when we refer to ‘”current workforce,” that actually means the workforce as of that date.

2.2.3. Focus groups and individual interviews

The most extensive form of data collection that we used for the study was focus groups and individual interviews with staff and management attorneys. We interviewed a representative number of whites, minorities, men, and women, and a representative number of managers and staff. We stratified the interview and focus group data collection across the eleven components such that all are represented in the results.

The high-level interview topics for the focus groups and individual interviews are provided in appendix A.

Participant selection

We developed a data collection strategy to account for the population of attorneys in each studied component as well as for diversity in terms of geography and demographics of the component. We also collected data at field sites[5] based on the number of components present and areas where minority groups tended to have higher representation to help broaden the interview pool. The outcome of this strategy was a data collection plan that specified target focus group and individual sample sizes by component, demographic, and location.

For focus groups and individual interviews, it is imperative that a control mechanism be put in place to reduce the likelihood of any forms of bias regarding selection. In the case of the DOJ focus groups, as well as individual interviews, we employed a very straightforward selection process, in light of the devised data collection plan, that attempted to select a random sample of attorneys for each session. The specific methodology employed varied according to the component, but overall the process remained consistent.

KPMG Consulting relied heavily on our component contacts, who were managers designated by each component head to facilitate our data collection within that component. Due to the short duration of data collection and our lack of direct access to the attorney population, we asked the component contacts to assist us in selecting the samples of interview subjects. For the most part, the contacts provided a list of attorneys, including their demographic groups, from which we randomly selected participants for either focus groups or individual interviews. Other components disseminated an open interview invitation that asked attorneys to respond to a KPMG Consulting representative with their particular demographic group and time slot of interest. Upon receiving the list of volunteers, we randomly selected those candidates to be interviewed. In both cases, we relied on the DOJ component contacts to identify the relevant population of attorneys and disseminate these requests. During the course of the study, it became apparent that most attorneys tended to select out of focus groups and into individual interviews due to the increased confidentiality. As a result, we shifted our data collection approach somewhat to hold more individual interviews and fewer focus groups.

It became apparent that a fear of adverse repercussions from participating in this study was very real for many attorneys.

Focus group methodology

Focus groups are an efficient way to collect data that is somewhat less structured and more robust than results from a closed-ended attitudinal survey. For this study, we convened a series of focus groups comprised of a target of between six and ten respondents each. All but a few focus groups were homogeneous with respect to component, job level (supervisory or non-supervisory), and demographic group. We divided the population into five demographics: white males, white females, gender-mixed African-Americans, gender-mixed Hispanics, and gender-mixed other minorities. In areas with small populations, some focus groups consisted of gender-mixed sets of all non-white racial/ethnic groups. For managers, in virtually all cases our data

[5] Field sites visited were Denver, CO; San Francisco, CA; Los Angeles, CA; Miami, FL; Dallas, TX; and New York, NY.

collection was via individual interviews or small group interviews with the management team of a component or office within a component.

In most cases the facilitator of the group, a trained and experienced moderator from KPMG Consulting or Taylor Cox & Associates, was of the same demographic group as the participants. In our experience, having homogeneous focus groups with a moderator of the same demographic maximizes subjects' candor.

For the focus groups and individual interviews, we employed a series of high-level questions—asking about the work climate, recruiting and hiring, promotions, case assignments, and previous diversity initiatives of which the group was aware. The interview protocol is provided in appendix A.

Using both focus groups and individual interviews to increase robustness

In a focus group, it is important to leverage the group dynamic but not let it alter results. This group dynamic allows individuals to react to statements made by their peers, and in some cases enables the group to attain a consensus on their own terms. On the other hand, it is important that participants do not get unduly swayed by a particularly charismatic member of the group.

For this reason we used both individual interviews and focus groups to collect data. In individual interviews we asked the participant directly about a number of issues, such as whether he/she believes that men and women have an equal opportunity to be promoted, and used the results to compute objective statistics and corresponding tests to determine whether men and women as well as whites and minorities answered differently from each other. We asked the same questions in focus groups, and indicated the consensus of the group when there was one, but did not use the group results for statistical tests.

In general, responses were similar in individual interviews and focus groups.

Self-selected nature of participation

For all modes of data collection in the study—and in any study in which participation is not compulsory—participation is inherently self-selected. That is, we will only obtain the input of individuals who choose to provide it.

It is a tenet of survey research that self-selected participants may not give representative results. At the very least, in some studies only individuals with more emphatic opinions are likely to participate if everyone is given an equal chance to participate. It is also possible in a study that not only are individuals with more emphatic opinions likely to participate, but individuals with more emphatic opinions *of a certain nature*—for example, either particularly negative opinions or particularly positive opinions—are likely to participate.

Thus it is important in a study such as this to limit the ability of self-selection to undermine the validity of the results. Both the research design and conduct of data collection can assist in assuring validity, and we incorporated such techniques in the design of this study:

- *Including a broad base of opinion in the study.* We included opinion from all eleven components, including all racial and gender demographics and job levels, in a variety of geographic locales, to ensure that no stratum of the population had undue influence on the results. Because the climate is so varied across DOJ, this approach reduced the likelihood that the sample was tainted. Moreover, including the survey results in our findings means that the opinion of over 1,400 DOJ attorneys informed the results of the study.
- *Skillfully moderating with a well-defined agenda.* For each interview and focus group, we had a specific agenda of questions to answer. Thus, if an individual came to the group with a specific agenda of his/her own, it would be confined to the discussion of general comments and be less likely to permeate the individual's response to any specific questions. Additionally, we used experienced and skilled moderators, who focused on the answers to the questions and did not allow individuals' preconceptions to unduly influence the results or the opinions of others in the group.
- *Including a variety of data collection modes.* Using interviews, focus groups, and surveys reduces the ability of self-selection to impact the results because the nature of data collected is varied. Agreement between the themes manifested in each mode indicates stability—and validity—of results. (We discuss our analytical approach to the various data modes in section 2.4.)

Respondent self-selection can impact any study; in this study, we were aware of the issues and incorporated several measures to limit its impact.

Anonymity

Anonymity of participants was essential given the sensitivity of the subject. Many interview subjects expressed concern about anonymity, and we assured them that it would be protected in the sense that no individual findings would be attributed to any individual. We also protected the confidentiality of individuals' participation, subject to the limitation of some components' requirement to involve HR administrators and/or attorney supervisors in participant selection. DOJ should be cognizant of the importance participants placed on anonymity.

Respondent receptiveness

Despite our difficulty at times to recruit participants for the focus groups and individual interviews, we found the vast majority of subjects to be quite receptive to the study. Most expressed the view the project had value, and participated thoughtfully and (as far as we can ascertain) truthfully. Many expressed concern that numerous similar studies had been conducted in the past without much follow-up action, but, still, most were not cynical about the effort and envisioned that the study would yield positive results for the Department.

2.2.4. Interviews with senior leadership

We interviewed JMD and component managers, both career and political appointees, at the Assistant Attorney General, Deputy Assistant Attorney General, and equivalent levels. We sought to ascertain these individuals' perspectives on the same issues as in the individual interviews as well as other issues relevant to each of their perspectives.

2.2.5. Employee survey

We also conducted an attitudinal survey of employees. The survey, which was an adaptation of the survey typically used by Taylor Cox & Associates for diversity assessments such as this one, contained 35 questions (some questions had multiple parts; a total of 51 items were assessed), each tied to one of the diversity climate or individual outcome elements of the Interactional Model. We administered the survey in person to attorneys who participated in focus groups and individual interviews and made the survey available to all Department attorneys via the Internet.

2.2.6. Summary of data collection techniques

Our data collection methodology was intended to regard each issue in the study from a variety of approaches. This methodology increases our confidence in the results of the study.

2.3. Inventory of data collected

This section discusses the volume of data that we collected and used for the study.

Interviews and focus groups

We conducted a total of 27 focus groups and 140 individual interviews. Overall, the response rates for the focus groups and individual interviews were lower than we expected. While statistically valid, both department-wide and with respect to attorneys' representation by gender, race/ethnicity, and component[6], the level of participation is cause for concern about the importance attributed to the study by Department attorneys. We found that not only was the number of attorneys who responded to solicitations to participate in interviews and focus groups low, but a significant number of attorneys who registered for sessions (racial and ethnic minorities and females as well as white males) did not attend.

Roughly 25% of those attorneys who agreed to participate did not attend their scheduled interview sessions. Upon further review, it became apparent that certain components, such as U.S. Attorneys' Offices and INS, and attorneys in the field, had a higher rate of no-shows. Additionally, no consistent pattern emerged regarding race or gender relating to no-shows throughout the study. One reason behind these no-shows likely was the short lead time for scheduling interviews combined with the complexity of an attorneys' schedules. However, many attorneys in different components who were interviewed throughout the country made this study a priority and did attend. We also conducted individual phone interviews with some attorneys who could not attend in person.

The following table shows the total number of attorneys, including supervisory and non-supervisory who contributed to the study in interviews or focus groups:

Table 2.3.0.1. Interview and focus group participants by gender and race/ethnicity group

Group	ATR	CIV	CRT	CRM	ENR	TAX	BOP	EOIR	INS	USA	UST	JMD	Total
White	29	20	7	3	11	11	5	1	13	23	15	6	144
Minority	15	10	21	11	7	11	8	5	20	40	1	3	152
TOTAL	44	30	28	14	18	22	13	6	33	63	16	9	296

Group	ATR	CIV	CRT	CRM	ENR	TAX	BOP	EOIR	INS	USA	UST	JMD	Total
Male	21	12	12	7	7	8	4	3	12	24	9	2	121
Female	23	18	16	7	11	14	9	3	21	39	7	7	175
TOTAL	44	30	28	14	18	22	13	6	33	63	16	9	296

Survey

For the survey, we received 1,229 valid responses, or about 13% of Department attorneys. The responses were reasonably representative of Department attorneys with respect to gender,

[6] The numbers depicted in table 2.3.0.1 were more than sufficient on which to base conclusions. For example, see Sekaran, 1994. *Research Methods for Business*. New York, NY: John Wiley & Sons, Inc.

race/ethnicity, and component. Our goal was a 20%-25% response rate, so results were less than expected.

This volume of responses is, however, high by objective standards—the Gallup poll, for example, uses samples of 1,000 individuals in surveys with questions similar to those used in this study to draw conclusions about the entire American population, which is more diverse in many dimensions than the DOJ attorney workforce.[7] According to established industry standards, therefore, the survey is statistically valid for the Department as a whole as well as for the male, female, white, and minority strata.

All results presented in our findings, unless otherwise indicated, are of those attorneys who had an opinion about the particular item—that is, did not answer "no opinion" or left the item blank. The vast majority of participants responded to each question

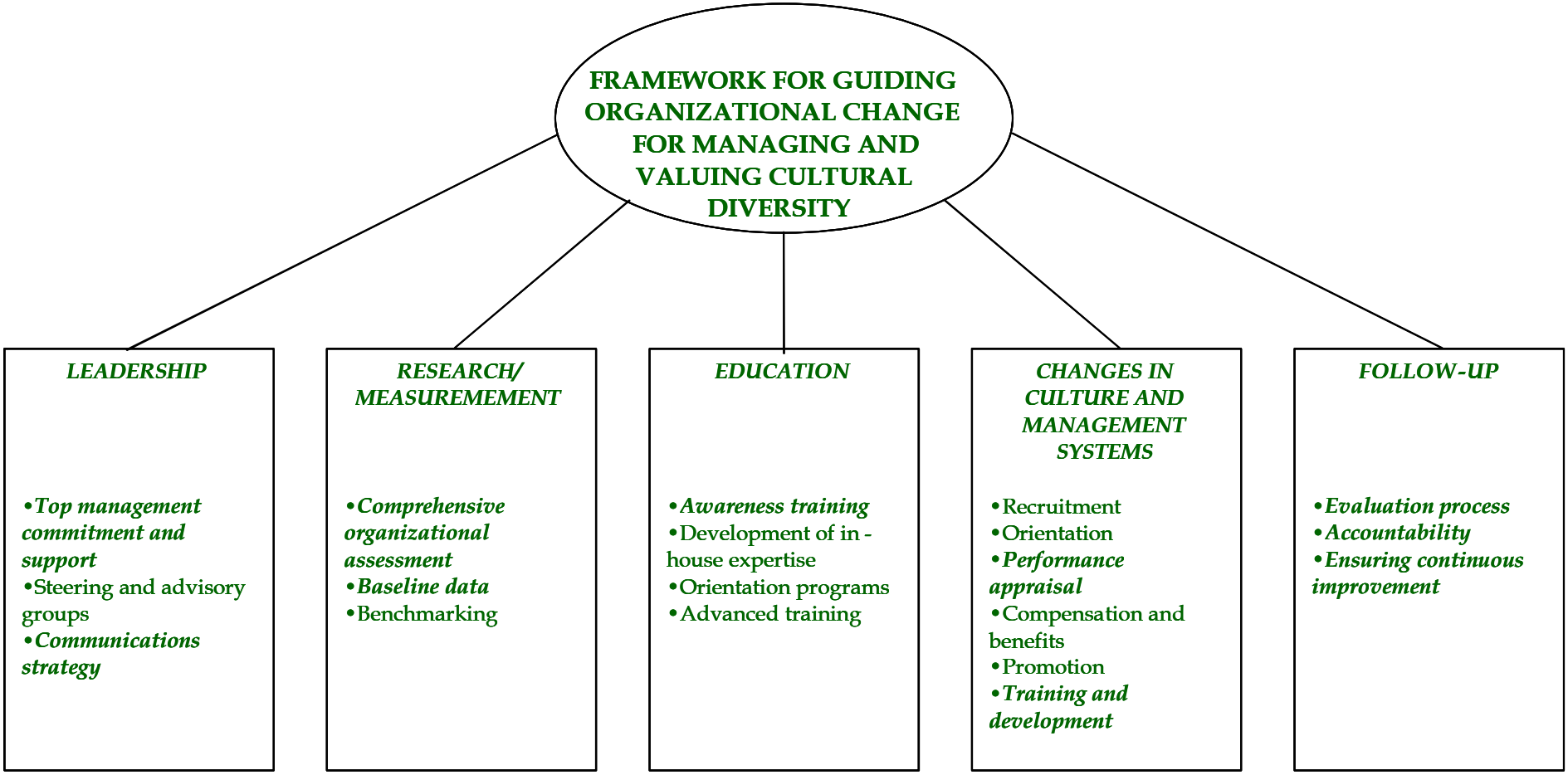
[7] See, e.g., http://www.gallup.com/help/FAQs/poll1.asp.

2.4. Summary of data collection and analytical approach

This section discusses the analytical approach we employed to reach our findings and develop our recommendations given the data that we collected. Because the Department needs a systematic approach to diversity, we systematically formulated our recommendations to correspond to the elements of the Taylor Cox & Associates organizational change model[8]:

[8] Model adapted with permission from Cox, 2001.

Figure 2.4.0.1. Organizational change model



Elements of the model which we believe are especially pertinent to the Department in light of this study are listed in bold and italic.

As discussed in section 2.2., we employed a variety of data collection techniques in an effort to increase the robustness of—and our confidence in—the study findings. These techniques were conceived and utilized in a systematic fashion to address the elements of Taylor Cox & Associates' organizational change model.

Although we present qualitative and quantitative results from single modes of data throughout the report (and sample sizes are statistically valid when we do so), *our findings and recommendations are based on a synthesis of results from all of the data modes*. This assures that our recommendations are valid across the Department, although more detailed implementation strategies would have to be developed by component (see section 4. for a discussion).

Similarly, although we also use information gathered about individual components as representative examples of certain practices or results relevant to the discussion, *our findings treat the Department as a single unit of analysis*.

3. Findings

This section provides our findings for the study. It is divided into four subsections:

- **Section 3.1, Background on organization**, provides findings about the Department's organizational structure which informed our data collection and are relevant to the diversity issues discussed in the rest of the subsections. These organizational issues are particularly relevant as the Department considers our recommendations and other potential solutions to the findings presented.
- **Section 3.2, Diversity climate**, provides findings for the *diversity climate* elements of the Interactional Model. These findings are based primarily on analysis of results from the individual interviews, focus groups and employee survey. This section also includes analysis of *human resources systems*, based on interviews with component HR administrators and attorneys.
- **Section 3.3, Individual and organization outcomes**, provides findings for the *individual and organizational outcomes* elements of the Interactional Model. The findings for individual outcomes are based primarily on analysis of results from the employee survey, and findings for organizational outcomes are based primarily on analysis of DOJ workforce data.
- **Section 3.4, Benchmarking and best practices**, provides findings of our analysis of HRM practices and outcomes in other public and private organizations.

Within each section, we present our findings and rationale in narrative form with accompanying tables or graphs, or references to appendices as needed.

3.1. Background on organization

The organization of the Department of Justice has a good deal of impact on the work climate that its attorneys face. Equally importantly, this organization has implications for how the Department can effectuate change in the work climate through human resources practice interventions, management directives, and cultural tone-setting from the Attorney General's and Deputy Attorney General's Offices.

The Department can be characterized as extremely diffuse—administratively, culturally, and geographically. Indeed, one senior manager in the Justice Management Division called the Department of Justice a "holding company" for the 38 components, including the eleven with the largest number of attorneys which were the exclusive focus of this study. Components—and individual geographic offices in the case of the INS, Bureau of Prisons, and especially U.S. Attorneys' Offices and U.S. Trustees—principally formulate their own human resource practices with little input from "main Justice." Following is a discussion of the organizational issues surrounding each of the eleven components which impact the work climate and diversity climate.

Litigating Divisions

The Litigating Divisions are headquartered in Washington, D.C., with most attorneys practicing there. Each Assistant Attorney General (AAG) and most Deputy Assistant Attorneys General (DAAG) are located in the main DOJ building, but most Executive Officers, who serve as the chief administrative officers of the Divisions, are not. AAGs, DAAGs, Executive Officers, and attorneys agree that even within each Division, the human resources administration, work climate—and, ultimately, diversity climate—vary by organizational unit. These units, known as Branches in the Civil Division and Sections in the other Divisions, are clearly the salient work environment (and location in which change would actually be implemented) for attorneys in the Litigating Divisions. (In some Sections, especially in the Civil Division, there exist additional layers of division below the Section level. Management of these layers is also influential in establishing the work climate in some cases.)

One of our key findings in this study is that the Section Chief (or Branch Director in the Civil Division) is extremely pivotal in establishing the work climate in his/her Section. The Chief, who is almost always a member of the Senior Executive Service, can be largely responsible for any climate problem in a Section, and be largely influential in implementing solutions. The Chief is ultimately accountable for the performance of the Section. He/she is the ultimate supervisor of attorneys, and has substantial influence in hiring, promotions, case assignments, and career development. He/she is the most senior attorney in the Division that most attorneys routinely come into contact with (and the most junior attorney that most DAAGs and AAGs routinely come into contact with). As mentioned earlier, most AAGs and DAAGs are physically separated from their attorney staffs—which has a significant impact on the analysis of these Divisions' climates and their strategies for implementing change. As discussed in the section of this report on recommendations, any approach to diversity management in the Litigating Divisions must focus substantially on the Section Chiefs.

Virtually all Sections also have Deputy and/or Assistant Chiefs (or Directors). The influence on human resources management and diversity climate that these individuals have varies widely and is significant in some cases. In most Sections, these individuals participate substantially in hiring decisions; in some, they handle most case assignments; and in a few, they have formal supervisory duties.

We found that these Deputy and Assistant Chief (and similar) positions are also important to the diversity climate for a number of reasons:

- Their human resources management role gives them influence on the environment in the organization.
- Many of the positions were created partially to increase the number of management opportunities available in their respective divisions. Given the low turnover in the Chief positions, Divisions created these Deputy and Assistant Chief positions partially to serve as a place into which to promote talented attorneys, thereby serving as a retention tool. Most attorneys and Executive Office personnel to whom we spoke indicated that, although turnover in these positions is also low, they are somewhat

successful in their aim to create an additional rung in the career ladder for talented attorneys.
- These positions are more diverse than the Chief positions, but less diverse than the attorney population as a whole and the GS-15 population as a whole.

In all, we found that the Litigating Divisions are generally viewed as a better place to work than other components except U.S. Attorneys' Offices. This is due to the greater opportunity for advancement (see section 3.2.7.4.), more desirable cases, the higher profile and greater prestige that these components carry, and their organizational structure which promotes autonomy.

Immigration and Naturalization Service

Most INS attorneys are located in the field. The INS General Counsel oversees three Regions, each headed by a Regional Counsel (one of whom is an SES member) and 32 District offices, each headed by a District Counsel. The District Counsel, who are in most cases the only GS-15 attorneys in the component, and some of whom have deputies, are the day-to-day supervisors for the INS attorney workforce. The organizational culture varies by office and is influenced by the leadership in each office and the Regional Counsel that oversees it.

Executive Office for Immigration Review

Most EOIR attorneys are located in Falls Church, VA in the General Counsel's office or as staff support to the Board of Immigration Appeals. The component also has a significant field presence, but most EOIR staff located in the field are immigration judges, who were not covered in this study. The promotion potential for staff attorneys is GS-15.

Bureau of Prisons

Most of the BOP attorney workforce has historically been located in federal prison institutions. This organization significantly impacts the work climate in a number of ways:

- In most cases, only one attorney is present in each facility. Thus the attorney does not have colleagues with whom to share ideas and experiences.
- There are few advancement opportunities for attorneys.
- The attorney is frequently called upon to perform non-legal, largely administrative, duties.
- Federal prison atmospheres are cited as unpleasant places to work, especially for professionals.
- Most facilities are geographically isolated, in locales with few amenities. This factor has been cited as especially adverse to minorities.

Moreover, legal practice is not the core of BOP's mission, unlike the other components involved in the study (except, to some extent, the INS). This has resulted, in the opinion of attorneys, in BOP being characterized by a law-enforcement culture, and, as a result, the attorney workforce being regarded with lower esteem than the law-enforcement workforce throughout the component.

To address these issues, BOP recently created six Consolidated Legal Centers, or CLCs. The CLCs are regionally-based centers where attorneys work and can travel to facilities in their jurisdiction. Transition to CLCs is in progress—some attorneys are located at the Centers while others have yet to be reassigned—so it is too early to gauge whether this change will have a positive impact on work climate and diversity, but early reports indicate success.

U.S. Attorneys' Offices

The U.S. Attorneys' Offices are the flagship of the Department's legal workforce, consisting of about half of Department attorneys. These positions are highly sought after, including as transfers from other DOJ components.

However, the organization of the U.S. Attorneys component makes it the most difficult component about which to draw conclusions and the most difficult in which to make an impact. There are 94 separate U.S. Attorneys' Offices, which correspond to federal judicial Districts, each headed by a Presidentially-appointed U.S. Attorney. The U.S. Attorneys, who report directly to the Attorney General and Deputy Attorney General, have wide latitude to influence the work climate, including the diversity climate, in his/her office. Almost all of the attorneys in each office, who all have the title Assistant U.S. Attorney, are career appointees, and the staff is divided into supervisory attorneys and non-supervisory attorneys.

The Executive Office for U.S. Attorneys (EOUSA) in Washington, which houses the Director of the U.S. Attorney program and about 20 attorneys in administrative and policy roles, advised that it has little leverage to impact the diversity climate in individual offices. EOUSA's Equal Employment Opportunity office and Evaluation and Review Staff play various oversight and monitoring roles.

U.S. Trustees

The offices of the U.S. Trustees, which administers consumer and commercial bankruptcy cases on behalf of the federal government, is the most atypical of the eleven components addressed in the study. It is structured comparably to, but even more decentralized than, the U.S. Attorneys component, and faces different challenges with respect to diversity climate.

A Presidentially-appointed Director, housed in the Executive Office for U.S. Trustees (EOUST) in Washington, D.C., oversees the program. Each of 21 U.S. Trustees (UST), who are appointed by the Attorney General, oversees a District, which corresponds to a federal judicial Circuit or a sub-division of a Circuit. Each UST supervises an average of about four Assistant U.S. Trustees (AUSTs). Generally, each AUST oversees an office—which covers a part (sometimes called a Division) of the U.S. Trustee District—comprised of non-supervisory attorneys. The offices are quite small—they average only a few attorneys, and in many offices the AUST is the only attorney. In turn, the attorneys engage and oversee panel trustees, non-government employees who are often but need not be lawyers, who administer the cases. The work climate is influenced mostly by the AUST, to a lesser extent by the UST, and to a minimal extent by the EOUST. In

the past, to the extent that the component has focused on diversity issues, it has focused primarily on panel trustees (who were not part of this study).

The nature of bankruptcy policy and law is that it is highly decentralized—laws are governed by state and Circuit, and historically the U.S. Trustees program has been similarly decentralized in its management. This decentralization is exacerbated by the fact that U.S. Trustees are appointed by, and serve at the pleasure of, the Attorney General, not the Director of the U.S. Trustees program. However, this organization is changing. The current Administration has named a political appointee as Director of the program, and has directed the U.S. Trustees to report to that individual for guidance on bankruptcy policy. The General Counsel, also housed in the EOUST, is hopeful that this organizational shift—in addition to the current SES leadership—will give the Director more leverage to improve diversity in the field.

The role of the Office of Attorney Recruitment and Management

The Department's Office of Attorney Recruitment and Management (OARM), until recently known as the Office of Attorney Personnel Management, plays a unique role in human resources and diversity management. The office is housed administratively in the Justice Management Division, although JMD does not control its budget and it currently reports directly to the Deputy Attorney General for management guidance on some issues.

OARM's principal function is to administer the Attorney General's Honors Program (see section 3.2.7.1.) on behalf of DOJ components. The office also supports human resources administration in other ways, such as processing background checks and suitability adjudications with the FBI for attorney candidates that components wish to hire, administratively handling adverse personnel actions for attorneys, and providing various forms of human resources management guidance (such as interview training) to components. Between 1997 and 2001 OARM managed the pilot Lateral Attorney Recruitment Program (LARP) in an effort to apply some of the techniques that it had been using to recruit entry-level attorneys to recruit experienced attorneys (again see section 3.2.7.1. for a discussion).

We gathered a great deal of feedback on the role of OARM throughout the study, from the office itself, current and former JMD senior management, and its component clients. All constituents of the Honors Program cited its effectiveness for supporting entry-level attorney hiring as well as for improving diversity. However, opinions about the organization of OARM, in principle and in practice, were mixed.

One point of contention is whether a special office devoted to human resources management for the attorney workforce is needed. OARM and other proponents argue that because of the various exceptions to OPM personnel rules that DOJ enjoys for its attorney workforce, the unique challenges in recruiting and developing this workforce, its nature as highly professional and mobile, and the central role that it plays in the Department, the attorney workforce warrants a special office. Others argue that there is no reason why these functions for the attorney workforce could not be handled by the Department's conventional HR function (housed under the JMD Deputy Assistant Attorney General for Human Resources), and that the potential for economies of scale are lost by the current organization.

Separately from the role of an office like OARM in principle, most participants in the study agreed that *in practice* the organization of OARM is flawed. OARM managers say that the office cannot rely on steady, sufficient funding because it is not part of mainstream JMD. However, OARM sees the exposure and attention that it gets from the Deputy Attorney General's office as important to its success.

The role of OARM is important for the study and our recommendations. We sought in the study to determine whether OARM has contributed to the Department's current positive standing with respect to diversity (we believe that it has), whether an office like OARM could be an important lever for improving diversity in the Department (we believe that it could), and, if so, how it should be structured. We discuss the potential role of OARM throughout the sections on findings and recommendations.

The roles of other JMD offices

Other parts of the Justice Management Division impact the diversity of the attorney workforce and merit recognition in the study. The Equal Employment Opportunity Staff (EEOS) is an active and important part of the Department. It consults with OARM and the components, especially the Litigating Divisions, on EEO issues, especially hiring and discrimination complaints. It has also offered diversity training in the past. EEOS managers believe that the office is currently underutilized, partially due to communication barriers between itself and the components.

The EEOS's Special Emphasis Programs consist of a staff of ombudsmen who provide counseling for minority DOJ employees. The Personnel Staff manages human resources for non-attorney staff in the Litigating Divisions and occasionally collaborates with OARM on human resources management best practices. The Finance Staff maintains DOJ's employment records, including demographic information.

Conclusion

Throughout our interviews with JMD, OARM, and the component front offices, senior leaders, managers, and staff, we focused on each party's insight on attorney diversity and the leverage that it has to impact that diversity. These findings informed the way that we posed questions to interview subjects, and we took them into account as we formulated our overall findings for the study and recommendations.

More importantly, these findings are relevant for how the Department addresses the issues that we uncovered in the study. We believe that it will take extraordinarily strong leadership from the Attorney General's and Deputy Attorney General's Offices to implement change, and in turn very strong leadership from the Assistant Attorneys General, INS Commissioner, individual U.S. Attorneys, the U.S. Trustees Director, and heads of the other components for any change to occur. The Attorney General and Strategic Management Council will face significant challenges in leveraging the key managers within components—e.g., the Section Chiefs and District Counsel—to achieve the necessary results.

3.2. Work climate

Work climate is defined as the culture of the environment in which people work. It involves the way that people physically are situated, the structures and processes that define the way they work, and their interactions with each other. *Diversity climate* refers to these cultural and environmental aspects as they relate to, support, and contravene diversity in the organization. We use the terms "work climate" and "diversity climate" interchangeably throughout this report.

We gathered attorneys' perceptions of the Department's work climate through focus groups, individual interviews, and the survey. We sought to ascertain attorneys' perceptions as to the prevalent characteristics of the work climate as well as any differences in perceptions based on gender and race. In a perfect climate for diversity, there would be no differences in focus group, interview, and survey responses related to work climate based on gender or race.

In many organizations, however, there are differences in perceptions of work climate based on gender and/or race. There are often subtle biases in the workplace related to gender and race which make actual experiences at work very different for people depending on their gender and race identity. For example:

- Members of the cultural majority group sometimes get more mentoring or mentoring from more powerful people than do members of cultural minority groups.
- Members of the cultural majority group are sometimes more likely to be assigned to projects that have higher visibility at the top of the organization.
- Members of the cultural majority group sometimes receive more helping behaviors such as co-workers volunteering to explain how to do something without being asked.
- Members of the cultural majority group sometimes have control over more resources (e.g., staff, budget, etc.) than minority group members of the same job grade.
- Members of the cultural minority group sometimes perceive a less positive interpersonal climate such as less friendliness, harsher tones of voice, and fewer questions asked in interviews.
- Members of the cultural majority group are sometimes more readily given stretch assignments such as being promoted to higher-profile jobs at lower levels of seniority or experience than their minority counterparts.

Additionally, gender and race may affect how people calibrate experiences (good or bad). For example, women may look for different things in deciding whether or not a work culture values people. Gender and race may create attitudes that people bring to the workplace which are independent of their actual experiences at work, but may still affect how they respond when asked about work issues. For example, if an individual has experienced racism in the larger society, then he/she may anticipate it happening at work and misinterpret workplace experiences because of his/her own mindset.

We designed the interview, focus group, and survey items that we posed to DOJ attorneys to gather information about various aspects of the climate related to these potential differences.

3.2.1. Workforce identity profiles

We began our analysis by examining DOJ employment records in order to develop portraits of the current attorney workforce (subject to the data quality constraints discussed in section 2.2.2.). We found that, in general, minorities and women are well-represented in the Department on the whole, but are less well represented in management positions.

Diversity of the DOJ political leadership

Throughout this report we cite the importance of leadership from the top of DOJ as a necessary (but not sufficient) condition for the Department to achieve its diversity goals. In this context, it is worth noting that the current Administration has appointed a diverse attorney workforce to the top political leadership of DOJ. The Deputy Attorney General and two of the six Assistant Attorneys General in charge of Litigating Divisions (Antitrust and Civil Rights) are minorities, the AAG in charge of an additional Litigating Division (Tax) is a woman, and the AAG heading the Office of Legal Policy is a minority. Additionally, several U.S. Attorneys, including the U.S. Attorney for Washington, D.C., are minorities, and several are women.

Diversity of the overall attorney workforce

As of December 31, 2001, the Department workforce included about 9,200 attorneys, 54% of whom were in the U.S. Attorneys' Offices, 30% in the Litigating Divisions, and 16% in the other components.[9] Overall, the attorney workforce is about 15% minority and 38% female, compared with about 12% minority and 30% female in the U.S. attorney labor force[10]:

Table 3.2.1.1. U.S. attorney labor pool (from census data) and DOJ attorney labor force

Workforce	% female	% minority
All attorneys in U.S.	30%	12%
DOJ attorneys	38%	15%

Throughout this report, when we refer to the *representativeness* (or *over-representativeness* or *under-representativeness*) of a particular demographic group in a particular segment of the Department, we define those terms *as the percentage of attorneys in that segment which are of that group compared to the percentage of attorneys in the Department as a whole which are of that group*. Note, however, that based on our recommended definition of DOJ's attorney workforce diversity goals discussed in section 2.1. , the Department should be cognizant of the percentage of the attorneys in each segment of each demographic group compared to the percentage of attorneys *in the national attorney workforce as a whole* which are of that group.

The racial and gender diversity of the Department's attorney workforce varies widely by component. With the exception of Civil Rights, the Litigating Divisions are less diverse with

[9] These breakdowns are based only on the eleven components in the study, which together employ approximately 95% of DOJ attorneys (not including FBI agents who are attorneys). Throughout this report, when we refer to breakdowns of the attorney workforce, we refer exclusively to the workforce of the eleven components.

[10] The source of these figures is self-identified employment classifications from the 2000 U.S. Census. Data includes attorneys in all fields—all levels of government, non-profit, and private—in the U.S.

respect to race and about as diverse with respect to gender as the rest of the Department. The U.S. Attorneys' Offices also mirror the rest of the Department, which is not surprising since they constitute over half of the Department's attorneys. Figures B.1. and B.2. in appendix B. illustrate the percentage of the attorney workforce which is minority and female, respectively, in each of the eleven components included in the study.

An important issue for the Department is whether it should consider its objective to be that *each component* meet the definition of diversity that we proposed in section 2.1. , or whether natural differences in representation across components should be allowed to comprise a Department which is sufficiently diverse in the aggregate. Many participants in the study—from managers from the Assistant Chief to Assistant Attorney General level as well as external constituents such as the American Bar Association—expressed the belief that patterns of intellectual and professional interest in certain practices of the law have limited and will continue to limit the potential of those practices to be as diverse with respect to gender, race, and ethnicity as the legal labor pool as a whole. In particular, this claim was cited for antitrust, tax, bankruptcy, and environmental law.

Evaluating these claims was beyond the scope of this study.[11] However, in order for these reasons to explain different demographic breakdowns in different fields, several conditions would have to be met:

- Each attorney and prospective attorney in the market is sufficiently exposed to each practice area in the law to make an informed judgment about what areas he/she is interested in.[12]
- The Department conducts sufficient outreach in hiring to reach all attorneys who might be interested in each practice field. This includes a conscientious definition of the skill set which is truly required to perform the duties in each component.
- Each DOJ component practices equality in hiring, promotion, and other areas which will influence the composition of its workforce.
- Each attorney and candidate for employment perceives that each component practices equality in the human resources management areas which will influence his/her opportunities for success.

As we discuss throughout the study, these conditions are not sufficiently met to be able to legitimately ascribe current shortfalls in diversity at DOJ strictly to market forces.

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[11] With some exceptions (such as civil rights or immigration law), we cannot conceive of any reason *a priori* why certain gender, racial, or ethnic groups would be less inclined to practice certain areas of the law, especially those repeatedly cited as lacking a diverse labor pool, than others.

[12] An example of an explanation for a lack of diversity offered in the study was that students who went to law school in the interior West of the U.S. are more likely to be surrounded by public lands issues, and are thus more likely to be interested in this type of law, which a significant segment of the Environment and Natural Resources Section practices. Because the interior West has different a demographic makeup than the country as a whole, those patterns are likely to be reflected in the market of attorneys who wish to practice this area. While this reasoning is plausible, it is an example of our suggestion that differing levels of *exposure* to this type of law—rather than inherently different levels of intellectual disposition—among certain demographic groups is what leads to this result. In our recommendations section, we suggest ways that the Department can assist to increase exposure of certain more obscure practice areas.

Workforce diversity by location

By definition, all U.S. Attorneys' Offices are in the field (there is also a District in Washington, D.C.). Of the other components, about 31% of attorneys are in the field (the Executive Office for Immigration Review is located in Falls Church, VA, which we consider to be Washington, D.C. for the purpose of this analysis). About 7% of attorneys in the Litigating Divisions, about half in EOIR[13], a majority in the Bureau of Prisons, most of the INS, and virtually all of U.S. Trustees are located in the field.

The following figure displays the racial and gender diversity of headquarters and field attorneys, not including U.S. Attorneys' Offices:

Table 3.2.1.2. Racial and gender diversity of headquarters and field attorneys, not including U.S. Attorneys' Offices

Group	Headquarters	Field
Male	59%	58%
Female	41%	42%
White	86%	82%
Minority	14%	18%

Department-wide, these differences are minimal. However, in the Litigating Divisions, that is not the case; although only a small portion of their attorneys are in the field (and virtually none in the Civil Rights and Criminal Divisions), only about 7% of field Litigating Division attorneys are minorities.

[13] Most EOIR attorneys in the field are immigration judges, who were not included in this study.

3.2.2. Culture and acculturation

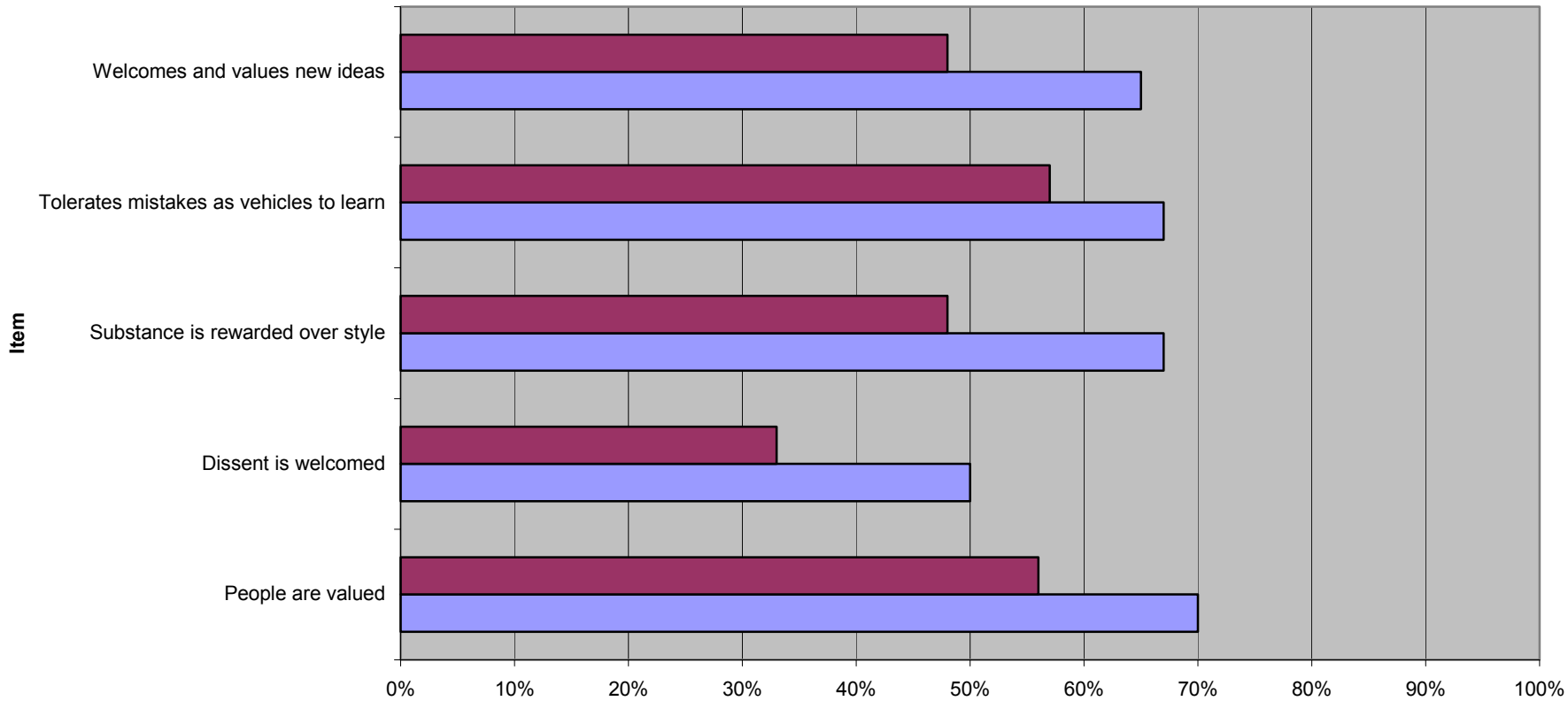
The culture and acculturation aspect of the Interactional Model deals with the organizational culture and how individuals' cultures interact with it.

Culture

Organizational culture—with respect both to areas explicitly related to race and gender identity and to areas not explicitly identify-specific—is a key force that will have an impact on an organization's ability to sustain a diverse workforce. Culture includes such factors as norms of behavior, values, beliefs, and shared meanings and traditions among employees.

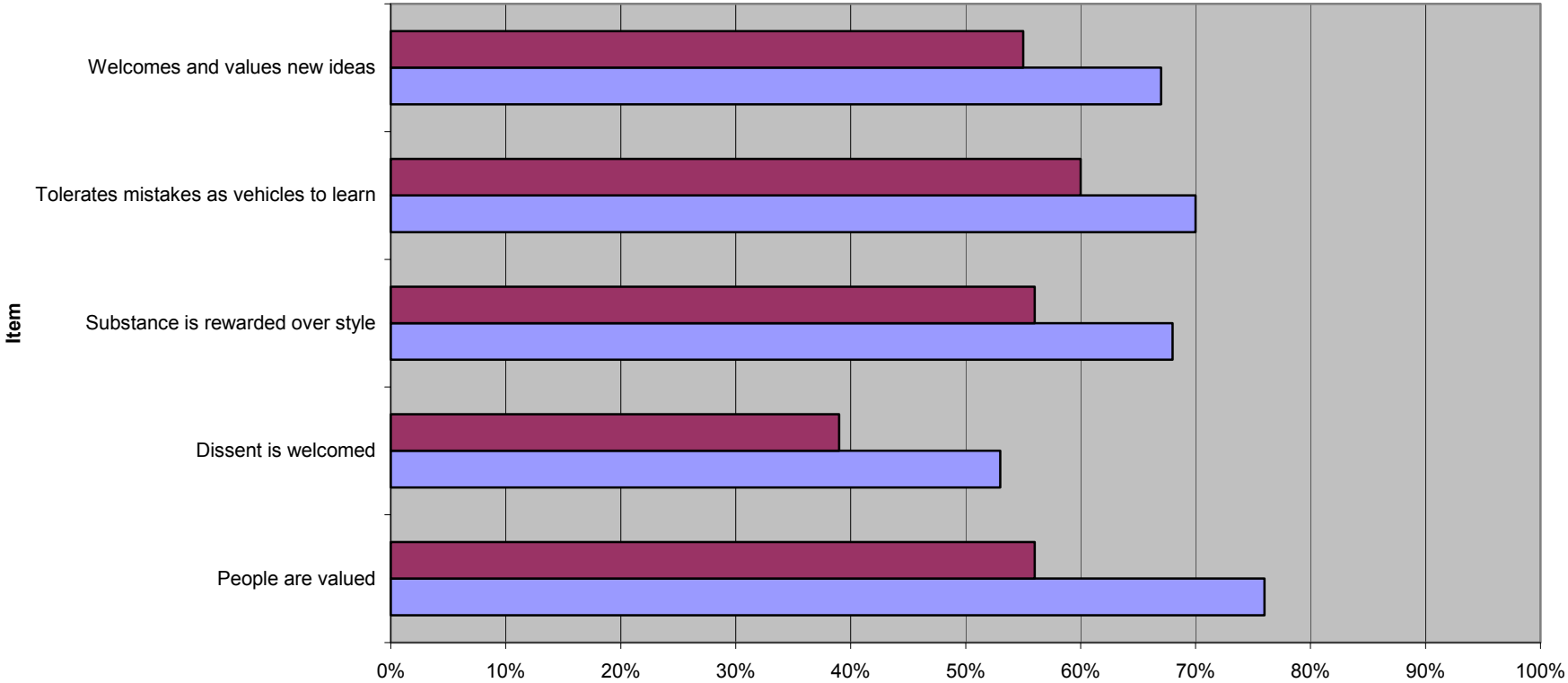
We measured DOJ's culture to ascertain both whether it contains elements that are expressly adverse to diversity and whether differences in the ways that different racial or gender groups *perceive* the culture might be impacting diversity. Respondents to the survey rated the Department culture on a series of norms that have been found in previous theory and research to be closely related to diversity. For example, a climate that tends to quash dissenting opinions can be especially difficult for members of cultural minority groups because their difference makes them more likely to have a dissenting view. The following graph compares responses for different identity groups on these survey items. In these items, respondents are asked to state to what extent they agree that each item characterizes the DOJ culture:

Figure 3.2.2.1. Organizational culture survey responses by race



	People are valued	Dissent is welcomed	Substance is rewarded over style	Tolerates mistakes as vehicles to learn	Welcomes and values new ideas
Minorities	56%	33%	48%	57%	48%
Whites	70%	50%	67%	67%	65%

Figure 3.2.2.2. Organizational culture survey responses by gender



	People are valued	Dissent is welcomed	Substance is rewarded over style	Tolerates mistakes as vehicles to learn	Welcomes and values new ideas
Women	56%	39%	56%	60%	55%
Men	76%	53%	68%	70%	67%

Score

The data in figures 3.2.2.1 and 3.2.2.2. show that views on these general culture items are statistically significantly different[14] depending on the DOJ member's race and gender. A pattern emerges here that is prevalent throughout the assessment—namely that women in DOJ are less likely than men to hold favorable views on the measures of work climate and that racial minorities (as a group) are less likely than whites to hold favorable views on measures of work climate.

It is especially noteworthy that a large majority of both women and minorities answered unfavorably about the item asking about tolerance of dissent. In interviews, managers suggested that the Department is *more* tolerant of criticism of the institution from employees than other organizations are.

In focus groups and individual interviews we also asked attorneys to describe the outstanding features of the work culture in their own words. Following are the eight pervasive themes—cited across gender, racial/ethnic, and component groups—that were reported[15]:

- family-friendly environment;
- members have high autonomy to perform jobs;
- highly collegial environment (i.e., people support and help each other);
- challenging work;
- accessibility of mentoring;
- high pressure and heavy workload;
- gaps in diversity (i.e., less-than-ideal representation of women and minorities in a variety of areas); and
- presence of cliques and favoritism (e.g., bias in favor of whites, bias in favor of graduates of Ivy League law schools, and bias in favor of other groups that are not necessarily based on race or gender identity).

There are two striking findings about this list: five of the themes characterize the culture in unequivocally positive terms. (A sixth, high pressure and heavy workload, could be positive, although the way that participants expressed it was in negative terms). It is clear that DOJ is generally viewed as a good place to work by people of all gender and racial/ethnic backgrounds.

Second, the two themes that are unfavorable characterizations deal directly with diversity issues. (Although this study focused on diversity, this particular question asked only about the general work culture. The fact that racial and/or gender identity was cited by some participants as a factor in clique membership and that minorities were somewhat more likely than whites to cite this aspect of the culture establish that it is related to diversity.)

We also studied those factors from which culture derives. In the Department's case, the nature of the work and the workforce are responsible for a good deal of the culture. Although the eight

[14] Throughout the report, when we say "significant," we mean that the effect is *statistically* significant (where applicable).

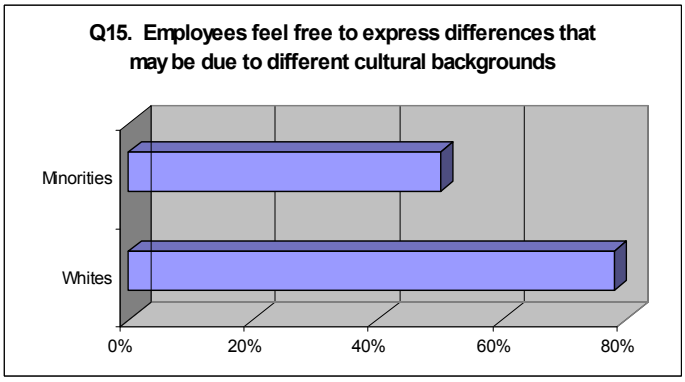
[15] The prevalence of these themes derives from two criteria: (1) they were mentioned in at least 50 percent of the DOJ components studied; and (2) they were mentioned by a preponderance of participants from three or more of the five gender/race strata (white men, white women, African-Americans, Hispanics, and other minorities). Thus, they are pervasive across components, genders, and races.

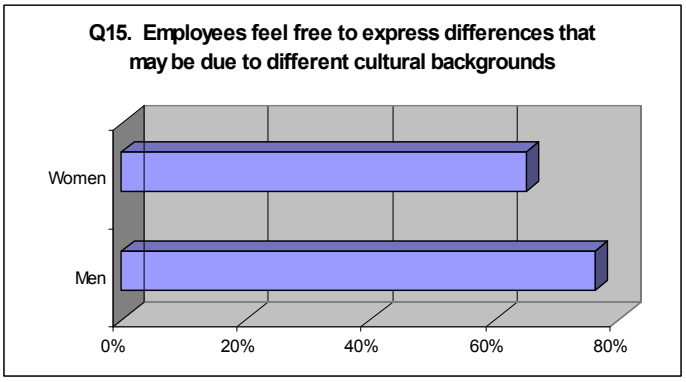
factors mentioned above are present across the Department, nuances within them and other aspects of the culture vary a good deal by component and location. As in any organization, the leadership of each office plays an important role in setting the tone as well. The Section Chief (or equivalent) in the Litigating Divisions, Regional Counsel or District Counsel in the INS, U.S. Trustee or Assistant U.S. Trustee, U.S. Attorney, and local office head in EOIR and BOP are those managers at the level within their respective organization who are at the most critical position to impact culture.

Acculturation

Acculturation deals with the organization's acceptance of cultural differences among employees. One survey question dealt with this topic. The following figure shows the percentage of each group that expressed agreement with the statement, "Employees feel free to express differences that may be due to different cultural backgrounds":

Figure 3.2.2.3. Acculturation survey responses





There was a significant difference between men's and women's as well as whites' and minorities' perceptions of their freedom to express differences that may be due to cultural backgrounds.

In addition, we tested for differences related to combinations of gender and race identity on this survey question and found the following pattern in percent favorable response:

- white men: 83%;
- white women: 73%;
- minority men: 56%; and
- minority women: 42%.

Note that the proportion of favorable response declines continually as the identity profile of the group is less similar to white male (the majority culture group) and, in particular, minority women are the only group in which a majority of attorneys give an unfavorable response.

These results give an important insight into how culture and diversity relate to one another. The more different a person is from the traditional group of power in an organization, the more likely that person is to experience cultural distance or separation from the dominant norms and ways of operating in that organization. White men, having essentially created the culture of the organization, are most comfortable working in it. The amount of discomfort experienced by people of other backgrounds will be greater when there is strong pressure for newcomers to conform (assimilate) to the existing dominant culture norms.

The fact that attorneys who are both female and members of racial minority groups have the least favorable reported experience is generally true throughout this study. This outcome includes not just results based on individual perceptions, but also on organizational outcomes such as upward mobility and compensation levels.

To illustrate how strong this result is, consider that across 49 survey items whose results can be reasonably compared across race/gender groups, minority women were the least likely of the four race/gender groups (white men, white women, minority men, minority women) to give a favorable response on 77% of the measures and second least likely to give a favorable response on another 19% of items. Moreover, the average difference in favorable response scores (across all survey items) for minority women compared to white men was 20 percentage points.

3.2.3. Structural integration

Structural integration refers to the presence of women and minorities in the formal power and leadership hierarchies of the Department. In the Litigating Divisions, we found that the Section Chiefs (or Branch Directors) are the primary levers for influencing the structural integration of the Department. They are ultimately most accountable for outcomes in their Section. They have significant authority for recruitment, hiring, promotion, job assignment, reward allocation, and other outcomes. They also establish the degree to which formal participation in these processes is distributed to others.

Workforce diversity by grade

A natural analysis of the structural integration of the attorney workforce is a stratification by grade. The most visible—and commonly cited throughout the study—diversity issue with respect to grade is the lack of women and especially minorities in upper management ranks. We analyzed the data two different ways: exploring the likelihood that an attorney of certain demographic characteristics would be at each level, and the percentage of attorneys at each level who are of each demographic. These presentations are essentially equivalent; they simply provide two different approaches to the question of representation in each level.

General Schedule attorneys

We define upper management as the Senior Executive Service (SES), because it (or its equivalent in other pay plans in other departments) is the highest executive level in the federal government besides Presidential appointee levels. Moreover, the appointment process for SES (for career appointments) is thorough and specialized—DOJ is not exempt from this process as it is for sub-SES attorney positions—and the status associated with the level is significant. Most SES attorneys in the Department are in the Litigating Divisions, where virtually all Deputy Assistant Attorneys General and Section Chiefs and some Deputy Section Chiefs hold the SES rank. The other components which use the GS pay plan—Bureau of Prisons, INS, U.S. Trustees, and Executive Office for Immigration Review—have a few SES attorneys in their front offices. Virtually no SES attorneys reside in the field in DOJ.

Men are significantly more likely than women (1.9% of the male attorney workforce versus 1.3% of females) and whites are twice as likely as minorities (1.8% versus 0.9%) to be in SES jobs. Both of these differences are statistically significant.[16] Hispanics (0.75%) and Native Americans (none) are least likely to be in the SES. There are also significant effects across race-gender interaction groups. Two percent of white males, 1.45% of white females, 1.25% of minority males, and 0.57% of minority females are in SES positions.

Among Assistant U.S. Attorneys, men are also significantly more likely than women (21% of male AUSAs are supervisors, compared to 16% of female AUSAs who are supervisors) and whites are significantly more likely than minorities (20% versus 14%) to be in supervisory

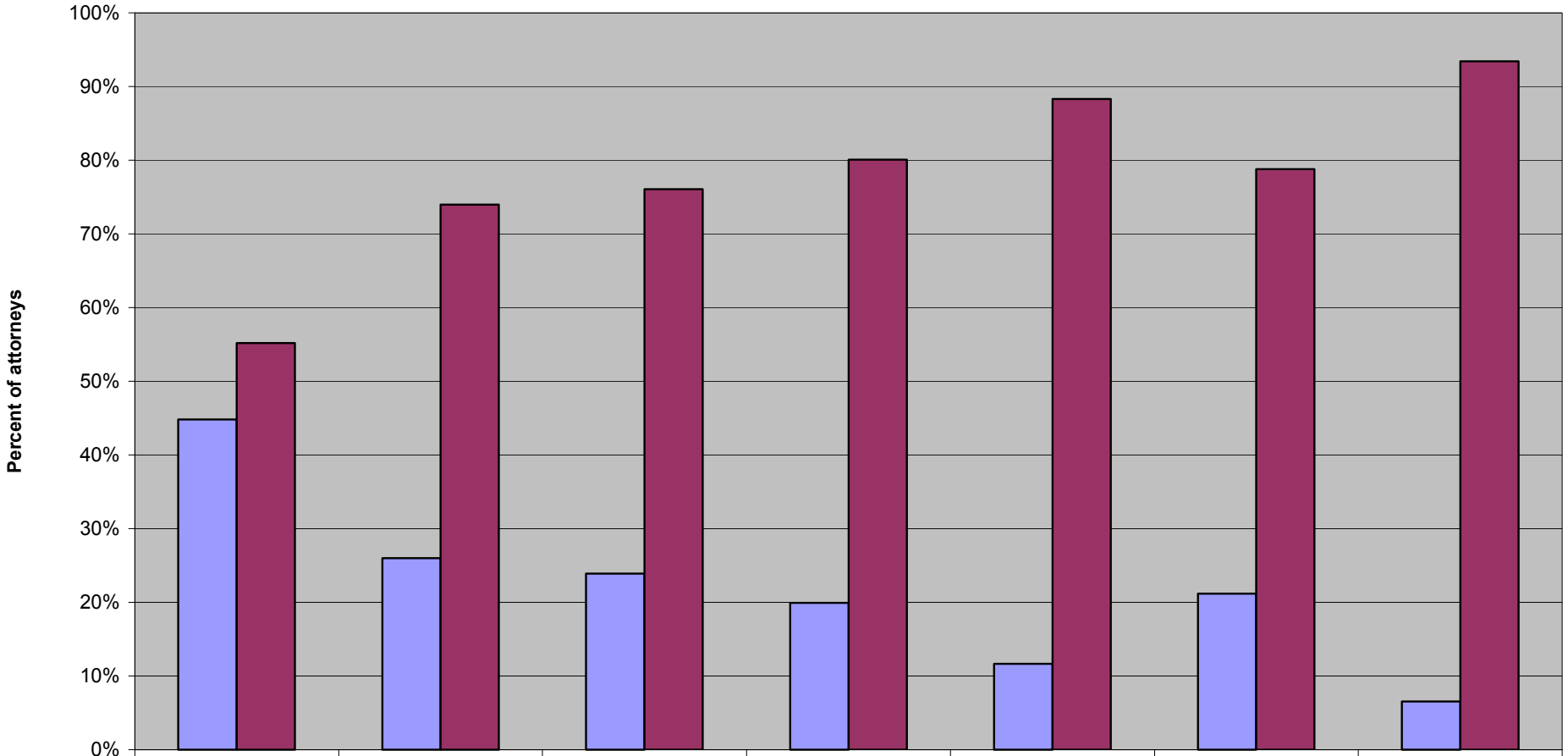
[16] Technically, this workforce is a population, not a sample, so these types of statistical tests are not suitable. However, we can conceptualize the current workforce as a realization of larger patterns, for example over time or for those on which we do not have data, such that these tests are of some value.

grades. Hispanics (12%), Asian Americans (13%), and minority women (17%) are least likely to be supervisory AUSAs.

The following graphs display the percentage of the attorney workforce within each grade that is a racial and/or ethnic minority. First, the following figures display the racial and gender breakdown of attorneys in components which use the General Schedule[17]:

[17] Noncareer SES positions are excluded.

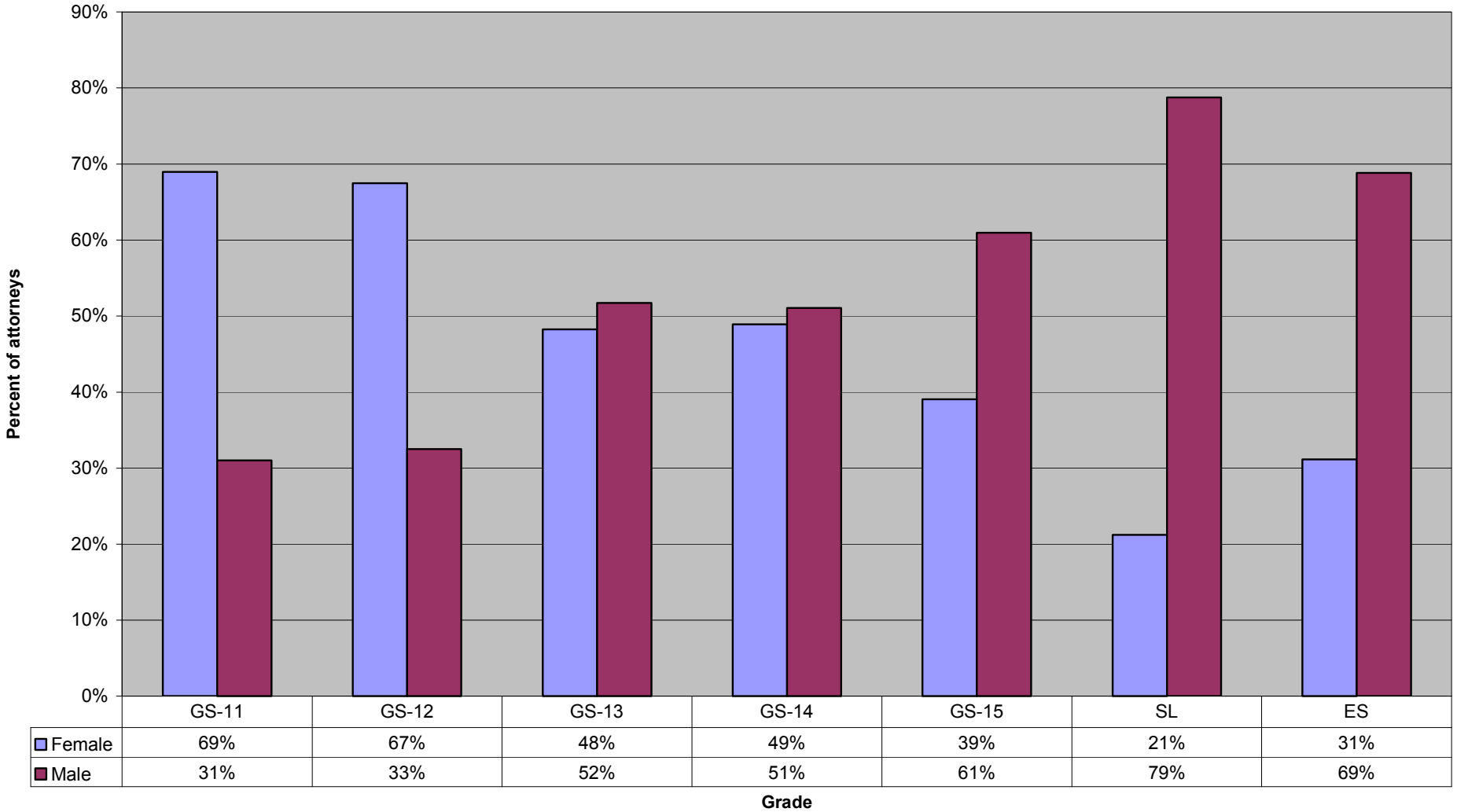
Figure 3.2.3.1. Percentage of attorneys at each grade level who are minority and white



	GS-11	GS-12	GS-13	GS-14	GS-15	SL	ES
Minority	45%	26%	24%	20%	12%	21%	7%
White	55%	74%	76%	80%	88%	79%	93%

Grade

Figure 3.2.3.2. Percentage of attorneys at each grade level who are female and male



	GS-11	GS-12	GS-13	GS-14	GS-15	SL	ES
Female	69%	67%	48%	49%	39%	21%	31%
Male	31%	33%	52%	51%	61%	79%	69%

(Additional detail about components is provided in figures B.3, B.4., B.5., and B.6. in appendix B.)

In general, especially in the Litigating Divisions, the pattern is one of declining racial diversity as rank increases. The gender diversity declines as rank increases, but at less than the rate at which racial/ethnic diversity declines.

Note the particularly high spikes in female and minority representation in grades 11 and 12. Attorneys in these grades fall into one category: recent Attorney General's Honors Program hires. As we discuss in section 3.2.7.1. , this population is over-representative of minorities and women (compared to their representation in law school) due to significant effort on the part of the Department to increase the diversity of the pool. Thus, the Department should be commended for hiring a very diverse corps of Honors Program attorneys. The key for this diversity to be maintained is that this pool of attorneys is promoted and retained in DOJ.

U.S. Attorneys' Offices

Attorneys in U.S. Attorneys' Offices are on the Administratively Determined (AD) pay plan. Besides the distinction between supervisory (grades 1-19) and non-supervisory (grades 20-29), the numeric grade in AD is less significant than in the GS case. Additionally, the supervisory grades do not compare directly with the SES rank in the other components, but they represent the only grade distinction available (besides U.S. Attorneys themselves, who are excluded from this study because they are political appointees). Therefore, we present the population simply divided into the supervisory and non-supervisory categories.

Men are statistically significantly more likely to be in supervisory jobs than are women (21% of male Assistant U.S. Attorneys are supervisors, compared with 16% of female AUSAs). White AUSAs (20%) are also more likely to be supervisors than minorities (14%). Among racial and ethnic minority groups, Native American (19%) and black (15%) AUSAs are more likely to be supervisors than Hispanics (12%) or Asians (12%). Additionally, there are statistically significant differences in representation in the supervisory ranks across the four gender and race/ethnicity interaction groups: 22% of white male AUSAs are supervisors, compared with 18% of white female AUSAs, 17% of minority male AUSAs, and 12% of minority female AUSAs.

The following table shows the percentage of women and minorities within each rank in the U.S. Attorneys' Offices[18]:

Table 3.2.3.1. Percent of each rank which are women and minorities, U.S. Attorneys' Offices

Rank	% female	% minority
Non-supervisory (AD-20—AD-29).	37%	17%
Supervisory (AD-1—AD-19)	26%	11%

Again, women and minorities are significantly less represented in the supervisory ranks than non-supervisory ranks.

[18] Noncareer staff are excluded.

Workforce diversity by job title

Because the promotion potential for attorneys in the Litigating Divisions is to grade 15, and most attorneys achieve that grade early in their careers, exploring diversity simply by grade as discussed above is not sufficient to assess the diversity of the leadership of the Department. We should examine the demographic breakdowns by job title within the top grade as well.

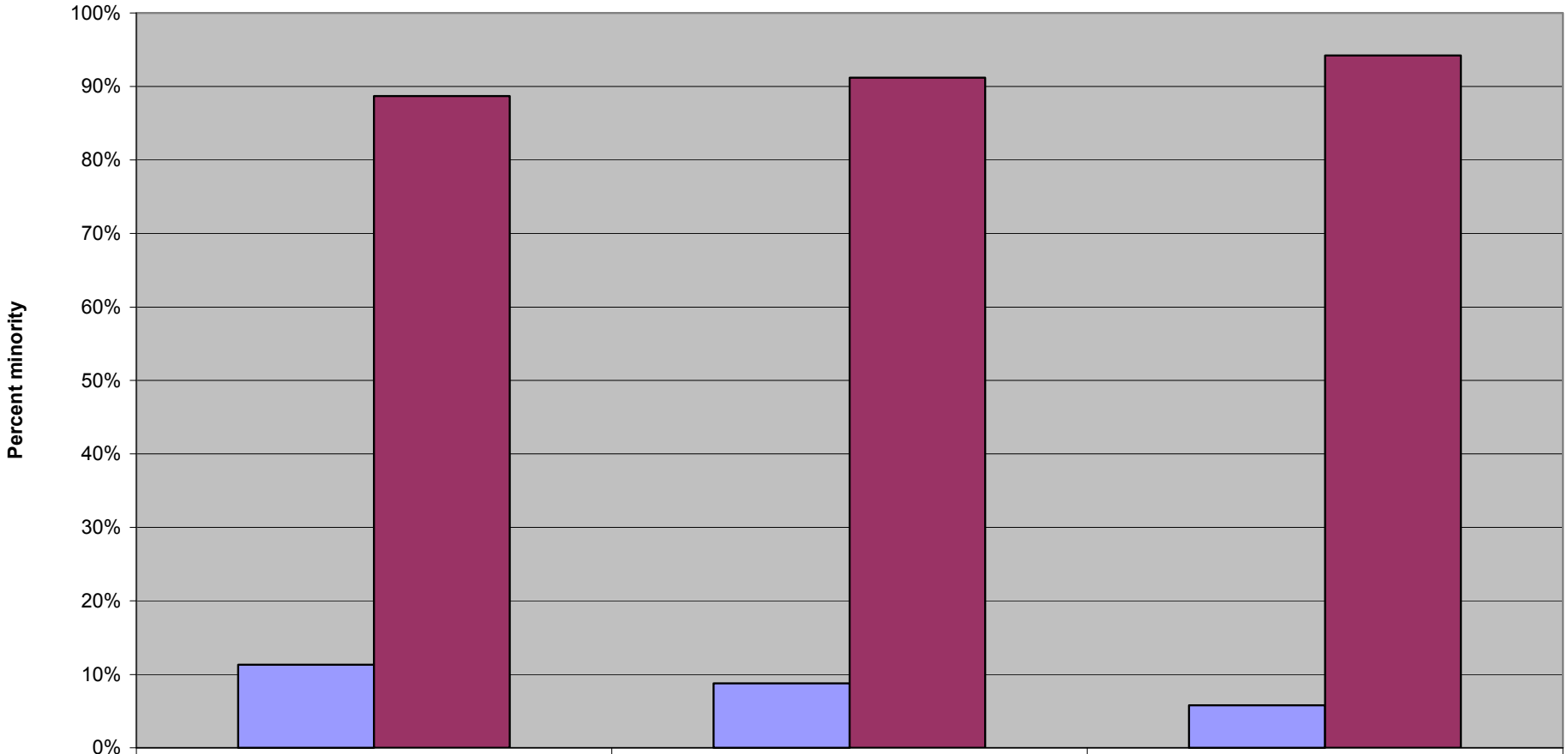
Attorneys at grade 15 can fall into one of three categories:

- general non-supervisory attorneys;
- supervisory attorneys, such as Assistant Section Chiefs, Deputy Section Chiefs, or occasionally Section Chiefs; or
- other categories denoting special status but not supervisory duties, such as Senior Litigation Counsel, Special Litigation Counsel, Senior Counsel, Counsel or Special Assistant to the Assistant Attorney General or Deputy Assistant Attorney General, Attorney Advisor, or other ad hoc or component-specific titles.

The distinction between these groups—particularly the supervisory and line non-supervisory attorneys—is very important as a practical matter. Deputy and Assistant Section Chiefs have a fair deal of management responsibility in some Divisions, and accession to one of these positions is considered a promotion. Although many GS-15 non-supervisory attorneys, particularly those at the Senior Counsel and similar levels, may have significant authority and responsibility for major cases and play a key role in the Department of Justice's organizational mission, it is the attorneys at the supervisory levels who have the most significant impact on structural integration—because they are most likely to be on hiring or promotion committees, contribute to performance appraisal and promotion decisions, and allocate case assignments and rewards.

We analyzed the breakdown of Litigating Division attorneys into these categories to attempt to ascertain whether the diversity illustrated at the GS-15 levels is independent of job title within the grade. The following graphs divide the GS-15 attorney workforce into the three categories outlined above and display the gender and racial diversity in each category. Each Division uses different titles, but all follow the general framework described, so that each Division's attorneys can be comparably mapped to these three categories:

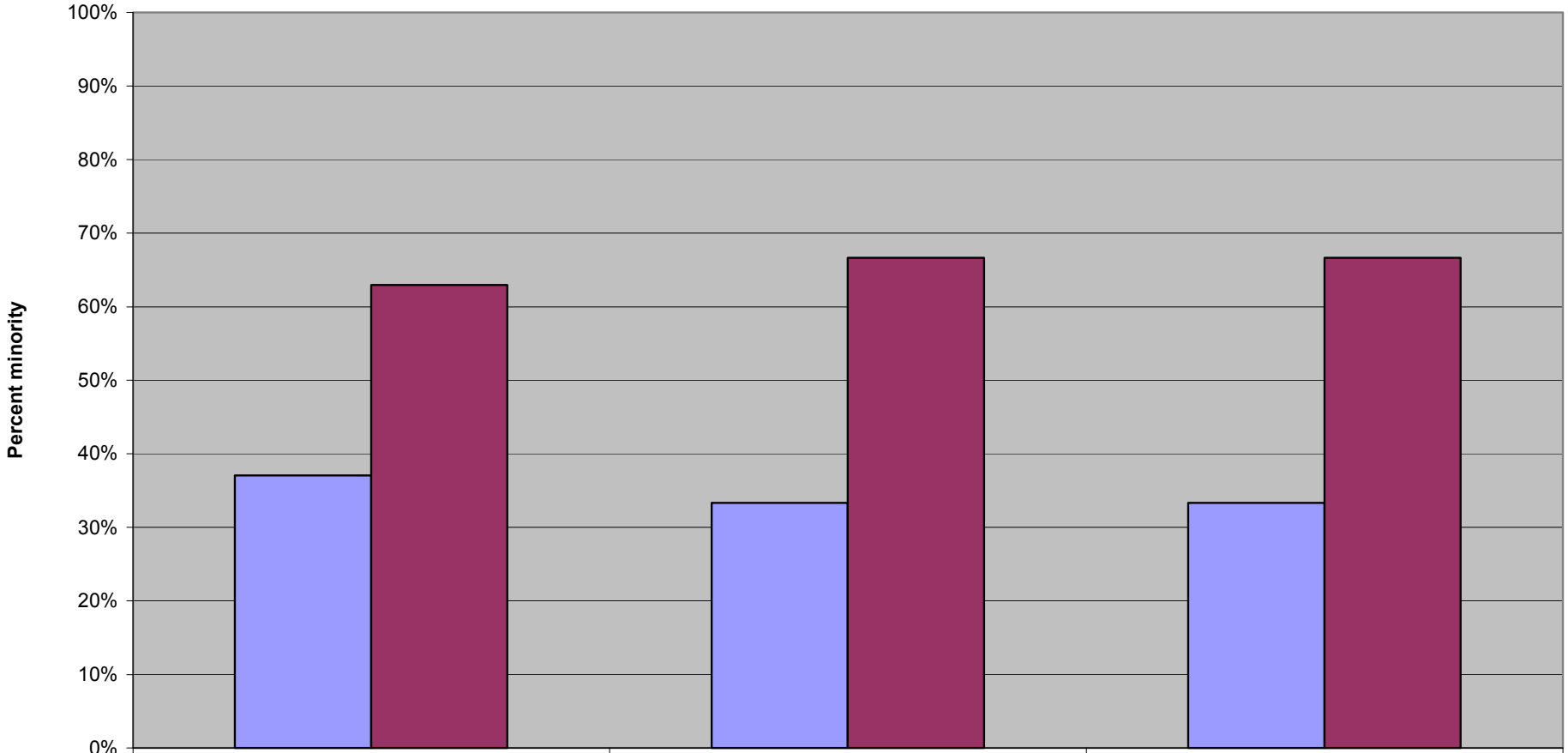
Figure 3.2.3.3. Distribution of GS-15 attorneys by race, Litigating Divisions



	GS-15 non-supervisor	GS-15 other	GS-15 dep. chief/supervisor
Minority	11%	9%	6%
White	89%	91%	94%

Component

Figure 3.2.3.4. Distribution of GS-15 attorneys by gender, Litigating Divisions



	GS-15 non-supervisor	GS-15 other	GS-15 dep. chief/supervisor
Female	37%	33%	33%
Male	63%	67%	67%

Component

Note that minorities are a higher proportion of the non-supervisory GS-15 workforce than the supervisory GS-15 workforce. This pattern prevails across components for minorities (see figure B.7. in appendix B.). The same disparity does not generally exist between men and women (see also figure B.8. in appendix B.).

Similarly, not all SESs hold equal job titles. Most are Deputy Assistant Attorneys General or Section Chiefs or the equivalent, but other titles (such as Senior Counsel) parallel the miscellaneous titles given to non-supervisory GS-15s. The pattern of minorities being represented less in the higher ranks prevails in the SES group as well. Figures B.7. and B.8. provide this detail by component.

U.S. Attorneys' Offices use such titles as First Assistant U.S. Attorney, Executive Assistant U.S. Attorney, Chief Assistant U.S. Attorney, and Deputy U.S. Attorney, in addition to Supervisory Assistant U.S. Attorney. However, these titles are not used consistently across offices (or at all in some offices), so a similar analysis of the representation of women and minorities in strata of the supervisory Assistant U.S. Attorney ranks is not possible.

Summary of structural integration findings

The findings in this section show that women and minorities are under-represented at the upper grade levels, and even when they achieve those levels, minorities continue to be under-represented in supervisory job titles.

3.2.4. Inter-group conflict

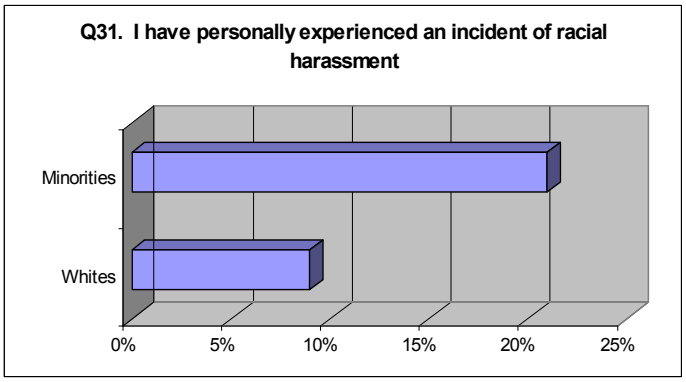
Interviews and focus groups suggested that one of the key aspects of the organizational culture across the Department is its collegiality. Attorneys—across gender, racial, and ethnic groups—stated that in cases and other professional interactions, colleagues were willing to support and assist each other. Daily interactions in the office were also characterized as positive and open, without the type of gender or racial/ethnic stratification evident in some organizations.

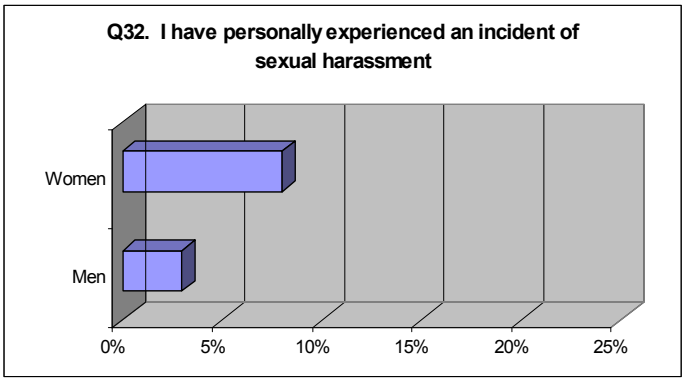
Harassment behavior

One of the indicators of unhealthy tension or conflict in the workplace related to people's group identifications is harassment behavior. We addressed perceptions of racial and sexual harassment in the survey as an element of inter-group conflict.

We found that sexual harassment is not perceived by attorneys to be a problem in the Department, but racial harassment is.[19] The following figure displays the survey results (in which we asked respondents about the past 24 months) on harassment:

Figure 3.2.4.1. Harassment survey responses





The sexual harassment results are consistent with what we find in other organizations that have made a reasonable effort to educate employees on sexual harassment. (In fact, the Department recently conducted a study of sexual harassment.) The racial harassment figures, however, indicate that minorities have experienced harassment at a rate three times that of whites. (There is no significant difference in reports of racial harassment between minority men and minority women, and no significant difference in reports of sexual harassment between white women and minority women.)

We also asked in the survey whether observed incidents of sexual harassment are being reported. Overall, 71% of the sample said that they would report an incident, 9% said they would not, and 19% had no opinion. Among the 80% expressing an opinion, women were statistically

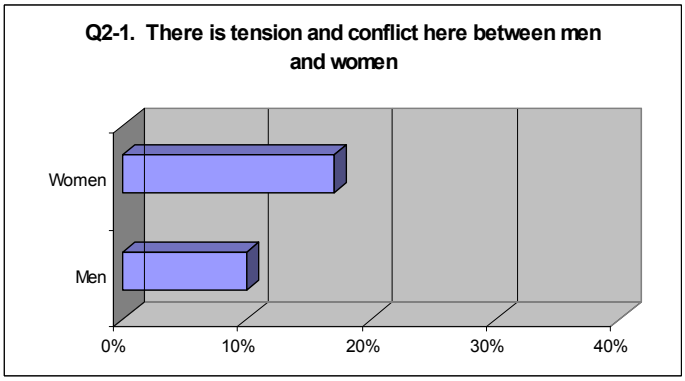
[19] Early versions of the web survey did not include the racial harassment question, so the number of responses to this question is lower than for the others, although still statistically sufficient to draw conclusions.

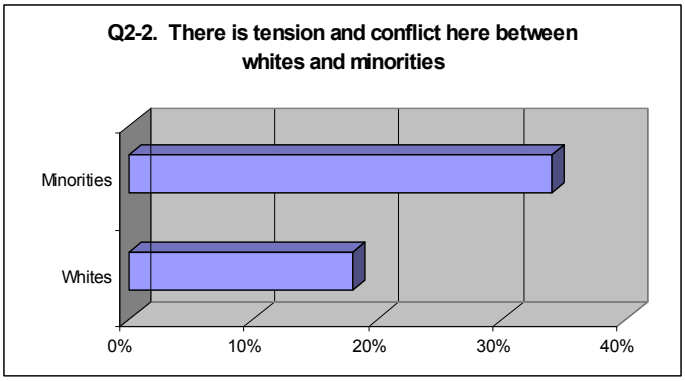
significantly less likely than men to say they would report observed incidents—84% for women, versus 93% for men.

Racial and gender tension

We also measured the inter-group conflict climate factor by asking directly about levels of specific types of conflict and tension within the Department. Although most respondents reported a lack of gender- and race-related conflict on the survey, there were statistically significantly different responses to this question across demographic groups. The following figure displays these responses:

Figure 3.2.4.2. Racial and gender tension survey responses





Another element related to this finding is communication between gender and racial/ethnic groups. We provide these results in section 3.2.5.

Summary of inter-group conflict findings

Findings on this factor are mixed. When we asked attorneys to characterize the climate overall, they stressed the collegiality and inclusiveness of their peer interactions. However, when we explicitly asked in the survey whether sexual or racial/ethnic tension or harassment occurred in the workplace, a substantial portion of minority attorneys answered in the affirmative.

3.2.5. Informal integration

The structural integration dimension of the Interactional Model addresses access to formal authority and decision-making influence. This is a critical but insufficient picture of the level of integration or inclusiveness of a work culture. Research indicates that another important factor is participation in the *informal* networks and power structures of the organization. Informal integration takes several forms, including day-to-day interactions between staff as well as more structured mentoring experiences.

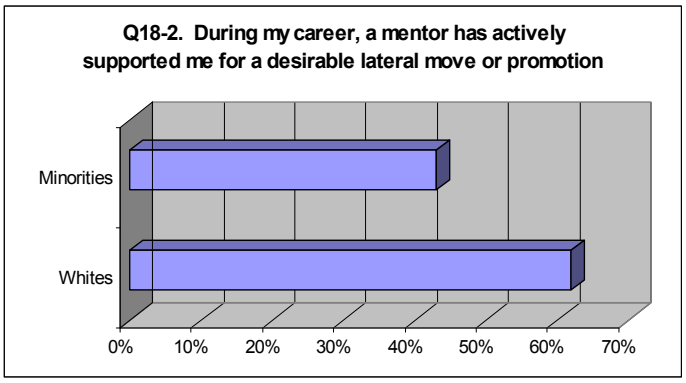
Mentoring

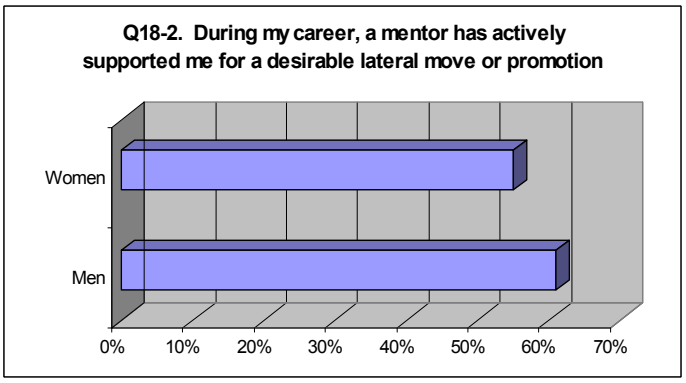
Statistical analysis of survey data shows that the amount of mentoring support that a DOJ attorney says that he/she has received is a predictor of other outcomes such as likelihood to stay in the organization, career satisfaction, and the willingness to recommend DOJ to other people for employment.

Additionally, data show that DOJ attorneys' perceptions of the value they derived from mentoring has a significant impact on their job involvement (see section 3.3.3. for a discussion of job involvement) and that, all else being equal, mentoring has an even greater impact on job involvement for women than for men, and, to a lesser extent, for minorities than for whites.

Given these results, it is important to know whether or not people of different gender and race groups have equal access to the benefits of mentoring. The survey question on this topic suggests that women and minorities believe that they do not:

Figure 3.2.5.1. Benefits from mentoring survey responses





Informal networks

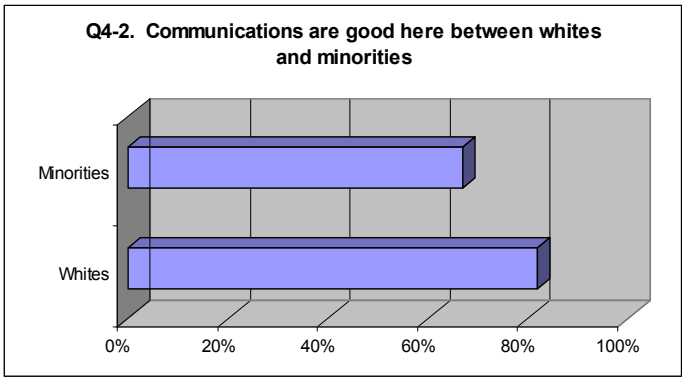
Informal networks are an important part of the environment in any professional organization, and generally have a role in both the perceived and actual status and success of individuals. In DOJ this aspect of the work environment is particularly relevant, because a good deal of work (e.g., cases) is conducted in teams, depending on the component.

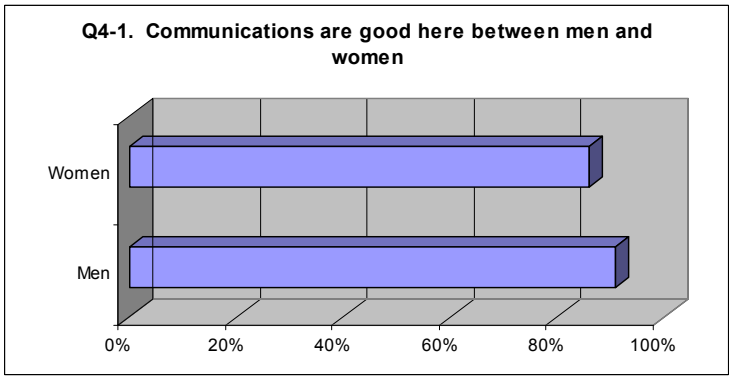
Many attorneys reported that cliques and other informal networks are a part of daily interaction. These types of networks are, of course, present in any organization, but we sought to determine both whether they have a racial/ethnic or gender effect and whether they are perceived as especially important to attorneys' career opportunities and advancement outcomes. In focus groups and interviews, minorities repeatedly expressed the belief that exclusive, informal networks limit their access to communication with managers, premium job assignments, mentoring, promotions, and other career growth outcomes.

Communication

Another element of informal integration is communication—in particular, respondents' perception of their ability to communicate with other groups in the organization. The following figure provides results from the survey about this aspect:

Figure 3.2.5.2. Communication survey responses





Note that, on the whole, attorneys rate communication as a positive element of the work climate. Again, though, there is a statistically significant gap between whites and minorities.

Summary of informal integration findings

As discussed in the previous section on inter-group conflict, DOJ is characterized by collegiality and inclusiveness across demographic lines. However, those results combine with the findings presented in this section to make the study inconclusive in this area. It is possible that minorities perceive that their interactions and communication with their peers are healthy, but their interactions with their superiors—which will eventually result in improved career opportunity and increased advancement—are less fair.

While we were unable to determine whether this negative perception corresponds to reality, we do find that the perception in and of itself is relevant for the Department. We also note two other findings cited throughout this report—the lack of diversity in management ranks and a lack of transparency in HR practices—which contribute to this perception and which can be improved.

3.2.6. Stereotyping

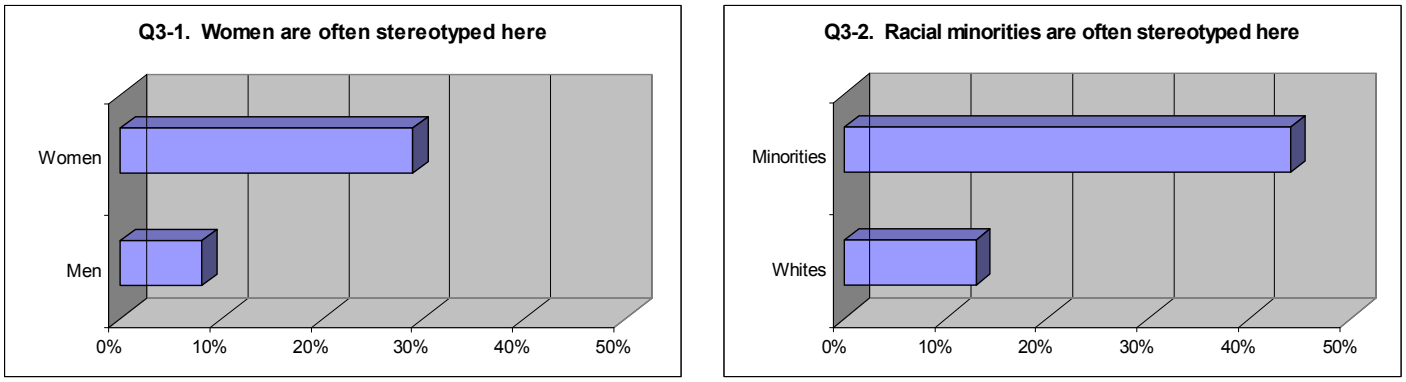
When people are stereotyped, adverse outcomes usually occur due to false attributions to individuals based on prior anecdotal experiences or traditional characterizations taken from folklore, literature, or media portrayals. We defined stereotyping in the survey as "assuming people have negative traits or limited abilities based on their race, gender, age, job, etc."

Our main findings are as follows:

- 14% of attorneys believe women are often stereotyped at DOJ;
- 22% believe racial minorities are often stereotyped;
- 11% believe white men are often stereotyped; and
- 32% believe people are stereotyped based on their component/office.[20]

We find these figures to be relatively low. Of more concern, though, is that responses are statistically significantly different across demographic groups. The following figure presents the results of the survey question about stereotyping:

Figure 3.2.6.1. Stereotyping survey responses



Note that more than 40% of racial minorities participating in the study believe that stereotyping of minorities as having limited abilities is a problem. Further analysis shows that an actual majority (51%) of non-white women hold this belief. Although we do not know the extent to which this belief is based on actual differential treatment of people, it clearly represents a barrier to the goal of creating an environment where all members feel equally valued and able to contribute.

[20] As we discuss in section 3.2.1. , the fact that gender and especially racial diversity vary widely by component and geography could be correlated with this survey result.

3.2.7. Human resources systems

Good diversity management begins with good human resources management (HRM). Therefore, human resources systems—or the processes through which attorneys are recruited, hired, evaluated, and promoted, as well as how their careers are developed—are an important part of the Interactional Model.

We focused a good deal on HR systems in the study. We sought both to ascertain whether attorneys believe that DOJ's HR systems are fair and to determine objectively whether the way that these processes are conducted is likely to positively, neutrally, or negatively affect gender and racial/ethnic diversity. The following sections discuss each system in turn.

3.2.7.1. Recruiting

Of all of the HRM practices required to maintain a diverse workforce, recruiting is in some sense the most important, because the diversity of the applicant pool sets an upper bound on the diversity of an organization's workforce. The Department recognizes this fact, and in the past its most visible and focused efforts to increase the diversity of the attorney workforce have been in the area of recruiting, especially for entry-level attorneys.

This section discusses recruiting, or the set of practices that lead to an attorney applying for a position with the Department. Because the practices involved in selecting and hiring attorneys—which begin when the recruitment process ends—are separate in terms of who administers them, how they are administered, and their potential impact on diversity, these are discussed in a separate (the next) section.

The Department recruits attorneys directly out of law school through the Attorney General's Honors Program and recruits experienced attorneys, known as *lateral* hires, through various means. Each of these is discussed below.

Honors Program recruiting

The Office of Attorney Recruitment and Management (OARM) recruits attorneys directly from law school on behalf of Department components via the Attorney General's Honors Program. For the Honors Program, OARM:

- collects vacancy information from any component which wishes to participate;
- generates marketing materials about employment at DOJ;
- advertises at law schools on behalf of the Department;
- mans booths at career fairs and other events;
- performs special outreach to law schools of historically black colleges and universities, minority law student organizations, and other organizations;
- collects applications and component preferences from candidates;
- arranges interviews on campus, at which components send interviewers to screen candidates; and
- handles administrative aspects of offers, including background checks and offer letters.

OARM does not participate in candidate selection; it only administers recruiting on components' behalf and arranges components to interview candidates on campus and take over the selection process from there. OARM does, however, keep substantial data on the number of applicants, interviewees, selectees, and new hires (i.e., who accepted offers).

OARM also administers the Summer Law Intern Program, which provides paid internships to law school students, and a volunteer intern program. The Summer Program is administered comparably to and simultaneously with the Honors Program. Components use the Summer Program as a pipeline to generate Honors Program candidates to varying degrees, although not as much as might be expected.

Components utilize the Honors Program to varying degrees. Participating components generally identify vacancies by Section (or the equivalent, including by locale in some components)—numbering in the handful per year for each component—and use committees of attorneys and managers to conduct the interviewing and hiring, and then use committees of managers and senior managers to make final selections. The Litigating Divisions, BOP, INS, and EOIR make heavy use of the Honors Program. The U.S. Trustees program uses it sparingly, due to the nature of its workforce, and U.S. Attorneys' Offices generally do not hire entry-level attorneys, with some recent exceptions.

Managers throughout the Department are virtually unanimous in their acclaim for the program, particularly its outreach targeted at a diverse student pool. In fact, OARM cites two main benefits of the Honors Program:

- it allows the Department to have a unified, professional presence on campus and economies of scale in the recruiting process; and
- its ability to conduct outreach to a diverse market, which OARM bolsters by maintaining extensive contact lists for minority organizations.

Others throughout the components echo the success of the Honors Program in recruiting a high-quality labor force as well as a diverse one. Some participants, however, expressed the concern that the Honors Program does not recruit at a wide enough variety of law schools (especially those that are likely to have an especially high population of minority students), although results of our independent assessment do not concur with this perception.

The Summer Law Intern Program is also regarded as successful throughout the Department.

Above all, the Department reports that it does not have difficulty recruiting a diverse pool of entry-level attorneys because of the desirability of the job. Figures on applicant flow bolster this point, as the Department routinely gets hundreds of applicants for every entry-level position that it has open. Therefore, it is unknown to what degree OARM can be credited for this diversity, or whether the office is simply not necessary to achieve it. At the very least, DOJ benefits from the unified campus presence and centralized recruiting logistics that the Honors Program provides.

Lateral recruiting

The organization and centralization of entry-level recruiting outreach is in contrast with the ad hoc nature of lateral recruiting. Components report that they generally fill lateral vacancies just-in-time as attorneys leave. They cite that they generally cannot predict vacancies—nor the availability of budgetary resources to expand their attorney workforce—far enough in advance to recruit via a methodology such as the Honors Program.

Components also report that, like the entry-level market, the lateral attorney market sees DOJ attorney jobs as very desirable. They typically get hundreds of resumes for each opening and hundreds of unsolicited resumes each year. As a result, many components cite their ability to attract a diverse applicant pool—although less diverse than the Honors Program pool—for lateral vacancies.

For attorneys other than those in the SES, the Department is exempt from U.S. Office of Personnel Management (OPM) rules requiring that all positions be advertised and undergo what is known as a competitive selection process. This exemption means that no position need be advertised—nor even exist—to be filled by the Department. Due to the way that the Honors Program is administered, this exempted status does not result in a lack of advertising for entry-level positions, but it does have a significant impact on advertising for lateral recruiting. The exempted status of attorney positions is intended to, and does, give components maximal flexibility in hiring.

When components do advertise, they tend to use sources such as the *Washington Post*, *Legal Times*, *National Law Journal*, and DOJ and component web sites. Some components report using specialized publications or meetings targeted toward their field of the law, and a few report advertising in publications or at meetings geared toward minorities.

We found that lateral recruiting processes vary substantially by component, and vary substantially by office in applicable components—by Section in the Litigating Divisions, District in the INS, District in the U.S. Attorneys' Offices, and District or Division in the U.S. Trustees component. The head of the respective office (e.g., Section Chief, District Counsel, or Assistant U.S. Trustee) has wide latitude in establishing policies and procedures for recruitment.

Participants in the study repeatedly cited several perceptions as limitations on the Department's ability to attract a diverse applicant pool for lateral vacancies:

- a lack of diversity in the relevant labor pool to begin with for some areas of legal practice;
- advertising for lateral positions that does not reach a broad base, or a lack of advertising at all;
- relatedly, the influence of personal connections (which might be less available to minority groups) on one's ability to obtain an attorney job at DOJ; and
- intense competition for women and minorities by private law firms.

The first of these factors is cited by components that view themselves as having a more specialized labor force, namely, the Tax Division, Antitrust Division, Environmental and Natural Resources Division, and U.S. Trustees. Managers in these components expressed a belief that not a lot of minorities (and, to a lesser extent, women, besides in ENR) practice tax, antitrust, environmental, or bankruptcy law.

However, several other observers, including other DOJ managers and private bar associations, suggested that this serves as a convenient excuse but does not suffice to explain the comparatively low diversity. In the study, we were not able to evaluate the merit of either side of this disagreement, but we did arrive at several findings based on discussions with components and industry groups:

- Components do not appear to have exhausted all of the viable outreach avenues for diverse lateral attorneys. Most do not routinely advertise at conferences or events or in publications geared toward a diverse audience. Although most components believe that they possess access to a national labor market (in the sense that candidates would relocate to take their positions) some (EOIR, for example) seem to unduly limit the geographic scope of their recruiting presence (although this could be due to resource constraints).
- The Department could implement a variety of creative programs, such as education campaigns targeted to younger law students or even undergraduates, to increase exposure to these fields among a diverse pool. DOJ could partner with industry—through associations or private companies or law firms—on these presentations. Other possible options include rotational programs, either across DOJ components or even with industry.[21]
- Components could be more creative in assessing candidates' qualifications for positions. That is, the conventional perception that one must be a professional antitrust lawyer to be a viable candidate for the Antitrust Division might merit re-examination in some cases. Doing so could broaden the base for each potential vacancy, increasing diversity in the process.
- Components do not focus enough on filling positions with attorneys from other components, or even from other offices in the same component. Considering attorneys in other areas in the Department for Assistant Section Chief openings, for example, can create the perception and the reality that there are more advancement opportunities available for attorneys who find themselves in Sections with low attrition in management ranks.

Internal Best Practice

Broadening the Base

Both the Environment and Natural Resources Division and Executive Office for U.S. Trustees have gotten a bit more creative in defining qualifications for experienced attorney positions. They are focusing on attorneys who are bright and motivated, but might not be experts in environment or bankruptcy law. They figure that these attorneys can learn the details of the practice once they get on board. This type of thinking sometimes takes more effort than simply looking for someone with the same skill set as the attorney who just departed, but can yield good results for quality as well as diversity.

[21] There are significant constraints to partnering with private firms on legal rotation programs, but it may be feasible to design a program that would yield benefits for the Department, the private employer, and the attorney, while serving to improve DOJ diversity.

We expand upon these issues where applicable in the recommendations section.

There is also fairly widespread concern, especially among minority groups and individuals, over the fact that, because it is exempt from relevant OPM regulations, the Department does not need to advertise each attorney position. Some attorneys and HR administrators expressed the view that this allows the selection process to be unfair; more attorneys and HR administrators expressed that this allowed the *perception* of unfairness to enter the selection process. This leads to the perception in the marketplace that one cannot get a job as a lateral DOJ attorney without some sort of personal or political connection. We heard this perception expressed to a moderate extent both inside and outside the Department.

Some components, for example the Civil Rights Division, say that they advertise all positions. Most components say that they advertise most positions. Of course, merely advertising positions does not guarantee a bona fide open selection process (in fact, the organization would only be doing the labor market a disservice if it nominally advertised for vacancies but really did not intend to consider outside applications), but the Civil Rights Division assures that the process is open to all. There is no way to really assess the true degree of openness of the process now, but we note in our recommendations section that components should at least store more data on applicant flow for lateral positions.

Internal Best Practice

"Open Season" to Transfer

The Civil Rights Division conducts an annual "open season," when attorneys have the option to change Sections within the Division. Attorneys draft a memorandum outlining which Section they would like to move to and why. Chiefs review the memos and grant transfers.

We do not recommend that the Department seek to abandon its exemptions to OPM rules, but, as we discuss in the recommendations section, DOJ should define vacancies and conduct a conscientious, open selection process for many if not most positions. It should also attempt to counter the perception that it does not advertise by conducting active outreach to sources with diverse targets that yield visible results.

In addition to the negative perceptions that it allows to be created, another adverse side effect of this OPM exemption is that the Department does not have data on applicant flow for lateral vacancies. (Because a vacancy need not exist to make a hire, "vacancies" and "applicants" are not well-defined for all new hiring situations.)

Lateral Attorney Recruitment Program

Between 1997 and 2001 the Office of Attorney Recruitment and Management instituted the Lateral Attorney Recruitment Program (LARP) on a pilot basis. The program was implemented in an effort to leverage some of the successful practices that OARM had employed in the Honors Program for lateral recruiting. Increasing diversity was an explicit rationale for LARP.

Opinion varies about the rationale for and success of the program. More components than not believe that it had a positive impact on lateral recruitment and diversity recruitment in particular. Some components regard it as a waste of resources. Most components also cited what were known to be challenges from the program's onset: the difficulty in using a centralized recruitment outreach program because of the unpredictability in vacancies (and component

budgets), the lack of resources afforded to the program, and components' concerns (which seem to be unfounded) that they would lose autonomy in selection.

3.2.7.2. Selection/hiring

The way that components evaluate applicants in order to make selections and extend offers varies by component and by office within each component. Section Chiefs (or the equivalent) have wide discretion in establishing selection processes and criteria. The breadth of personnel who have involvement in the process and influence on who gets selected varies significantly. Components concurred with our experience from other organizations that the diversity of perspectives represented among those involved in the selection process will impact the outcome.

Most components use line managers, including Assistant Section Chiefs or the equivalent, for interviewing and screening. Generally, more senior attorneys at the Section Chief level and above have substantial influence on ultimate decisions. In the Litigating Divisions, an individual at the level of a Deputy Assistant Attorney General or Assistant Attorney General is generally required for a final decision, certainly for lateral hires. In the INS, BOP, and EOIR, a headquarters manager like the Associate General Counsel for Human Resources (or the equivalent) makes the final decision. U.S. Attorneys' Offices and U.S. Trustees make hiring decisions entirely in the field.

Hiring for SES positions is defined largely by the Office of Personnel Management; panels comprised of current Section Chiefs and DAAGs evaluate candidates, and the Assistant Attorney General (or the equivalent) makes the final decision. OARM has a role in performing background checks and other administrative aspects of hiring.

Since components usually use panels to evaluate candidates at at least one stage, the issues of who serves on the panel and how the panel operates are important. It is clear, according to our experience and the input of attorneys and human resources administrators we spoke to for the study, that the more diverse the selection panel is, the more diverse selectees will be (all else being equal). This is not necessarily because individuals are overtly biased—we found few accusations and no evidence that any of those responsible for selection are overtly discriminating against women, minorities, or any other group—but because individuals by nature tend to favor applicants with experiences, backgrounds, and identities similar to their own.

We found in the study a common perception that selection processes—both the operations and, more importantly, the selection criteria—are not transparent. Some participants perceive that not only are processes not transparent, but they are not fair. Although a significant majority of attorneys responded affirmatively when directly asked in interviews whether they perceive the hiring process to be fair with respect to both gender and race, minorities (40%) and women (36%) were significantly more likely than whites (16%) and men (19%) to state that hiring is unfair with

Internal Best Practice

Documenting Hires

For each lateral vacancy filled in the Antitrust Division, the Section Chief or personnel officer fills out a worksheet detailing who was interviewed, including their demographics, and what the rationale for the selection was. This step raises awareness of the mechanics of the selection process.

respect to race. There was no significant difference either between men and women or whites and minorities in the percentage who believe that hiring is fair with respect to gender.

Most component HR administrators stated that hiring managers take gender and race into account when making hiring decisions, e.g., by using gender and race as "tiebreakers" to make a selection between essentially equivalent candidates. There is also some sentiment among attorneys, particularly though not exclusively white males, that the Department's focus on diversity in hiring is lowering standards for selection.

3.2.7.3. Performance appraisal

We sought to also evaluate DOJ's performance appraisal systems to determine attorneys' perceptions of them and whether they have any likely effect on diversity outcomes. We arrived at three related findings in this area.

First, the Department does not have an effective performance evaluation system. Virtually all components use a binary (i.e., "pass"/"fail") evaluation system. This system is not conducive to meaningful performance evaluation. Moreover, components have not promulgated objective performance criteria (although with a binary system it would be impossible to construct them anyway). In fact, components report switching to this system recently (in response to a memorandum from the previous Attorney General allowing the switch) to make it simpler for managers. Through this and other results, it is apparent that management does not take evaluating employee performance seriously.

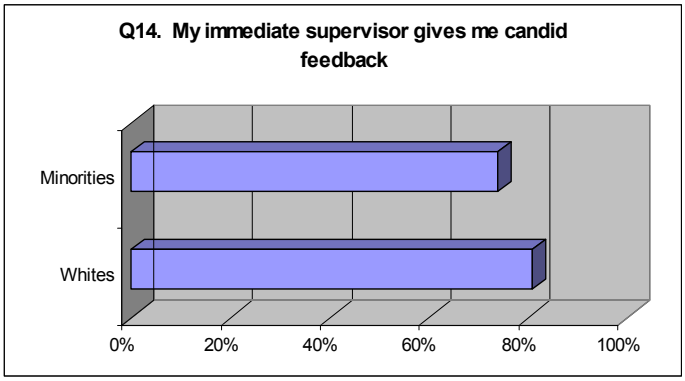
Second, attorneys perceive a lack of transparency in evaluation processes. This perception frustrates attorneys because they do not know what the performance standards to which they should aspire are. It leaves managers vulnerable to accusations that promotion, award, and other decisions are arbitrary and/or unfair.

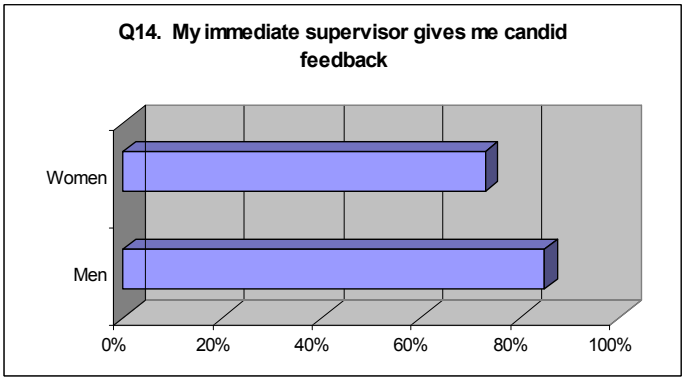
Third, attorneys reported receiving performance appraisals at a solid but less-than-ideal rate. In the survey, 77% of respondents indicated that they have annual reviews with their supervisors. This is a respectable figure, but inadequate for a professional organization which has a stated policy to do annual reviews.[22] There were also statistically significantly different results for men and women—82% of men reported that they have regular reviews, compared to 72% of women—and for whites and minorities—76% of whites reported that they have regular reviews, compared to 83% of minorities.

Additionally, the following figure shows results from the survey question asking whether attorneys receive good feedback from management:

[22] In our experience, percentages in the 90s are easily attainable.

Figure 3.2.7.1. Performance feedback survey responses





Some components conduct evaluations semi-annually, and others annually. All of the Litigating Divisions, U.S. Trustees, and INS recently switched from a five-point to a "pass"/"fail" evaluation system. The Executive Office for Immigration Review uses a three-point scale ("outstanding"/"fully successful"/"unacceptable"). Only the Bureau of Prisons has maintained a five-step system, largely because that is what it uses for non-attorneys and it wishes the policy to be consistent. Each U.S. Attorney's Office devises its own system.[23]

Each component cited the same reason for the switch to the two-point system (and BOP cites the same reason in desiring to switch)—the perceived cumbersomeness of a five-point system, especially in light of the perceived excellent performance of virtually all attorneys. Each component reported that virtually all attorneys scored one of the top two ratings, and undue staff energy was spent negotiating whether one was "excellent" or "outstanding."

We believe that the "pass"/"fail" evaluation system does not serve the interests of the Department, nor of diversity. This is especially true considering that components reported making the switch merely for the purpose of expediency. Near-unanimous input from components suggested that use of the "pass"/"fail" system is a symptom that managers and staff attorneys tend not to take the performance evaluation process seriously in general. It was reported common for attorneys not to receive an annual evaluation.

It is certainly a management challenge to conduct candid, thoughtful discussions about performance with each staff member at least once a year—but this feedback is an important part of professionals' career development. The lack of any real performance evaluation process in most components is symptomatic of the deficits in human resources management quality and attention to career development from which the Department suffers—and which is a theme throughout this report.

Furthermore, absent objective, realistic performance evaluations, components expose themselves to charges that personnel decisions—such as promotions and awards—are arbitrary or discriminatory and adversely impact women or minorities. In the study, attorneys and HR

[23] We did not gather data on the systems used in each of the 94 Districts.

managers, especially minority attorneys, expressed a perception that the system is not transparent—although they might perceive it as not transparent when the real problem is that there is no system at all.

3.2.7.4. Promotion

Promotion is one of the core career milestones—and HR systems—that leads to positive individual and organizational outcomes. We discuss the promotion process and attorneys' perceptions of it in this section.

There are two career advancement outcomes in DOJ which constitute a promotion:

- movement from one grade to the next within essentially the same job; and
- movement to a higher job title, either with or without a grade increase.

Movement from one step to another within the same grade, known as quality step increase, is considered a merit award, as opposed to a promotion, and is discussed in section 3.2.7.6. Movement by a DOJ attorney to a (career) SES position is also a promotion for the employee. However—because, unlike non-SES attorney positions, SES attorney positions are not exempt from OPM selection rules, and thus must undergo a full competition—movement to an SES position is more like applying for a new job than a promotion.

Promotion processes vary by component. The Section Chief (or the equivalent) has broad discretion in granting promotions, with approval required by at least the Deputy Assistant Attorney General in most cases. Some components or sections use panels of managers from across the component to evaluate promotions—and not surprisingly sections with broad-based hiring committees tend to have broad-based promotion committees as well.

However, despite the relatively elaborate processes that many components describe, the prevailing HRM practice in the Department is for promotions to be based on longevity and to occur automatically as soon as employees are eligible—especially for the lower levels. For promotion to the highest eligible level—GS-14 or GS-15, depending upon the attorney's component and location—some components subject the promotion to slightly more scrutiny.

In the Litigating Divisions, all attorneys have promotion potential to GS-15, and most make it at or near the time they become eligible. (In fact, because all time-in-grade requirements are only guidelines and exceptions can be made, many make it before their nominal time-in-grade eligibility.) Honors Program attorneys start at GS-11 or GS-12 (occasionally an Honors Program attorney with advanced qualifications, such a law clerkship, will also start at grade 13); those who start at grade 11 are eligible for promotion to grade 12 in six months or less, and those at grade 12 are eligible to be promoted to grade 13 in six to twelve months. Lateral attorneys start at grades 13, 14, or 15. Attorneys are eligible for promotion to grade 14 after twelve to 18 months, and to grade 15 after twelve to 24 months.

In the INS, headquarters attorneys have promotion potential to grade 15 and (non-supervisory) field attorneys to grade 14, and most progress to their potential similarly to attorneys in the

Litigating Divisions. The Bureau of Prisons recently raised the promotion potential for non-supervisory field attorneys to GS-14, and most progress to that level. EOIR and U.S. Trustees attorneys also have promotion potential to grade 15, and most progress to that level.

U.S. Attorneys' Offices are on the Administratively Determined pay plan. Non-supervisory attorneys are in grades 20 through 29, and most get promoted to grade 29 quickly. Supervisory attorneys are in grades 19-10 or 9-1 (in descending numerical order of rank), depending on the jurisdiction, and most achieve the highest grade used in their office. U.S. Attorneys are at grade AD-0. AD salaries are comparable to but slightly higher than GS salaries.[24]

For accession to SES, components are governed by OPM rules. A committee, consisting of current SES attorneys within the component, evaluates candidates, and the head of the component (Assistant Attorney General or the equivalent) makes the final decision.

Components, especially the Litigating Divisions and U.S. Attorneys' Offices, reported that labor market pressures have required them to provide rapid promotions (and salary increases) for attorneys. The level GS-15, step 10, the highest level below SES, carries a salary approximately equal to the salaries of attorneys starting out of law school at the top firms in many U.S. cities.

Our findings regarding promotions mirror those for selection:

- When asked in interviews, the majority of attorneys responded that they believe that promotions are fair with respect to gender and race.
- There is no significant difference in demographic groups' perceptions about the fairness of promotions with respect to gender. Overall, 77% of attorneys said that the promotion process is fair with respect to gender.
- However, both women (60%) and minorities (53%) were significantly less likely to report that they perceive the promotion process to be fair with respect to race than men (81%) and whites (87%). Note that this percentage of women and minorities which expressed this perception—barely a majority in the case of minorities—is lower than that which expressed the view that *hiring* is fair with respect to race.
- Both the perception among attorneys and the reality is that criteria and processes for promotion are not transparent. We find this perception bolstered by most components' use of a "pass"/"fail" performance evaluation system (see section 3.2.7.3.) and a lack of substantial performance reviews in general. As a result, attorneys are not equipped to be cognizant of their standing as a precursor to promotion.

Internal Best Practice

Making the Case for a Promotion

In the Civil Division Commercial Litigation Branch, attorneys who wish to be promoted write a memo making their case. They then collaborate with the branch director and deputy on the product and present it to the Deputy Assistant Attorney General for approval. This process values individual merit and encourages a focus on performance.

[24] Over the years, the Department has discussed moving all attorneys to the AD pay plan to allow salaries to be higher. In the past, the ability of AD attorneys to progress to the highest salary ranger faster than the actual salary at that range has been cited as the main advantage of AD; however, the Department's recent practice of accelerating promotions to GS-15 have made this less of an advantage.

- The composition of the pool of decision makers for promotions has an important impact on who gets promoted. In fact, participants in interviews and focus groups cited that in components with a significant number of women or minorities in supervisory positions (particularly the Civil Rights Division and Bureau of Prisons), it is easier for additional women and minorities to be promoted. The concept of "critical mass" in the supervisory ranks again is important and self-perpetuating.

We also found two additional widespread views with respect to promotion. First, many attorneys said that they do not want to be supervisors, at the GS-15 Assistant-Chief-type level and even the SES level. They would rather litigate than manage, and perceive the duties of a supervisor to be undesirable. Although SES membership carries significantly higher status and salary—47% to 57% greater than a GS-15, step 1 salary and 13% to 21% greater than a GS-15, step 10 salary (not including locality pay)—than lower grades, many attorneys expressed that they were not interested in such positions. Most often cited were the pressures, bureaucratic duties, burden of applying, and lack of real legal practice that characterizes the typical SES attorney's job. (This is somewhat ironic, because, as we have stated, many attorneys also complain that the best litigators and not the best leaders become SES attorneys.) GS-15 supervisory positions contain some of the same characteristics—although far fewer than SES positions—but at a salary not even higher than a GS-15 non-supervisory position.

Second, most attorneys—especially minorities—said that they do not find aspiration to an SES position to be a reasonable goal. This is because of a pervasive sentiment among Department attorneys, especially among minorities, that they have no chance of achieving an SES position—due to the scarcity of positions and low turnover therein. The majority of line attorneys, senior leaders, and HR administrators believe that the prospect of obtaining an SES position is too remote to be viable as a rationale for retention for most attorneys. Minorities express this concern more than whites—and we believe that the lack of minorities in the SES ranks significantly contributes to minorities' perceptions.

It is clear that many attorneys simply do not want to do what an SES attorney does for his/her job. However, it is also likely that part of individuals' rationalization that they do not want the job is due to a belief that they will never get it anyway.

Most senior managers in the Department cite attempts to get authorization (from OPM) and funding (from Congress) for more SES positions in their component. Most report that both their workload warrants more positions and that additional SES positions would benefit staff morale, performance, and diversity by creating more opportunities. Although obtaining more SES attorney positions would carry those benefits, it would also have disadvantages (such as potentially adding unnecessary levels of hierarchy, further insulating the front lines of the Department from the political leadership, and increasing costs), and we are not convinced that more positions in and of themselves would solve the significant diversity issues surrounding the SES workforce. In our recommendations section we describe a series of suggestions to address these issues.

3.2.7.5. Career development

We define career development as those formal and informal HRM practices that occur throughout an individual's career to improve his/her abilities, skills, and perspective on the organization such that the individual participates in and leads increasingly broad elements of the organization's mission at increasing levels of capability and personal gratification.

Career development activities are important precursors to positive individual and organizational outcomes. We identified four related aspects of employee career development that are important for the Department:

- career development that equips employees with the technical skills they need for their day-to-day jobs;
- career development which employees intrinsically value as a positive aspect of their jobs;
- career development that the Department relies upon to build a workforce of future leaders; and
- case assignment, which is a particularly important aspect of career development.

DOJ faces diversity-related issues in the latter three of these areas.

Career development for technical skill improvement

The most basic purpose for career development is to assure that attorneys have the skills that they need for their legal work.

Employee training, either in a classroom or on the job, is a significant tool to achieve this end. Training also serves the goal of improving employee morale and empowerment, orienting employees to their environment, and giving employees a broader perspective on their organization.

The National Advocacy Center, operated by the Executive Office for U.S. Attorneys, is cited throughout the Department as a key asset to DOJ. Its technical courses—which are available to all components—and facilities are praised as valuable in meeting some training needs (although some complain that course offerings are not sufficient and that the center is too remotely located).

Training opportunities and requirements vary significantly by component. The Tax and Environment and Natural Resources Divisions each offer a one-week orientation to all new attorneys. The Criminal Division offers orientation as well as a variety of training opportunities open to—and the same for—everyone. The Civil Rights Division offers a

Internal Best Practice

Emphasizing Professional Development

The INS recently created the position of Chief of Training and Career Development in the General Counsel's office and staffed the position with a former District Counsel. The office takes a birds-eye view of training from the GC's office, mitigating the concern that attorneys in the District offices weren't getting enough access to training because of short-term workload concerns. The office doesn't give District Counsel absolute veto power over attorneys' training activities, so attorneys are able to enhance their professional development more than before. In fact, attorneys are encouraged to take courses in areas, such as immigration document authentication, that are not directly related to their day-to-day tasks, but rather enhance their broad understanding of their field.

variety of training courses on civil rights issues. No component reported mandating any training as a prerequisite to advancement.

When asked, managers did not cite attorney skill deficits in their areas of legal practice as an obstacle to achieving the Department's mission. Nor did female or minority attorneys cite a perception that they do not have equal access to training. Thus, the Department seems to be succeeding in equipping its employees to do their technical work with a neutral (at worst) impact on diversity.

Career development for employee retention

White-collar professionals consistently cite career development as one of the most important factors that they value in a job and reasons why they stay. This is especially true in the case of DOJ because most attorneys are foregoing higher salaries to work in the Department, and thus must derive other benefits from the job in order to feel positively about it. In fact, attorneys cite the interesting, challenging work and associated learning and development experiences as the main advantage of DOJ over private law firms. This natural career development of sorts is contrasted, however, with few affirmative efforts to develop attorneys' careers that the Department makes.

Findings on employee perceptions of career development were mixed. In the survey, 78% of respondents agreed that they are "knowledgeable about [their] career opportunities at DOJ" and 71% agreed that they have "opportunities for professional growth and development that are consistent with [their] abilities." However, focus groups and individual interviews revealed that employees perceive a dearth of career development opportunities, and that this perception leads to attrition. Because minorities and women leave at a higher rate than white males, this fact has an impact on diversity.

Positive career development could be effectuated through a number of means. One particularly effective—yet difficult-to-implement—measure is employee mentoring, as discussed in section 3.2.5. and the section on recommendations. Some components have formal mentoring programs. In addition to implementing a formal mentoring program from the top down, the organization must foster an environment that recognizes the value of mentoring and encourages its senior supervisory and especially non-supervisory attorneys to seek it out. The best way to achieve this is for the very top of the organization to lead by example.[25] We find the Department lacking in this area; among the common reasons cited is a workload that leaves no time.

[25] A heavy prevalence of, and reliance on, mentoring can also have an adverse impact on the diversity climate if mentoring leads to cliques and preferential treatment. If employees perceive that membership in exclusive cliques is a prerequisite to advancement, or that mentors in positions of authority practice favoritism toward their mentees at the expense of others, then a mentoring environment can have a negative effect. As discussed in section 3.2.5. , minority attorneys throughout DOJ cite this perception. We believe that an environment of mentoring brings net positive results to an organization—and that it is a valuable tool for nurturing junior employees if implemented carefully.

Career development for better management in the future

Another important objective of career development—and the one in which we find DOJ to be most lacking—is to develop a corps of future leaders for the organization. A common view among staff and senior managers whom we interviewed in the study was that the Department does not prepare attorneys to become managers—and this lack of preparation is reflected in the management style of Section Chiefs and other managers. (In this way the lack of career development perpetuates itself.)

"I wish there were more attempts by managers to develop their people rather than just get their work done"
--- DAAG

It is evident from the Department's HRM processes why this is the case. The best lawyers, not the best leaders, become the managers, and these attorneys' management skills are not cultivated along the way or reinforced when they arrive in management. The cited results of this outcome are generally poor communication from management and the lack of transparency in HRM processes that we have cited throughout the study.

The adverse impact on the diversity of DOJ's attorney workforce that inadequate career development brings is exacerbated by two factors previously cited:

- the critical role in human resources management that these line supervisors (such as Section Chiefs or local office heads) play; and
- the lack of gender and especially racial diversity in the ranks of these jobs.

One way to address this issue would be to implement a rigorous program of training for new managers, but, as we discuss in the section on recommendations, a more effective way to address the issue is by gradually improving the responsibility levels of attorneys as they progress through the organization.

Case/job assignment

Components' processes to assign cases to attorneys vary based on management practices and the nature of their cases. Most components (especially the Civil Division, Environment and Natural Resources Division, Criminal Divisions, INS, and U.S. Attorneys' Offices), expressed that they have an unwieldy workload that burdens attorneys.

In some components (particularly INS, BOP, and U.S. Trustees), cases are to some degree a commodity; in these components assignments tend to be a rotation based on attorneys' workloads. In others, such as the Criminal Division and criminal Sections of the Civil Rights and Environment and Natural Resources Divisions, attorneys can find their own cases. In others, such as the Tax Division, individual attorneys' specialties are more important in assigning cases. Within the Litigating Divisions, some Sections focus on

"Management sends what are perceived as bad cases to the people that they think do not have the power to object—usually minorities"
-- Attorney

developing civil or criminal cases, others in supporting litigation or case development, others on defending the government, and others on appellate litigation. The nature of this type of work—in particular, the lead times involved, duration of cases, role of the line attorneys, resources required, special technical skills needed, and degree of teaming involved—leads to differences in the practice and implications of case assignment.

Many components come across cases that have the potential to yield a great deal of exposure, skill development, and glory for the participating litigators. Of course, attorneys vie for placement on and leadership of these types of cases, and pay a good deal of attention to the placement outcomes. Thus, case assignment is a critical part of individual outcomes with respect to job satisfaction, success, and diversity. Most participants agreed that success on a major case can be a valuable career enhancer, but few believe that any such event is a "rite of passage" or prerequisite to long-term success in their component.

Internal Best Practice

Power to Select Cases

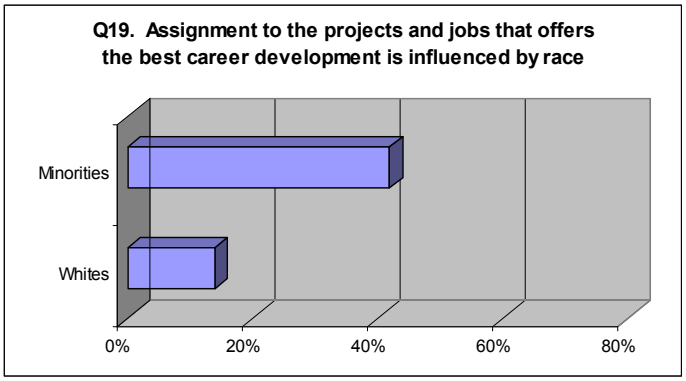
In the Environment and Natural Resource Division Appellate Section, cases are not assigned immediately when they come in. Rather, management waits until 20-30 cases come in, and then Assistant Chiefs write a brief description of each one and send the whole list to every attorney in the Section. Attorneys then write a proposal for any cases that they wish to take on, and the Chief and assistants make the decision about who gets which cases. Complaints about unfairness in case assignments have dropped considerably since this process was adopted.

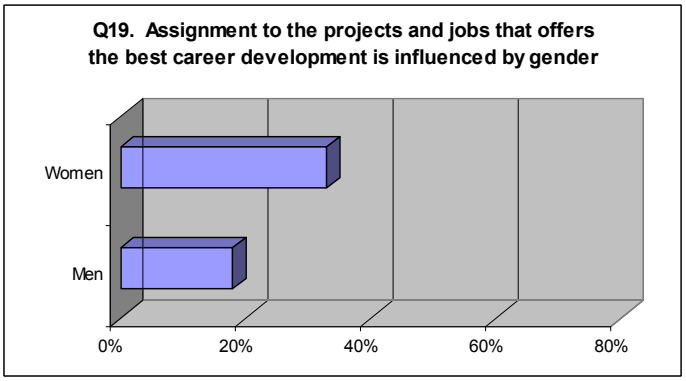
We found that most components assign cases on a relatively top-down basis, with the Section Chief or the equivalent mostly responsible. In some sections, the Assistant Chiefs play an important role as well. Attorneys, and minorities in particular, cited a lack of transparency in case assignments. As a result, perceived inequity in case assignments was one of the main concerns repeatedly cited in focus groups by minority attorneys throughout the Department, especially in the Litigating Divisions.

When asked directly in individual interviews about case assignment, a significant majority—73%—answered that cases are assigned fairly. However, there were statistically significant effects of both gender and race on answers to this question. Women are less likely than men to believe there is fairness in case assignments (by a margin of 62% versus 87%) and minorities are less likely to believe that they receive fairness in case assignments compared to whites (60% versus 87%).

Results were similar in the survey. The following figure provides results by gender and race/ethnicity for a survey question that asked about this issue:

Figure 3.2.7.2. Case assignment survey responses





It is very positive that a majority of all groups tested believe that assignments are fairly distributed. However, the Department should address the perception issue that leads to differences between race and gender groups—which we believe is attributable to the perceived lack of transparency of the assignment process. Our recommendations section discusses ways to address the perception and, if the inequity is a reality in addition to a perception, to address that as well.

Another survey question which asked whether "I feel that assignments I receive, and management decisions about my career development, have been made without regard to my race/gender/ethnic origin" was answered affirmatively by only 45% of minorities, and 74% of whites, 61% of women, and 80% of men.[26]

In addition to the allocation of cases day-to-day, most components provide other assignments—such as special projects, task forces, participation in recruiting, or short-term details to the front office or another part of DOJ—which can be important career opportunities. Some participants also cited inequity in the allocation of these opportunities, although these were viewed as far less important to career development than routine case assignments (in fact, these assignments were not only not viewed as critical precursors to advancement, but were not universally viewed with esteem at all).

3.2.7.6. Compensation, awards, and bonuses

As in other federal agencies, hiring officials in DOJ have little discretion with respect to compensation *per se*. The only flexibility that managers really have—given the pay plan, grade, and locality for a vacancy—is to set the *step* when they make an offer of employment. Because of exemptions to OPM regulations about defining and filling attorney positions, DOJ hiring officials also have more latitude than those in other federal agencies (in which case a vacancy usually has a pre-defined grade or two-grade range associated with it) as to which grade in which to place new hires.

[26] This question was added to the survey after it was underway, so the sample size is less (but still statistically significant) than the other questions.

Awards and bonuses are not a major part of the compensation structure in the federal government. The most prevalent form of merit award is a quality step increase—i.e., an increase of a step within one's GS grade that is accompanied by a base salary increase. DOJ also gives annual cash bonuses, generally of $1,000-$5,000, given at the discretion of the component front office.

We did not find widespread perceptions of unfairness in either starting grade or step or award allocation.

3.2.7.7. Summary of human resource systems findings

This section discussed attorneys' perceptions of DOJ HR systems as well as our assessments of their fairness and soundness. Note that these analyses are independent of any *actual* outcomes of HR systems that are adverse to any group, which are the subject of section 3.3.

3.2.8. Summary of work climate findings

A common pattern throughout the elements of work climate are that attorneys of different demographic groups characterize the work climate differently. In particular, women are less likely than men and minorities are less likely than whites to hold favorable views of the work climate.

To clearly illustrate the generality of this conclusion, of the 51 separate measures of work climate included in the survey—of which there are 49 for which the measurement of favorable response can be viably compared by gender and race—gender made a statistically significant difference in responses on 34 of the measures (67%). On each of 34 measures where gender made a significant difference, it was women who had the lower percentage favorable response. Similarly, 38 of the items (74%) show a statistically significant effect of the race of the attorney responding. On 37 of the 38 measures where race made a difference, it was minorities who had the lower percentage favorable response.

In the introduction to section 3.2. we discussed some of the subtle biases often present at organizations—which lead to less positive perceptions of the work climate among women and minorities. It is impossible to know the extent to which any of these explanations may apply in DOJ's case. Nevertheless, as the Department ponders the feedback from this study it is important to notice these inter-group differences as well as the total sample data. As we discuss in the section on recommendations, there are ways to address these differences through training as well as changes to HRM processes.

3.3. Individual and organizational outcomes

We define diversity in terms of organizational outcomes such as the representation of women and minorities in senior management jobs, but, as described in section 2.1. , we also believe that it is important for DOJ to achieve parity between gender, race, and ethnicity groups in individual outcomes such as job satisfaction. This section discusses these individual outcomes.

It also discusses organizational outcomes with respect to diversity, including those resulting from tangible HRM practices that DOJ sought to evaluate through this study. In the discussion of HR systems as part of the diversity climate (section 3.2.7.), we presented findings about the objective operation of these processes as well as attorneys' perceptions of them. In this section, we present data results that describe the outputs of the processes.

3.3.1. Job satisfaction

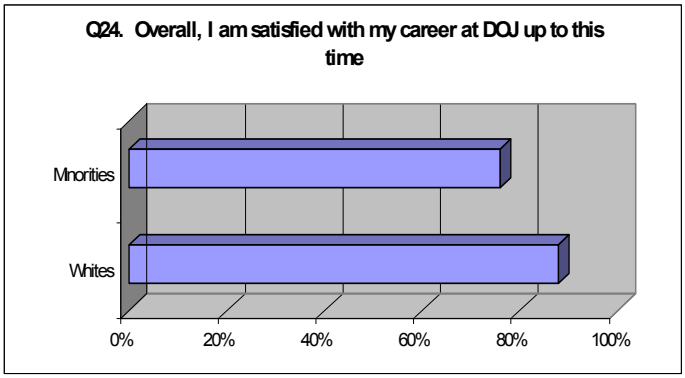
We sought to assess whether men, women, whites, and minorities all hold a comparable level of satisfaction with their current jobs.

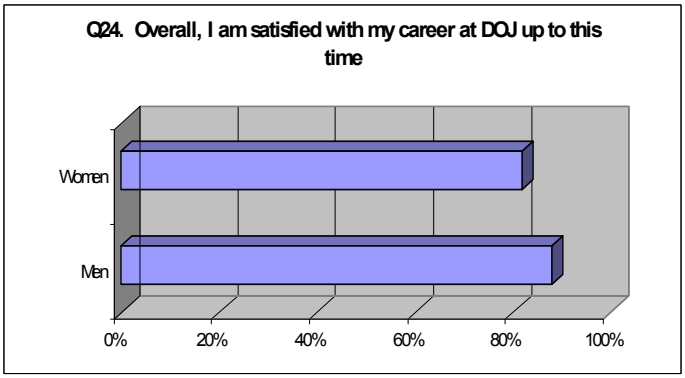
An affirmative finding would be important with respect to diversity. A negative finding would be troubling—and difficult to correct. An organization cannot manage job satisfaction *per se*. Rather, job satisfaction is an indirect outcome of other processes which DOJ can manage.

In light of the role that employee satisfaction plays—as a leading indicator of more tangible individual and organizational outcomes, such as employee performance and retention—virtually any organization could benefit from regular assessments of employee attitudes and satisfaction. DOJ conducts no such assessments.

We asked about job satisfaction in the survey and in focus groups and interviews. We found in all media that most employees feel that the Department of Justice is a good place to work. However, in the survey there were slight but statistically significant differences in responses between men and women as well as whites and minorities. The following figure shows responses to this question:

Figure 3.3.1.1. Overall satisfaction survey responses



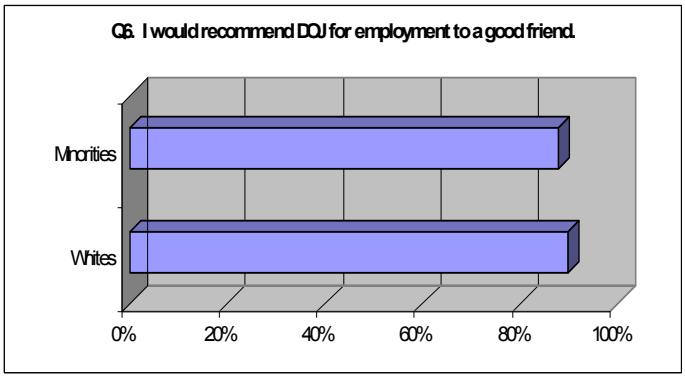


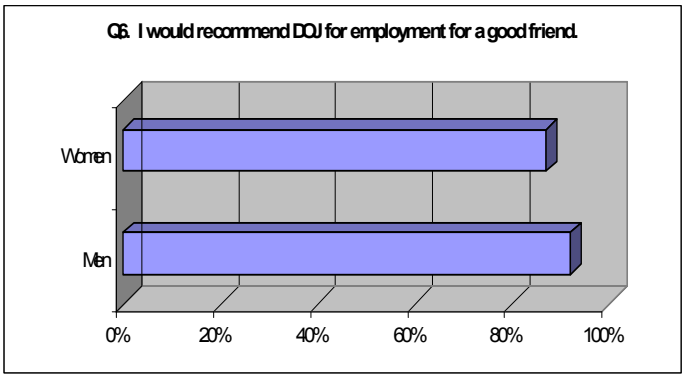
3.3.2. Organizational identification

Organizational identification is the degree to which employees perceive their own values to be aligned with their employer's and the degree of pride and loyalty that they feel for their employer.

A classic question related to organizational identification is whether the respondent would recommend his/her organization to a friend. The following figure provides the results to this question:

Figure 3.3.2. Organizational identification survey responses





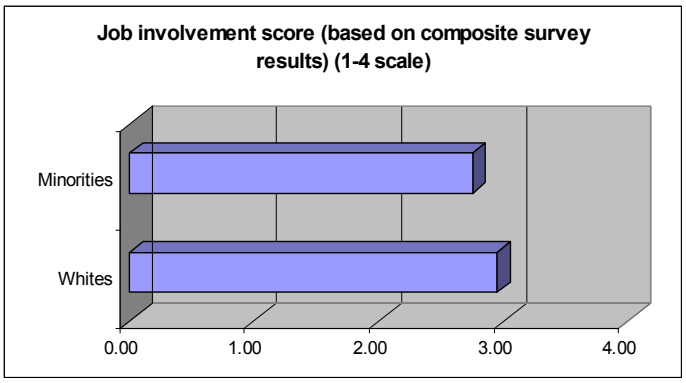
Note that the figures are quite high for all groups. The differences between men and women and whites and minorities are again small but statistically significant.

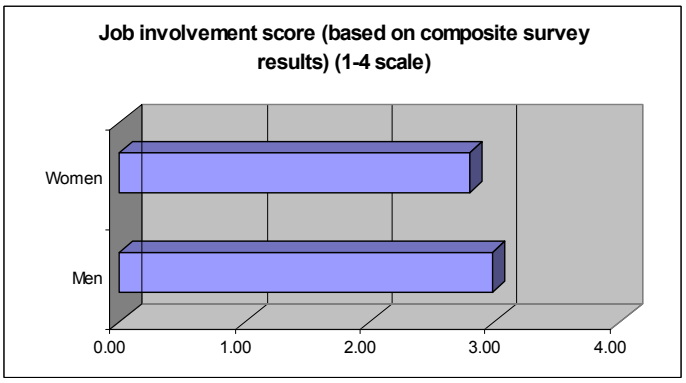
3.3.3. Job involvement

Job involvement is a measure of employees' motivation and perception of ownership of their jobs. This measure often captures the results (i.e., is an outcome) of their level of frustration with elements of the work culture.

The following figure presents the results of the survey's job involvement element, which is a composite of the results of several survey questions:

Figure 3.3.3.1. Job involvement index results





Women have statistically significantly lower scores than men, and minorities have statistically significantly lower scores than whites. These differences can be linked to the differences of perception of the work climate reported in earlier segments of this report.

3.3.4. Recruiting

We found that the Department's recruiting practices are generally a strength in its efforts to build and retain a diverse attorney workforce. This is evidently due in part to a perception in the attorney labor market that DOJ is an attractive place to work, and in part to DOJ's own practices (as described in section 3.2.7.1.).

According to data provided by OARM, approximately 2,232 graduating lawyers applied through the Honors Program in 2001. Of these, 31% were minorities and 58% were women, compared with approximately 21% minority and slightly under 50% female enrollment in law schools in 2001.[27]

Offers were made to 209 graduates for the Spring 2001 graduating class—of these, 30% went to minorities and 60% to women. These demographic breakdowns are comparable to those in the recent past. The next section shows that the racial and gender breakdown of those hired—i.e., who accepted offers and eventually joined DOJ—were analogous, so that the diversity yielded by the Honors Program carried all the way through the recruiting and hiring system.

[27] Figures are based on candidates whose race/ethnicity is known. Source of the figures for minority enrollment in law school is OARM; source of the figures for female enrollment in law school is the American Bar Association.

3.3.5. Hiring

In order to assess the outcomes—in terms of the racial, ethnic, and gender composition of the workforce—of the Department's hiring processes, we analyzed hiring figures based on data from the National Finance Center (see a discussion of the NFC in section 2.2).[28]

Hiring diversity

The following table shows the percentage of all hires and lateral hires in 2001 that were minorities, as well as the percentage of the base attorney workforce that was minority for comparison[29]:

Table 3.3.5.1. Demographics of attorney base, all hires, and Honors Program hires, 2001

Group	Base	All hires	Honors Program hires
Men	63%	60%	37%
Women	37%	40%	63%
Whites	85%	79%	70%
Minorities	15%	21%	30%

Note that the Department's hiring served to make it more diverse last year, with the effect greater for Honors Program hires than for laterals. These patterns have held constant in recent history—over the last three years, the Department's attorney hires have been 42% women and 21% minorities—and across components—figures B.9. and B.10. in appendix B. display the figures by component.

Lateral Attorney Recruitment Program

Because components did not use LARP for all of their lateral hires during the program's existence (from 1997 to 2001), and some did not use the program at all, we do not have sufficient data to isolate the program's impact on the diversity of lateral hires. (The only data available, about the diversity of all lateral hires during the period, shows that there was no difference between the racial and gender diversity of lateral attorneys hired in 1997-2001 and those hired in before LARP.)

Perhaps the fact that some components express satisfaction with the program—because of its effects on both the quality and the diversity of the lateral pool—is a more useful evaluative tool for LARP than are the data.

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[28] We used individuals' personnel records to ascertain start dates. There are various different record categories—such as movement from DOJ to other agencies and vice-versa, exiting and re-entry into the workforce, and temporary or provisional appointments—which make ascertaining attorneys' true start date difficult in some cases, according to the JMD Finance Staff. Moreover, categories are used differently at different times.

[29] Personnel records do not distinguish between lateral hires and Honors Program hires, so we assumed that attorneys with a start grade of GS-13 or higher were lateral hires. All attorneys in U.S. Attorneys' Offices are assumed to be lateral hires. Workforce base is defined as the population on December 31, 2000.

Starting grades

The following figures compare the average starting grade of all attorneys, both Honors Program and lateral hires, by demographic. They do not control for background prior to being hired at DOJ. Results are presented for all GS attorneys and all AD non-supervisory attorneys[30]:

[30] Data are for all attorneys hired in calendar years 1997-2001. (Data for year 2001 alone show analogous effects.)

Figure 3.3.5.2. Average starting grade, GS attorneys, 1997-2001

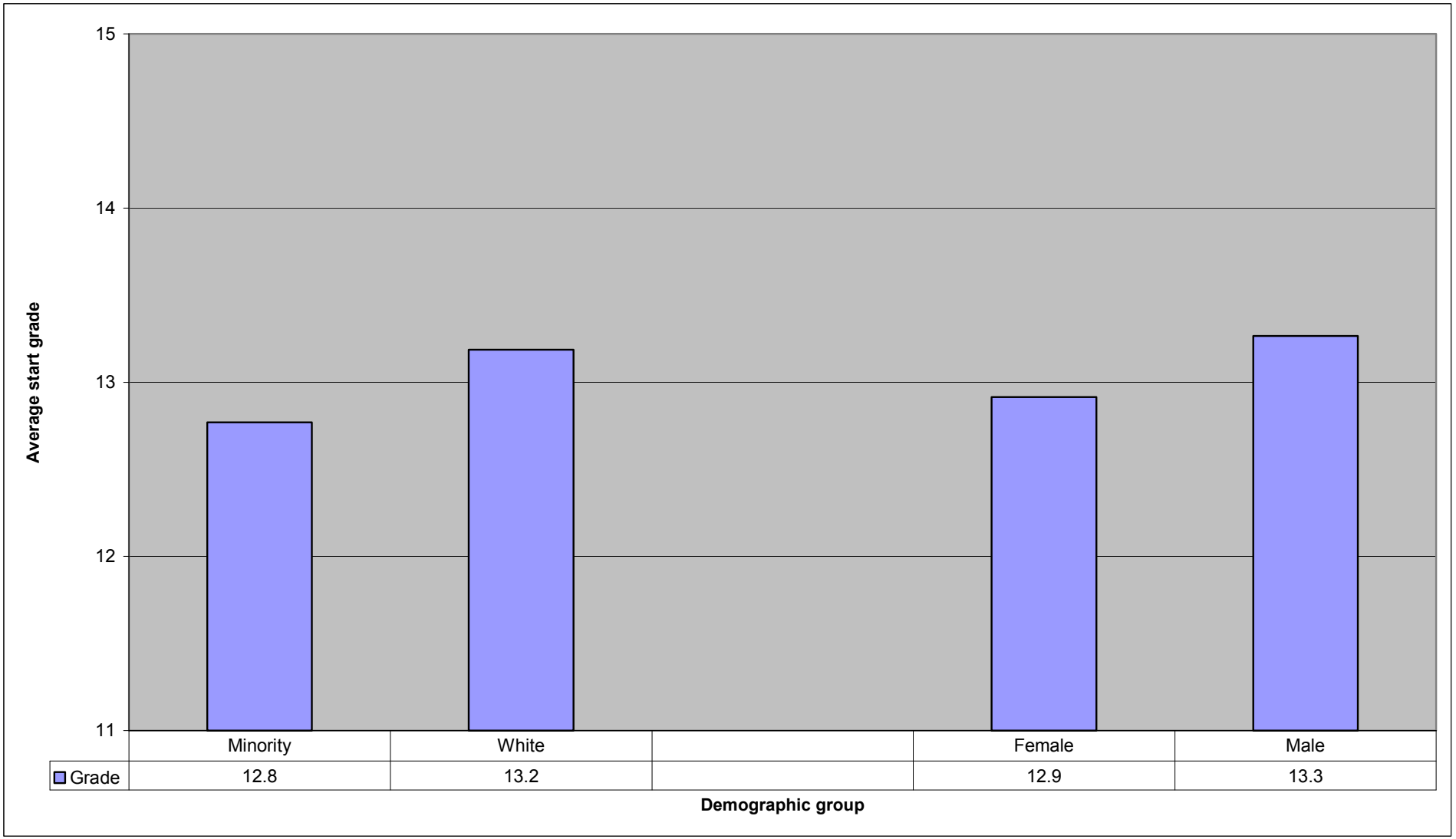
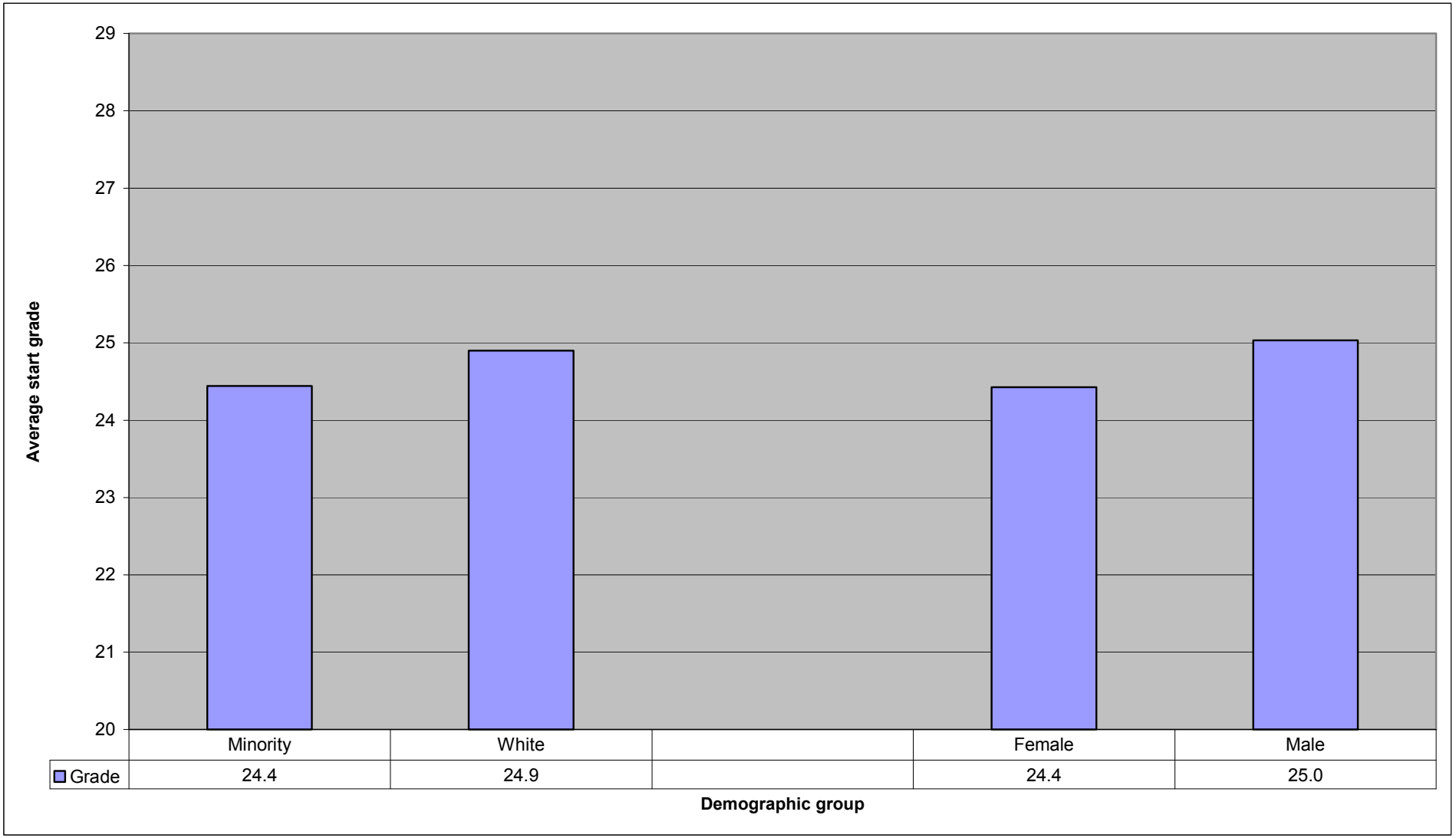


Figure 3.3.5.3. Average starting grade, AD attorneys, 1997-2001



There exist notable differences between groups. In the GS ranks, whites start on average at 0.4 grades higher than minorities and men 0.4 grades higher than women. In the AD ranks, the figures are 0.5 and 0.6, respectively. Considering that the components (not including U.S. Attorneys' Offices) have hired an average of 800 attorneys per year over the last several years, these differences translate to a substantial difference in the makeup of the overall entering group by demographic.

3.3.6. Performance appraisal

The Department does not store attorneys' performance appraisals electronically in any kind of database that could be used for statistical analysis. This analysis would be valuable both to assess whether any systematic difference in outcomes between demographic groups exists and to use as a control in statistical tests which assess differences between groups in other outcomes (such as promotion).

3.3.7. Promotion

We analyzed data related to three different dimensions of promotion—average grade at present, duration between promotions at sub-SES levels, and promotion into SES.

Average grade at present

Statistical analysis of average current grades by demographic can add insight into the cumulative effects of the Department's promotion system.[31]

GS Attorneys

The following tables present results from analyses of attorneys' current grade, first without and then with statistical controls for tenure and component. Due to data limitations discussed in section 2.2.2. , we could not control for tenure, one of the most important variables, for attorneys hired before April 1993.

Table 3.3.7.1. Analysis of average current grades, GS-11-15 employees

Measure	Men	Women[1]
Current job grade	14.5	14.3*
Measure	**Whites**	**Minorities[1]**
Current job grade	14.5	14.1*

* Statistically significant, $p < .0001$.[32]

1. Additionally, grades are statistically different among racial groups (black, Hispanic, Asian, Native American) and race/gender groups (white males, white females, minority males, minority females)

[31] Attorneys' current grades at present are also affected by their start grade. We discuss these outcomes in section 3.3.5.

[32] This is the *p-value*, which is defined as the probability—assuming that there were no difference in average current job grades between groups in the population of attorneys—of observing as large a difference in current average job grade in a random sample from the population as was observed in the sample that we examined. Because the probability is so low, we reject the assumption that there is no difference between groups in average current job grades in the population., and conclude that there is a difference. Statisticians conventionally consider a probability of .05 or .01 low enough to reject the assumption of equality in the population.

Table 3.3.7.2. Analysis of average grades, GS-11-15 attorneys, controlling for seniority and component

Measure	Men	Women
Current job grade	14.4	14.1**
Starting job grade	13.3	12.9**
Measure	**Whites**	**Minorities**
Current job grades[1]	14.3	14.1**
Starting job grade[2]	13.2	12.8*

* Statistically significant, p < .001.
** Statistically significant, p < .0001.
1. Whites, blacks, and Hispanics all show statistically significantly higher current grades than Asians. Also, white men hold higher current grades than white women and minority women; minority men are higher than minority women; and white women are higher than minority women. All of these differences are statistically significant.
2. Whites and blacks both show statistically significantly higher starting grades than Asians. Whites but not blacks show statistically significantly higher starting grades than Hispanics. Also, white men are higher than white women and minority women; minority men are higher than minority women; and white women are higher than minority women. All of these differences are statistically significant.

Table 3.3.7.3. Analysis of starting grades

Measure	Men	Women
Percent starting at GS-15	23%	14%*
Measure	**Whites**	**Minorities**
Percent starting at GS-15	21%	10%*

* Statistically significant, p < .0001.

Table 3.3.7.1. presents a simple comparison of average job grade and salary for all attorneys in grades 11-15 on the GS pay plan. The analysis shows that women are at significantly lower job grades than men and that racial minorities are at significantly lower job grades than whites.

As an example of the effects of these grade differences in practical terms, we found that 67% of all GS attorneys are at currently grade 15, but this breaks down to

- 73% of white male GS attorneys are currently at grade 15;
- 64% of white female GS attorneys are currently at grade 15;
- 59% of minority male GS attorneys are currently at grade 15; and
- 47% of minority female GS attorneys are currently at grade 15.

A finer analysis of race effects shows that Asians are the least likely to be at grade 15 (44% of Asian GS attorneys are currently at grade 15), followed by Hispanics (52%), blacks (57%), and Native Americans/others (64%).

The analysis in table 3.3.7.2. presents a more sophisticated look at the relationship between gender and race identity and grade for the GS population. Analysis is based on 1,999 current GS attorneys (about half of the DOJ total) for which seniority data is available. The analysis shows that even when seniority and component are taken into account, there are statistically significant effects of both gender and race on both starting and current job grade.

Table 3.3.7.2. shows that, beyond the basic finding that men and whites are at higher grades than women and minorities, blacks and Hispanics are at higher current grades than Asians and minority men and white women are at higher grades than minority women. Table 3.3.7.3. shows that women and minorities are far less likely to start in DOJ at GS-15 than white men.

U.S. Attorneys' Offices

We conducted similar analysis for U.S. Attorneys' Offices. The following tables show results for non-supervisory attorneys in grades AD-20-29:

Table 3.3.7.4. Analysis of average grades, AD attorneys, controlling for seniority

Measure	Men	Women
Current job grade	27.4	27.0**
Starting job grade	21.4	20.5
Measure	**Whites**	**Minorities**
Current job grades	27.3	27.1*
Starting job grade	21.2	20.6

* Statistically significant, $p < .05$.
** Statistically significant, $p < .0001$.

The analysis shown in table 3.3.7.4. indicates a significant effect of gender on current job grade within the non-supervisory segment of the U.S. Attorneys' Offices—specifically, women are at lower grades than men of comparable seniority—and a significant effect of race on job grade such that whites are at higher grades than minorities of comparable seniority.

Although statistically significant, the actual differences in average grade are quite small in both cases (0.2 grades for the race analysis and 0.4 grades for the gender analysis). However, the variance in grade is also very small in this organization—77 percent of Assistant U.S. Attorneys are at grade 29 (the top grade)—so small differences of average grade are meaningful here.

We also analyzed data for supervisory AUSAs. Larger geographic offices use a AD-9-1 grade scale for supervisory AUSAs, and smaller offices use a AD-19-10 scale. (In both scales, a lower numerical grade indicates a higher rank—e.g., an AD-2 AUSA is a higher level than an AD-7.) The following tables show the current job grades for men, women, whites, and minorities, in each of the supervisory scales. For simplicity, we transformed both scales to an ordinal scale where increasing grade corresponds to increasing rank[33]:

Table 3.3.7.5. Analysis of average grades, supervisory AD attorneys in grades 1-9, controlling for seniority

Measure	Men	Women
Current job grade	3.5	3.0
Measure	**Whites**	**Minorities**
Current job grade	3.5	3.0

[33] We transformed the 9-1 scale to 1-6, since only grades 7-2 are used for current attorneys, and the 19-10 scale to 1-8, since only grades 18-11 are currently used.

Table 3.3.7.6. Analysis of average grades, supervisory AD attorneys in grades 10-19, controlling for seniority

Measure	Men	Women
Current job grade[1]	5.5	4.9
Measure	**Whites**	**Minorities**
Current job grade[1]	5.4	4.4*

* Statistically significant, $p < .05$.

The analyses in tables 3.3.7.5. and 3.3.7.6. indicate no effects of gender or race on current job grade for supervisory AUSAs with similar seniority in the large offices. In the small offices, there is no gender effect, but racial minorities appear to be at ranks lower than whites of similar seniority.

Summary of present grade findings

The analyses of upward mobility presented in this section indicate a number of significant gender and race effects. In addition to the main effects of more positive results for men versus women and whites versus minorities, it is also clear that (1) the correlation of race and grade is especially strong for Asians, and (2) race and gender combine for a particularly strong negative effect of identity for minority women.

Promotion rates

We also analyzed the rates at which eligible attorneys were promoted each recent year. The following table presents, for each of the last three years, the percentage of GS-14 attorneys who were promoted to GS-15[34]:

Table 3.3.7.7. Promotion rates to GS-15 by demographic, recent years

Group	2001	2000	1999
Men	26%	26%	21%
Women	22%	24%	19%
Whites	23%	25%	18%
Minorities	27%	24%	28%

Note that these figures, which incorporate a degree of control of the base, show that minorities have fared slightly better than whites, and men have fared slightly better than women.

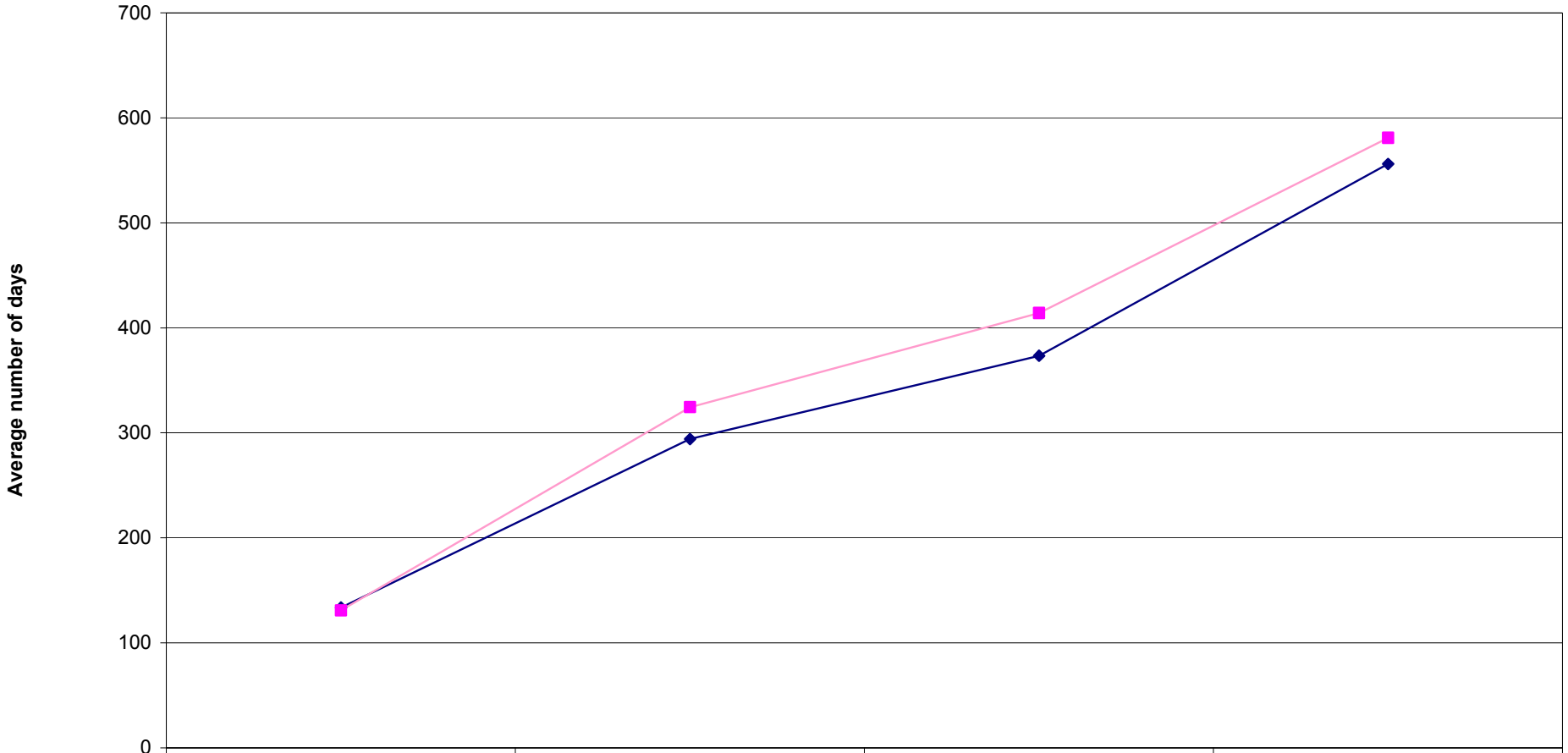
[34] For control, we only considered attorneys who were in the workforce for the entire previous year. Percentages of attorneys promoted are of those who were at GS-14 on December 31 of the previous year. For example, the 26% white male figure for 2001 means that of white male attorneys who were at GS-14 on December 31, 2000 and in the workforce for all of 2000, 26% were promoted to GS-15 at some point in 2001.

Duration between promotions

The data corroborate the claim that most attorneys are promoted based on tenure—i.e., when they first become eligible based on time-in-grade minimum thresholds. The following graphs show the average duration, in days, between promotions (or between appointment, in the case of attorneys' base grade), for whites versus minorities and men versus women on the General Schedule for each of the last several years[35]:

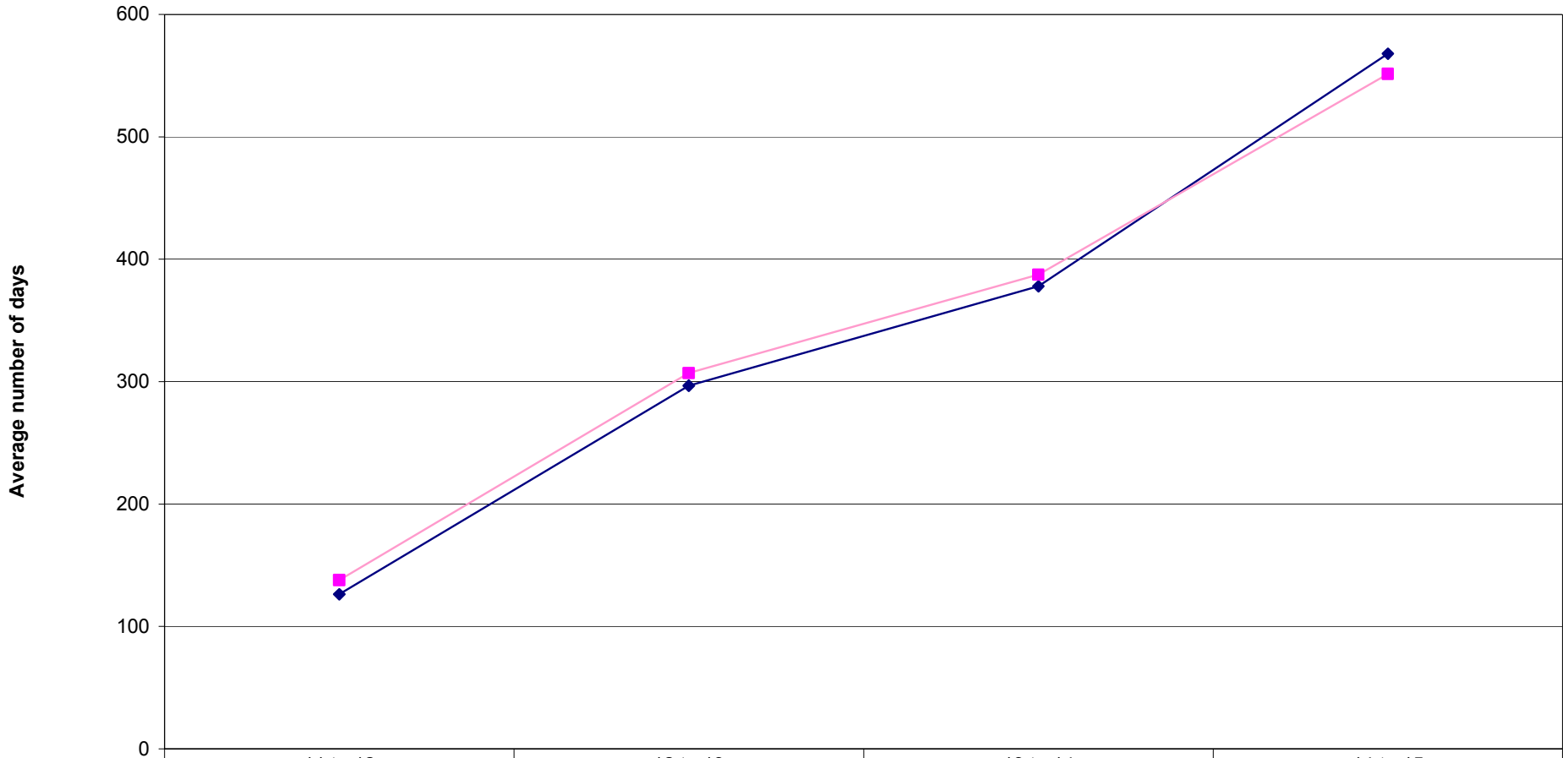
[35] Totals include attorneys on the GM scale. These figures do not take into account time at each individual's current grade. For example, if an attorney was promoted to grade 14 three years ago, this tenure is not included in this analysis. (See below for an analysis of tenure without a promotion.) The fact that we could not obtain personnel records prior to 04/18/93 imposes significant limitations on this analysis. The consequences of the missing data are that (1) we cannot determine time between promotions for any promotion, if any, before 04/18/93; and (2) we cannot determine the time between any individual's first promotion after 04/18/93 and his/her immediate prior promotion, if any. Although these data limitations exclude a significant proportion of GS attorneys (about 55%), it does add insight into the recent experiences of relatively junior attorneys.

Figure 3.3.7.1. Average number of days between promotions between GS grades, whites and minorities



	11 to 12	12 to 13	13 to 14	14 to 15
White	134	294	373	556
Minority	131	324	414	581

Figure 3.3.7.2. Average number of days between promotions between GS grades, men and women



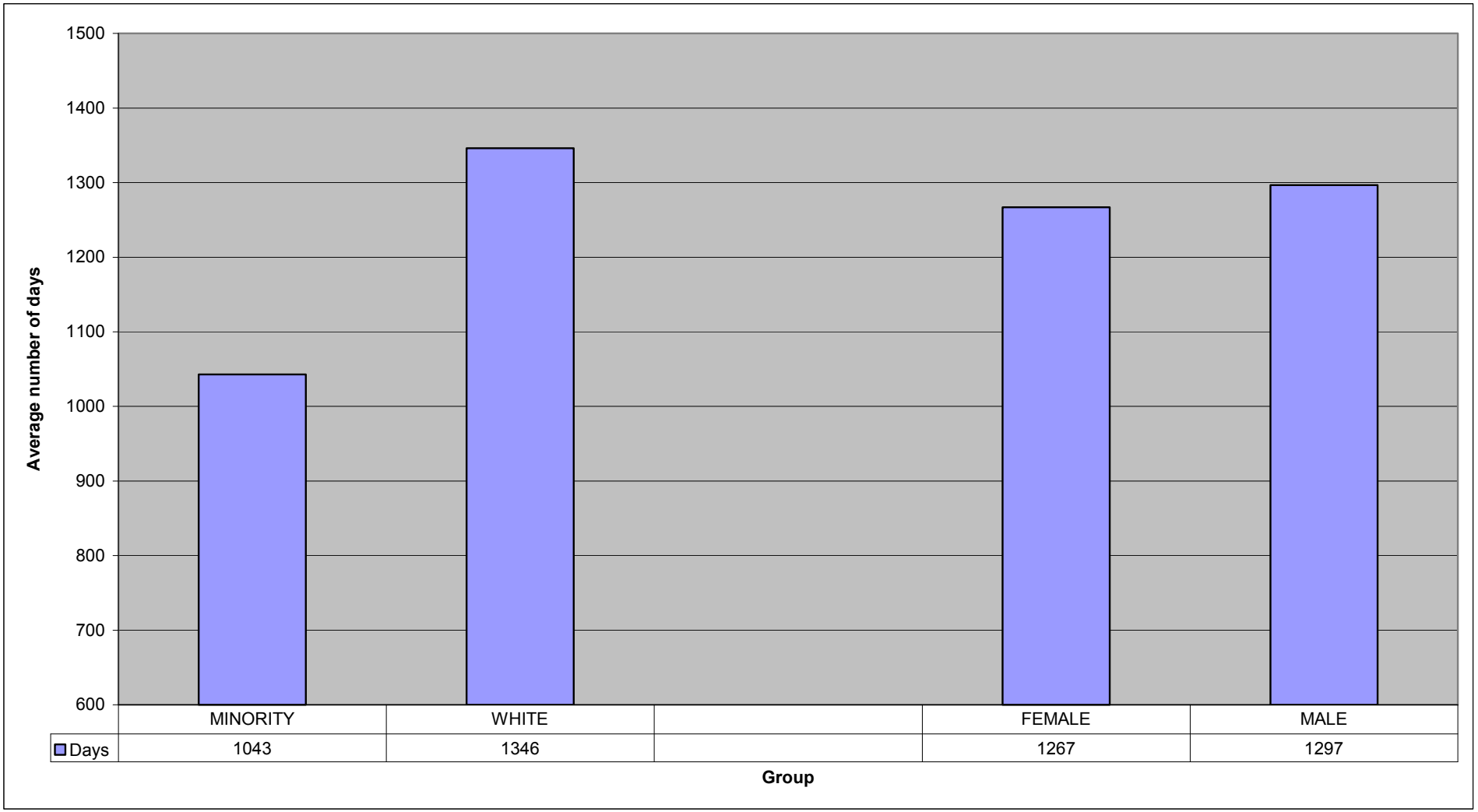
	11 to 12	12 to 13	13 to 14	14 to 15
Male	126	297	378	568
Female	138	307	387	551

Note that promotion rates for minorities are highly correlated with, but consistently less than, promotion rates for whites. Promotion rates for men and women are virtually indistinguishable.

These figures illustrate the time between promotions for employees who eventually made it to the higher level. They could, however, mask a diversity issue if there were large groups of female or minority attorneys who reached a level below their potential and stalled there. The following graphs analyze this phenomenon, by exploring the average duration that current employees at GS-14 have been at that level. We chose GS-14 because it is unlikely that an attorney would be stalled at a level below that[36]:

[36] Attorneys on the GM pay plan are also included. Durations are as of December 31, 2001.

Figure 3.3.7.3. Average duration to date at grade for current GS-14 attorneys

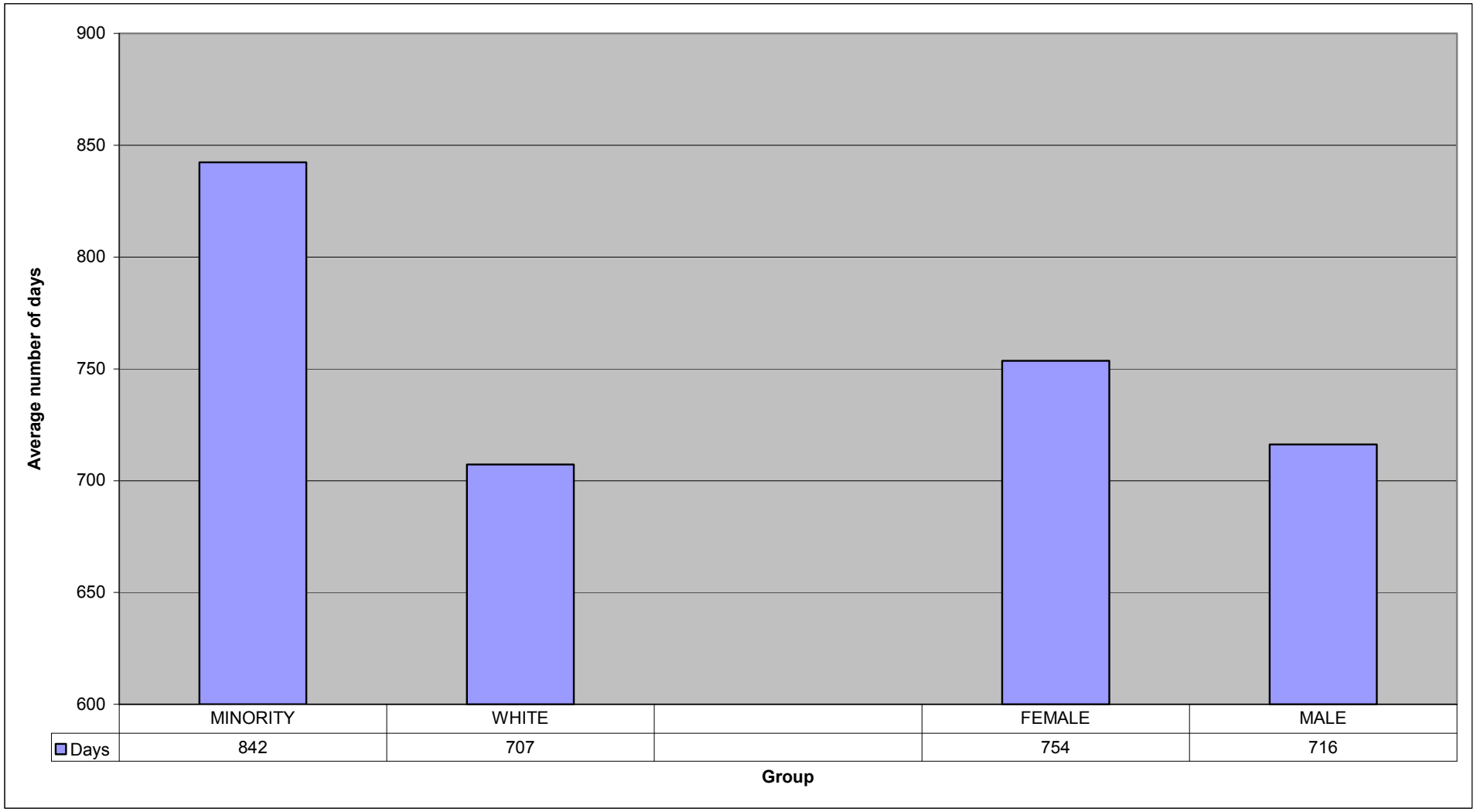


Note that the average GS-14 white attorney has been at that level nearly a year longer than the average GS-14 minority attorney, and that the average GS-14 male and female attorneys have been at that level approximately the same duration.

Those attorneys not in the Litigating Divisions and especially outside Washington who have promotion potential only to GS-14 should be considered separately, since an indefinite duration at GS-14 is not evidence of an adverse impact of HRM practices.[37] The following figure, hence, repeats this analysis, except for attorneys in the Litigating Divisions only:

[37] This might be evidence of disparate impact if minorities or women *tended to reside* in positions with only a GS-14 promotion potential at a disproportionate rate. Note that this appears to be true based on the discussion in section 3.2.1. —the INS, Bureau of Prisons, and Executive Office for Immigration Review field offices are three major workforce strata with the highest proportion of minorities, and two of the three components (INS and BOP) offer promotion potential to only GS-14 for most attorneys.

Figure 3.3.7.4. Average duration to date at grade for current GS-14 attorneys, Litigating Divisions



The difference is striking—the average GS-14 minority attorney has been in his/her position significantly longer than the average GS-14 white attorney, and the average GS-14 female attorney has been in her position slightly longer than the average GS-14 male attorney.

Promotion to SES

We also analyzed accession from sub-SES ranks to SES ranks by demographics. An average of about eight attorneys have been promoted into the SES ranks annually over the last several years. The following table displays the data on promotion into SES over the last three years, compared to the breakdown of the workforce by demographics:

Table 3.3.7.8. Promotion into SES by demographic, 1999-2001

	% of workforce	% of GS-15* workforce	% of promotions into SES	Gap**
Men	62%	61%	67%	+ 6%
Women	38%	39%	33%	- 6%
Whites	85%	88%	79%	- 9%
Minorities[1]	15%	12%	21%	+ 9%

* Also includes GM and SL attorneys.
** Compared to GS-15 workforce.

There are not enough SES positions to draw conclusions with a high level of confidence, but it is evident that recent promotions into the SES have served to move its composition closer to that of the attorney workforce as a whole with respect to race, but not with respect to gender.

We also found that, across the Department, a great many attorneys stated that, while they are interested in advancing to the highest grade in their career ladder, they are not interested in promotion to a supervisory position. Minorities appear to hold this position more than whites. In the case of an Assistant Chief or comparable position that is not accompanied by an SES membership, there is no increase in salary associated with the new title, and many attorneys do not find the status to be of value. More importantly, these attorneys do not wish to take on the supervisory or quasi-supervisory duties or pressures associated with the position.

Summary of promotion findings

Interpretation of these outcomes, in light of the processes described in section 3.2.7.4. , is complex. Data suggest that most attorneys who eventually make their highest potential grade get promoted based on longevity (note in figures 3.4.4.1. and 3.4.4.2. that durations between promotion are less than six months to grade 12, less than one year to grade 13, about one year to grade 14, and about eighteen months to grade 15), and that minorities and women fare comparably or better than whites and men in terms of annual promotion rates, but that attorneys who have not achieved their promotion potential tend to have been at their grade longer if they are minorities. Additionally, starting and current job grades tend to be lower department-wide for women, and current job grades tend to be lower for minorities.

3.3.8. Compensation

Another highly valued work outcome is compensation. In an ideal environment for diversity, identity factors like gender and race would not be correlated with compensation among people with similar qualifications. We make the assumption that all DOJ attorneys are similar in education. We also must assume that, among the attorneys at each starting grade, there is no correlation between gender or race and relevant job experience prior to DOJ.[38] We have no way to test this assumption with the available data.

With these assumptions and constraints in mind, we conducted a base-level analysis of how gender and race identity relate to annual salary. These analyses show that there are significant effects of both gender and race on salary. In general, women appear to have lower salaries than men working in the same component and with similar seniority. Likewise, racial minorities appear to have lower salaries than whites with similar seniority who are in the same component.

The following table compares average salaries, across grades, components, and locales (i.e., headquarters or field):

Table 3.3.8.1. Analysis of current average salaries, GS attorneys, controlling for seniority, grade, and component

Measure	Men	Women
Current salary	$79,600	$76,100*
Measure	**Whites**	**Minorities**
Current salary[1]	$78,700	$74,800**

* Statistically significant, p < .05.
** Statistically significant, p < .01.
1. Whites have higher current salaries than each individual minority group. Blacks are higher than Asians. White men are higher than minority men, white women, and minority women; minority men are higher than minority women, and white women are higher than minority women.
.

Table 3.3.8.2. Analysis of current average salaries, AD attorneys, controlling for seniority and grade

Measure	Men	Women
Current salary	$86,945	$84,529*
Measure	**Whites**	**Minorities**
Current salary	$86,681	$83,584**

* Statistically significant, p < .001.
** Statistically significant, p < .0001.

Of course, because salary is a function of pay plan, grade, and locality for each attorney, differences in salary are really manifestations of differences in step. When controlling for component, grade, and salary, we found that the average minority is currently residing approximately one-third step lower than the average white, and the average woman is currently

[38] This is, one's qualifications lead to the grade that one starts at—and there is no reason to suspect that qualifications within those grades are related to gender or race.

residing approximately one-half step lower than the average man. These effects are statistically significant.

3.3.9. Award and bonus allocation

According to the Interactional Model, one of the hallmarks of diversity success for organizations is that we find no correlation of identity factors like gender and race with any measures of job performance. Moreover, experience and input throughout the study suggests that awards—including recognition, even if it does not include monetary remuneration—are an effective way of improving morale in the Department.

Award and bonus allocation was not a major part of this study. We did, however, analyze basic data about it in the course of the study. Our analysis was based on data on three DOJ performance-based rewards:

- *Individual time off awards.* These are awards (available across the federal government) in the form of extra leave time, generally granted in eight-hour increments.[39]
- *Individual cash awards.* Components are given annual award pools for distribution to attorneys at the discretion of management in the component.[40]
- *Quality step increases.* Quality step increases (QSIs) are single-step increases within individual grades of GS employees. Steps, which number 1-10, increase the base salary of employees and, perhaps more significantly, increase the starting step at which an employee will reside when he/she is promoted to a higher grade. QSIs can be based on merit or longevity.

The following tables present analyses of these data:

Table 3.3.9.1. Individual time-off awards received, calendar 2001

Group	% of group receiving at least one award	Average # of awards for those receiving them
Men	8%	1.43
Women	11%*	1.56
Whites	9%	1.44
Minorities[1]	13%*	1.68*

* Statistically significant, $p < .05$.
1. Tests among individual racial groups showed no statistically significant difference; minority women were statistically significantly more likely than other groups to receive awards.

[39] JMD staff suggest that these awards are often given for "collateral duties"—i.e., non-core functions which tend to be undesirable.

[40] It is unclear how these pools are allocated to components.

Table 3.3.9.2. Individual cash awards received, calendar 2001

Group	% of group receiving one or more awards	Average # of awards for those receiving them
Men	50%	1.20
Women	47%*	1.16*
Whites	50%	1.18
Minorities[1]	43%*	1.18*

* Statistically significant, p < .05.
1. Tests among individual racial groups showed slightly statistically significant differences within the racial minority category. Blacks were the least likely group to receive awards (41% received one or more awards) and received the fewest among those who received awards (1.13).

Table 3.3.9.3. Quality step increases received, calendar 2001

Group	% of group receiving one or more QSIs
Men	3.1%
Women	4.1%*
Whites	3.3%
Minorities	4.2%
Whites	3.3%**
Blacks	3.2%
Hispanics	5.0%
Asians	5.9%
Native Americans	0.0%

* Statistically significant, p < .05.
** Statistically significant, p < .05.

The analysis in table 3.3.9.1. shows that women and minorities received statistically significantly more recognition in the form of time-off awards in 2001 compared to men and whites, respectively. Thus the association of identity and rewards actually favors members of cultural minority groups. In theory, this finding could be explained one of two ways: either (1) all minorities' and whites' job performance was the same (on average) and QSI allocation was unfair; or (2) minorities' performance was better (on average) than whites'. It is also conceivable that more minorities received the least-valued form of award—i.e., QSIs as opposed to promotions.

The data in table 3.3.9.2. give a different picture. Women were both less likely than men to receive cash awards and received fewer awards per person among those who did receive them. Likewise, racial minorities were less likely than whites to receive cash awards (although they received the same number of awards among people who receive any). A more refined analysis of the race result shows that blacks and Asians were the least likely to receive cash awards (41% compared to 50% for whites and 56% for Native Americans).

The data in table 3.3.9.3. indicate that only a small percentage (less than 5%) of the workforce received step increases within grade during 2001.[41] However, women were significantly more likely than men to get the step increase while Hispanics and Asians were significantly more likely to get one than members of other race groups. Another noteworthy finding is that no increases went to Native Americans.

In summary, the available data on performance-based rewards present a mixed picture of identity effects. A number of effects are present but they do not consistently favor either cultural majority group members or cultural minority group members.

[41] Most employees at GS-14 or below in the Litigating Divisions, Executive Office for Immigration Review, and U.S. Trustees, and at GS-13 or below in the Bureau of Prisons and INS, will rarely receive step increases because they tend to not remain at these grades long enough. The number of employees at the higher levels who are eligible to receive increases is also limited, either by a short term in the grade or because they have achieved the highest step (for example, of GS-15 attorneys in the Litigating Divisions, 23% are at step 10).

3.3.10. Retention

Retention is the key factor for maintaining a diverse workforce, both at the Department of Justice and elsewhere. Despite the obvious importance of recruiting and hiring a diverse pool, retention is even more important to lasting diversity for two main reasons:

- The Department seeks diversity at all levels, not just entry levels. Although hiring direct-entry female and minority attorneys into management is a viable and important strategy to increase the diversity of the management attorney workforce, by nature many managers do and should come from within the department. Thus, the management pool cannot reflect the diversity of the attorney workforce as a whole unless female and minority attorneys are retained at a rate sufficient to provide a pool of candidates for management.
- As discussed in section 2.1. , we characterize DOJ's diversity objective as *both* a numerical representation of females and minorities in the workforce comparable to their representation in the labor pool and an environment in which female and minority attorneys are as satisfied and as fully utilized as white male attorneys. Thus, a diversity problem can be masked if disproportionately high attrition among female and/or minority attorneys is offset by disproportionately high hiring of female and/or minority attorneys.

Attrition represents a complex organizational challenge for the Department. Although the Department is an attractive place to work for attorneys, attrition will always be high due to economic reasons—namely, that attorneys can often make much higher salaries in the private sector, especially in urban areas, especially when the economy is strong, and especially in light of the experience and skills that the Department imparts to them.

Attorneys and HR administrators at all levels throughout the Department unanimously agreed that DOJ will always attract a large number of talented attorneys who wish to work at the Department for a few years and take their experience to the private sector for a lucrative job. Some attorneys find the work especially rewarding and stay longer than they expected they would when they joined DOJ, and some might react positively to retention incentives that the Department offers, but for most, there seems to be nothing that the Department can do to prevent this pattern.

There is nothing inherently wrong with that pattern, however (besides the high cost of attrition in general). It is common in many organizations, and many in fact rely on such a short-term workforce for important functions. Most participants in the study agreed that this pattern does not need to represent a problem for DOJ, especially given how predictable it is, if components plan accordingly.

The circumstances in which this pattern might be a concern is if it had an adverse impact on diversity—that is, if the segment of the workforce that stays at DOJ for a short time, contributes to positive organizational outcomes, and then moves on consists of a significantly different percentage of women and minorities than the workforce as a whole.

Component opinion varied somewhat on this point. Most participants hypothesized that this attrition segment of the workforce was representative of the racial and gender composition of the attorney workforce as a whole. A few suggested various social factors which might lead to this workforce being more or less diverse than the DOJ attorney population as a whole. More saliently, some also suggested that women and especially minorities were more likely to leave DOJ sooner than white males because the private legal sector has the same diversity goals as DOJ, and conducts targeted outreach to talented minority attorneys. The following table provides the average tenure of recent Honors Program entrants[42]:

Table 3.3.10.1. Average tenure of recent Honors Program hires

Group	Average tenure (days)[1]	% who stayed 3 years or longer[2]	% who stayed 5 years or longer[3]
Men	989	75%	61%
Women	1153	74%	56%
Whites	1078	75%	59%
Minorities	1018	74%	57%

1. Among those who departed in 1999, 2000, or 2001.
2. Among those who started between April 13, 1993 and January 1, 1999.
3. Among those who started between April 13, 1993 and January 1, 1997.

Note that there is virtually no difference in attrition patterns for these recent Honors Program hires.

Retention is not an HRM practice *per se*, but rather an outcome that is the result of HRM practices and the organizational climate. One retention tool that many organizations offer is a counseling program. DOJ nominally offers such services in the Special Emphasis Programs office in the JMD Equal Employment Opportunity Staff (EEOS). The EEOS does not believe that these programs have a significant impact. One reason is because they are isolated—geographically, logistically, and culturally—from attorneys' day-to-day work climate. Components also offer various ad hoc retention programs geared toward women and minorities. U.S. Attorneys' Offices offer retention bonuses.

Another important HRM tool related to retention is exit surveys (also known as exit interviews). Of the eleven components studied, only the Bureau of Prisons regularly conducts exit surveys. OARM has conducted exit surveys of Summer Law Intern Program participants, and other components have conducted exit surveys with various degrees of formality over the years. Exit surveys can be a valuable tool to understand the reasons for attrition, and, as we discuss in our recommendations section, the Department should make more widespread use of them.

Overall attrition for the attorney workforce was approximately 9% in calendar 2001, slightly higher than the few previous years. The following table shows the attrition rate for the last three years by gender and race:

[42] Data are for attorneys who started on or after April 13, 1993. We assume that an attorney who started at the GS-11 or GS-12 level was an Honors Program hire.

Table 3.3.10.2. Attrition by gender, 1999-2001

Group	Attrition rate	Ratio
Men	6.8%	1 to 1.1
Women	7.3%	1.1 to 1
Whites	6.5%	1 to 1.5
Minorities	9.7%	1.5 to 1

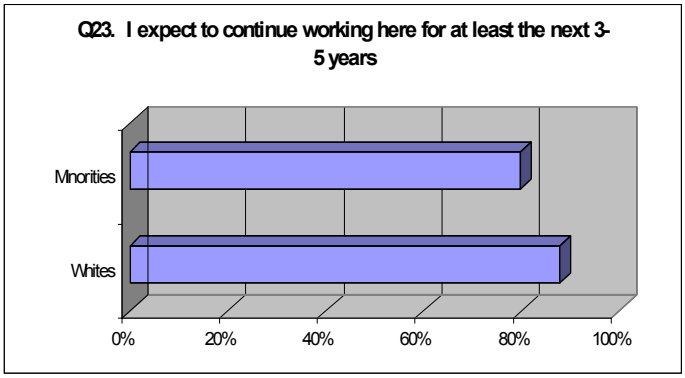
The data in table 3.3.10.2. indicate that overall turnover rates for men and women in DOJ are similar[43], but that that racial minorities are significantly more likely to leave DOJ by a margin of 1.5 to 1.[44]

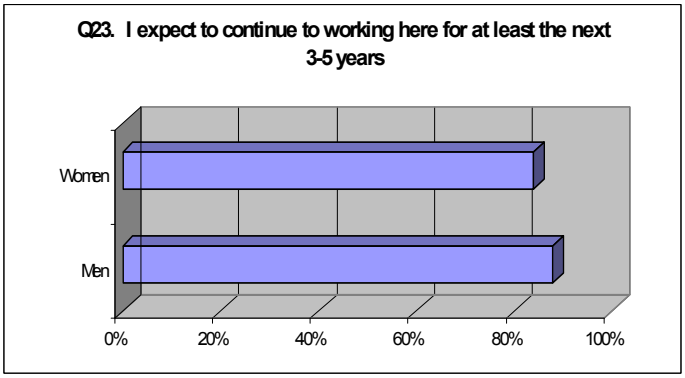
This study did not allow for an analysis of the work climate (at the component level) at a level of detail comparable to that for the department as a whole, but it would be useful for the Department to further examine work climate factors in those components with significant differences for possible explanations of the differentials. Figures B.11. and B.12. in appendix B. provide more detail about attrition among all attorneys and GS-15 attorneys by component.

Attrition among managers is extremely low. Over the last five years, an average of only three GS-15 supervisory attorneys and five noncareer SES attorneys have departed DOJ each year.

Future turnover rates can often be reliably predicted by self-reported data on likelihood to stay. In the survey we asked attorneys whether they intended to stay with the Department. The following figure presents the results of that question:

Figure 3.3.10.1. Likelihood to stay survey responses





[43]The differential in attrition between genders was particularly high in U.S. Trustees (2.0 women left for every one man), the Executive Office for Immigration Review (1.6), and the Civil Division (1.4).

[44] The differential in attrition between races was particularly high in the Environment and Natural Resources Division (2.9 minorities left for every one white), the Antitrust Division (2.1), and the Civil Rights Division (2.1).

Responses to this question were very positive; the race effect on the survey results is statistically significant, while the gender effect is not. Thus, the data on the relationship of gender and race group on the likelihood of future turnover match those of actual past turnover rates.

3.3.11. Conclusion to individual and organizational outcomes findings

The basis of the Interactional Model—that work climate factors lead to individual and organizational outcomes—holds for the DOJ data. That is, groups which rate the work climate less positively (in interviews, focus groups, and survey responses) also show less favorable tangible outcomes such as compensation, promotion, and attrition.

The goal of organization change is to raise all groups to a higher level of favorability regarding work climate—and consequently, of improved work outcomes. The rise in individual-level outcomes like job involvement and satisfaction should in turn increase outcomes for the organization.

3.4. Benchmarking and best practices results

Benchmarking of other federal agencies and research into best practices among corporations, private law firms, and other federal agencies were important parts of this study. Benchmarking enables an organization to gain valuable points of reference that may be used for self-examination and consequent self-improvement. Although the Department is often cited as the largest law firm in the world, it can still learn many valuable lessons from other organizations facing similar issues with their workforce. This gives the organization a target at which to aim when realigning its policies and programs to make improvements.

This section presents the results of our research. A bibliography of benchmarking and best practices sources used are provided in appendix C.

3.4.1. Benchmarking

This section presents comparisons of DOJ organizational outcomes to those of other comparable organizations.

The following table demonstrates that, even among the largest federal agencies, DOJ has an exceptionally higher number of attorneys in its ranks.

Table 3.4.1.1. Attorney workforce in selected federal agencies

Department[45]	Number of Attorneys
Justice	**9,223**
Treasury	**2,521**
Defense*	**458**
Social Security Administration	**1,605**
Army	**1,026**
Environmental Protection Agency	**1,040**
National Labor Relations Board	**771**
Commerce	**781**
VA	**738**
Labor	**605**
Transportation	**576**
Navy	**567**
Air Force	**359**
Health and Human Services	**495**
Energy	**456**
Interior	**381**
HUD	**356**
Education	**274**
Agriculture	**242**
State	**180**

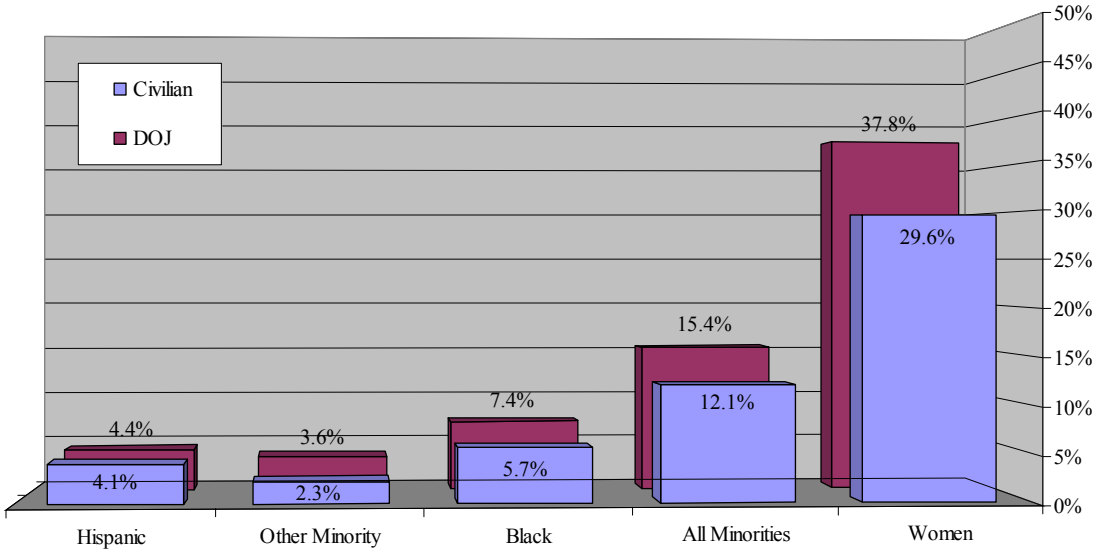
*Number does not include services.

[45] Source: OPM's Office of Workforce Information, December 2001. Attorneys are identified under job class 0905, in which most DOJ attorneys lie, only.

DOJ attorney workforce versus civilian attorney workforce

DOJ's attorney workforce is significantly more representative of the ethnic and gender makeup of the U.S. population than is the attorney workforce in the civilian U.S. labor market. Women make up 38% of DOJ's attorney workforce, while only 30% of all attorneys are female. Additionally, DOJ minority attorney representation is greater than civilian minority attorney representation by 27%. Other minorities, including Asians, Pacific Islanders, and Native Americans are represented 57% more in the DOJ attorney workforce than in the civilian attorney workforce, while representation of Hispanics is a slight 7% higher:

Figure 3.4.1.1. Attorney workforce: All civilian versus DOJ (source: 2000 Census)



DOJ attorney workforce versus federal attorney workforce

In comparison to other large federal agencies[46], however, the Department is only about equivalent in terms of female and minority representation. The federal government attorney workforce as a whole is 38% female, as is DOJ's attorney labor force. The federal workforce is 16% minority, compared to 15% in DOJ:

[46] We compared to DOJ to all cabinet-level agencies and all other agencies with 500 or more attorneys.

Figure 3.4.1.2. Female attorney representation in major Federal agencies (source: OPM, 2001)

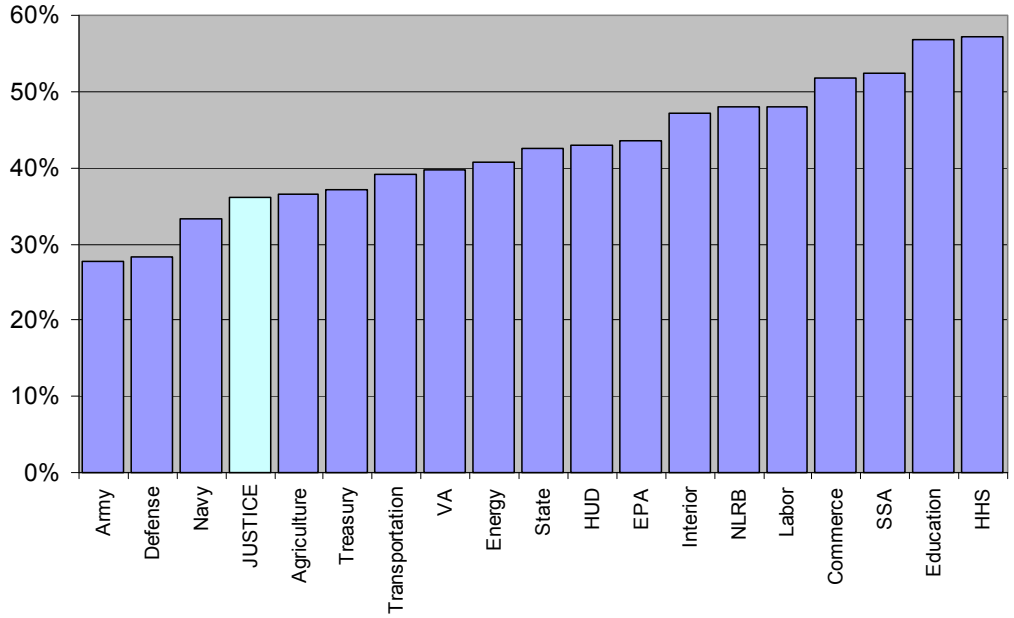
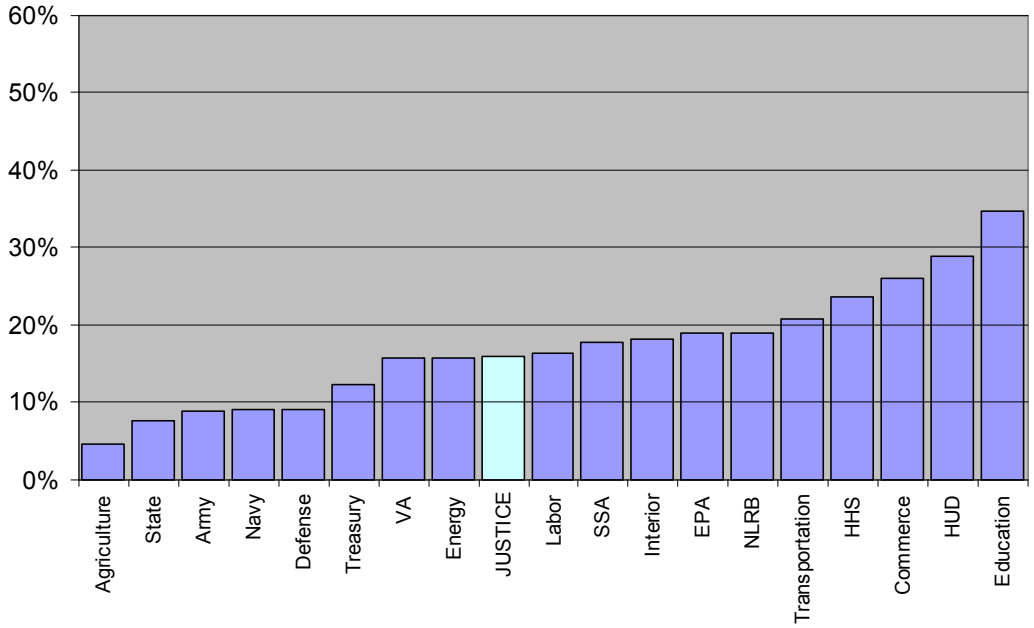


Figure 3.4.1.3. Minority attorney representation in major Federal agencies (source: OPM, 2001)



Diversity guidance

The federal government management community—namely, OPM, MSPB, OMB, GAO, and EEOC—provides a good deal of guidance (some mandated, some suggested) to agencies on HR management and diversity management in particular. We incorporated this guidance into our

approach to the study for DOJ to review for implementation; following are discussions of some of the key points.

Office of Personnel Management

OPM offers substantial guidance on creating a diverse workforce in a federal agency. OPM recommends that each agency utilize its Human Capital Scorecard as an overarching framework to align its human capital policies to the agency's mission and strategic plan. The framework improves the agency's human resources management by setting performance goals, measures, and operational application of these measures. Along with this scorecard, a guide has been created by OPM entitled "Building and Maintaining a Diverse Workforce," which provides federal managers with a comprehensive how-to guide for improving diversity.[47] The guide breaks down the approach to diversity into three stages:

- positioning the agency;
- designing and implementing a diversity program; and
- sustaining commitment.

OPM recommends that federal agencies use a methodical approach to diversify the organization but that agencies need to recognize that there is no "quick fix." OPM suggests that agencies conduct "cultural audits" to define their strengths and weaknesses regarding diversity initiatives, such as assessing if diversity is incorporated into the mission, formal mentoring programs, status reports, etc. Upon completion of the "cultural audit," agencies can determine where diversity practices are lacking and where funds will be best served. This gap analysis will provide the agency with increased knowledge of the proper steps to follow when designing and implementing their diversity programs. OPM's diversity guide provides agencies with a step-by-step process to benchmark and design policies as to fit a particular agency and its respective workforce.

Merit System Protection Board

The Merit System Protection Board (MSPB) is "an independent, quasi-judicial agency" in the Executive Branch which focuses on the merit system within the federal workforce. The MSPB provides the federal government with a merit-based assessment of its current programs: analyzing human resource management trends, issues such as sexual harassment, and the role that the federal government plays in today's socio-economic climate.

MSPB has published numerous reports on the practice of fairness in human resources practices, evaluations, barriers for particular demographic groups, and lessons learned from recruitment, relocation, and retention incentives. MSPB stresses that fairness, and even the perception of a fair working environment, can play significant roles in recruiting/hiring, promoting, and retaining a diversely qualified workforce. MSPB's reports provide many recommendations on how to approach creating a working environment that stresses fairness through a merit-based system, which can be adapted to most organizations, especially federal agencies.

[47] The report is available at http://www.opm.gov/Diversity/guide.htm.

MSPB has drafted numerous studies on an array of topics, and the organization tends to follow the same methodological approach utilizing continual attitudinal surveys to assess a particular workforce's feelings about an issue. In each study conducted, MSPB employs a survey to capture an employee's feelings before (where possible) and after a particular event has occurred. For example, MSPB uses attitudinal surveys to assess employees' feelings as new hires and then track them as they progress in their particular agency. MSPB also suggests that agencies periodically monitor the workforce distribution to ensure that workforce diversity objectives are being met. One particular study to note is the MSPB's report on the barriers to the Hispanic population achieving representation in the federal workforce.[48] The study attempts to address the disparity in representation that Hispanics find among minority groups in the federal workforce.

Office of Management and Budget

As the chief management component of the executive branch, the Office of Management and Budget (OMB) ensures that the policies and practices of all Federal agencies are in line with the President's initiatives.

In his Management Agenda, President Bush places the strategic management of human capital as first among his five government initiatives. Most importantly, the President has asked each government agency to develop coherent and coordinated plans for these initiatives. Focusing solely on this first initiative, human capital management, it is apparent that a plan needs to be created and enforced for any initiative regarding human capital management, especially an issue as complex as diversity. The President's Management Agenda briefly mentions the importance of maintaining a "a skilled, knowledgeable, diverse, and high-performing workforce…," but, most importantly, it discusses the factors, including diversity, that inadvertently affect the workforce.

The initiatives set forth in the President's Management Agenda hold the senior leadership and management of the agency directly accountable. All parties must be committed to improving the overall environment for their employees and the policies governing them. Within these initiatives, two arguably emerge as applicable to this study—knowledge management and policy flexibility. The President's Management Agenda notes that knowledge management serves a great purpose in capturing and disseminating information relevant to the organization's mission. This knowledge transfer can positively impact employees, especially minority employees, by providing more insight into the day-to-day decisions occurring in the office. The President has also recommended that agencies remain flexible with regard to HR practices, thus allowing room for creativity to recruit, promote, and retain a qualified diverse workforce.

General Accounting Office

In 2001, the General Accounting Office (GAO), the investigative arm of Congress, placed human capital management on its government-wide "high-risk list," thus placing great attention on federal agencies' efforts to improve their HR practices.

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[48] The study is available at http://www.mspb.gov/studies/hispanic.pdf.

Equal Employment Opportunity Commission

The EEOC was established by Title VII of the Civil Rights Act of 1964 and began operating on July 2, 1965. In addition to enforcing the statute protecting equal opportunity based on race, ethnicity, sex, and other protected categories, it is also applicable to later statutes guaranteeing equal pay for equal work and other equal employment areas.

With regard to diversity issues, the EEOC advises organizations to remain proactive and support all cultures and attitudes that are present. According to the EEOC, cultural as well as gender differences may emerge over the course of an individual's career, so it is best to train him/her on the practices used to mitigate and embrace these differences. The EEOC offers Technical Assistance Program Seminars (TAPS) to specifically address these type of issues.

Conclusion to benchmarking findings

DOJ must continue to benchmark itself against other federal agencies and stay abreast of the guidance provided by the federal government management community. By doing so, the Department will be able to review processes directly relating to diversity occurring in other federal government agencies and the solutions that are being applied.

3.4.2. Best practices

As part of the study, we performed extensive research on law firms, corporations, and federal agencies to identify a variety of best practices that may be explored by DOJ to further its efforts in creating a more diverse attorney workforce. The following best practices were identified through a variety of sources, including numerous personal interviews, materials from relevant interest groups[49], and publications. Many of the best practice organizations have been cited and awarded for their initiatives, demonstrating their commitment to diversity and the community's recognition of their approaches. The best practices included in this report were selected based on uniqueness, proven success, and their adaptability for use at DOJ, and we endorse all of them for potential adoption by the Department.

Selected best practices are organized based on the particular phase of a comprehensive diversity strategy they seek to address. Although some of these practices may affect multiple HR systems, we have categorized them based on those objectives most relevant. We examined the following areas—which DOJ identified as the most important processes to be covered in the study—to be addressed in creating a comprehensive strategy for achieving significant and long-lasting diversity:

- recruiting;
- selection and hiring;
- retention; and
- promotion.

Each of these is discussed in turn.

Recruiting

Recruitment is critical to DOJ because it serves as a foundation for accomplishment of the other three practices. Without effective diversity recruiting, DOJ will not be able to provide a constant pool of attorneys appropriately represented from diverse gender, racial, and ethnic groups. The following best practices give examples of how other organizations have addressed the issue of recruitment.

[49] The interest groups researched for this section are as follows: National Asian Pacific Bar Association, National Bar Association, Native American Bar Association, Hispanic National Bar Association, American Bar Association, and Minority Corporate Counsel Association.

Practice	Participation in varied recruitment efforts
Organization	Akin, Gump, Strauss, Hauer & Field
Type of Organization	Private law firm
Description	Akin Gump participates in many diversity recruitment efforts including, receptions, mock interview programs, and Black Law Student Association (BLSA) job fairs.
Applicability	Creates more viable outreach avenues for diverse attorneys.

Practice	Disclosure of information
Organization	Arnold & Porter
Type of Organization	Private law firm
Description	Arnold & Porter maintains an open and informal culture through the use of its National Association for Law Placement (NALP) Law Firm Questionnaire, which provides information on many topics including diversity efforts, is made readily available to the general public.[50] This form provides a plethora of information including, attorney/partner demographics, case assignments, hours worked, compensation, campus interview locations, benefits, and minority recruitment efforts.
Applicability	Creates more transparency into DOJ's HR practices.

[50] (2002) *Arnold & Porter NALP Law Firm Questionnaire 2000-2001 Academic Year.* [On-line] Available: http://www.arnoldporter.com/NALP/NALP-DC.pdf

Practice	Disclosure of information/interaction with stakeholders and universities
Organization	Hogan & Hartson
Type of Organization	Private law firm
Description	Hogan & Hartson's process of achieving critical mass begins with a very diverse and open hiring committee that focuses on a specific set of criteria that is defined on the firm's website. The firm also annually participates at a number of minority job fairs and career conferences, including the Harvard BLSA Job Fair and the Hispanic Bar Association Job Fair.[51] Hogan & Hartson also makes an effort to visit a wide variety of law schools to find diverse candidates including, American University, Howard University, University of Miami, and Harvard University.
Applicability	Provides more transparency into the hiring process and creates more viable outreach avenues for diverse attorneys.

Practice	Interaction with stakeholders
Organization	International Paper
Type of Organization	Corporation
Description	International Paper promotes diversity in its partnerships with minority associations such as the Minority Corporate Counsel Association (MCCA) and minority job fairs.
Applicability	Creates more viable outreach avenues for diverse attorneys.

[51] (2002) Hogan & Hartson Recruiting web page. [On-line] Available: http://www.hhlaw.com/recruiting/

Practice	Minority student outreach programs
Organization	United States Department of Agriculture (USDA)
Type of Organization	Federal agency
Description	USDA participates in several programs geared towards minority candidates, including the Hispanic Association of Colleges and Universities Internships., the American Indian Higher Education Consortium – Washington Internships for Native American Students (AIHEC-WINS), a ten-week learning experience for future Native American leaders; and the Law School Civil Rights Intern, which is a shared USDA/Howard University initiative to provide opportunities for Howard University's law students to practice law within the Department for a summer.
Applicability	Provides insight into more creative programs to increase exposure for younger individuals wishing to enter government and the legal profession.

Selection and hiring

This aspect involves interviewing qualified female and minority attorney candidates, evaluating qualifications, extending offers, and bringing in new hires for attorney positions. This step bridges the gap between recruiting female and minority employees and actually bringing them on board.

Practice	Hiring committees for diversity
Organization	Akin, Gump, Strauss, Hauer & Field
Type of Organization	Private law firm
Description	Akin Gump has established a hiring committee to seek minority participants for its summer program from around the country, which enhances both demographic and geographic diversity.
Applicability	Committee process helps lessen the impact of the section chief and also increases possibility of receiving applicants from a variety of untapped sources.

Practice	Diversity committee
Organization	International Paper
Type of Organization	Corporation
Description	International Paper promotes diversity within its own doors as well as within those organizations that it partners with. The Office of General Counsel formed a Diversity Task team to focus and monitor the opportunities being presented to female and/or minority attorneys.
Applicability	Takes hiring control away from a single individual, e.g., Section Chief.

Retention

The retention aspect of diversity management involves using the data to provide explanations as to why female and minority attorneys are or are not retained at the desired rates in DOJ components.

Practice	Networking groups and mentoring
Organization	International Business Machines Corporation (IBM)
Type of Organization	Corporation
Description	IBM has an ad hoc networking group which links women in technological positions around the world. Further opportunities are provided through mentoring programs, which pair high-level executives with women with potential. These mentors are created at the geographic, division and business-unit levels. The success of the combined programs is seen in the rise of women executives from 11% in 1995 to 18% in 1999.
Applicability	Addressing more creative ways to improve DOJ mentoring techniques.

Practice	Work/life balance
Organization	United States Department of Agriculture (USDA)
Type of Organization	Federal agency
Description	Many of USDA's policies today focus on the issue of work/life balance and promoting diversity in its workforce. Through its work life program, USDA provides work/life news, coordinators, programs and services such as child care programs
Applicability	Provides more flexibility and a communication outlet for those attorneys attempting to balance a family and a career at DOJ.

Practice	Diversity counsels
Organization	United States Department of Agriculture (USDA)
Type of Organization	Federal agency
Description	USDA has developed diversity counsels to deal with diversity concerns. Staff members are assigned to a certain counsel, and the counsel serves as a resource where staff members can get information, answer Equal Employment Opportunity (EEO) questions, and address conflicts.
Applicability	Directly addresses communication (informal integration)within the attorney workforce through a diversity-related contact.

Practice	Cultural awareness
Organization	U.S. Patent & Trademark Office
Type of Organization	Federal agency
Description	The USPTO holds several community days when employees celebrate a number of themes that focus on diversity, including the Community Day 2000 theme of "Recognizing Our Similarities. Embracing Our Differences."[52] One example of how the USPTO embraces its diversity is the USPTO Museum, which often dedicates exhibits such as Women Colors of Innovation (Women's Month) or the African American Employment Program (AAEP).
Applicability	Provides an outlet to address common misperceptions and stereotyping.

Practice	Supplemental programs for retention and positive working environment
Organization	Akin, Gump, Strauss, Hauer & Field
Type of Organization	Private Law Firm
Description	Akin Gump has created a communication stipend for devices (cell phones, laptops, et cetera) that makes it easier for individuals to work from home. This is considered a supplemental program to coincide with the counsel position, an intermediate position for those individuals on the partner track, to increase retention and create a positive working environment. Other such programs include financial assistance (e.g. mortgage) and flexible part-time work schedules.
Applicability	Provides creative programs to increase retention at DOJ.

[52] USPTO Press Release, "Deputy Commerce Secretary Celebrates USPTO's Many Facets of Diversity,"8/2/01..www.uspto.gov.

Practice	Extending hiring criteria
Organization	Morrison & Foerster
Type of Organization	Private law firm
Description	Morrison & Foerster has altered the firm's hiring criteria to include overcoming significant challenges rather than just academic and work experience, because the firm's partners feel that it is a good predictor of the tenacity and creativity it takes to be a great lawyer."[53]
Applicability	Broadens the qualifications required for experienced attorneys.

Practice	Exit surveys
Organization	Centers for Disease Control and Prevention, Agency for Toxic Substances and Disease Registry (CDC/ATSDR)
Type of Organization	Federal agency
Description	The Centers for Disease Control and Prevention Agency for Toxic Substances and Disease Registry collaborated with the Human Resources Management Office to analyze employee retention patterns. They have incorporated an official policy of surveys, including exit interviews, to collect data and track departure patterns, including data on opinions on organizational culture and its effects on diversity climate. CDC/ATSDR uses the data to identify patterns indicating a diversity-adverse climate, and to correct existing problems.
Applicability	Provides a continual attitudinal measure of the attorney workforce.

[53] Thelen, Jennifer. (2002) *MoFo's Rainbow; One of the Most Diverse Firms in the Country Didn't' Get That Way Overnight.* Available: http: http://www.mofo.com/about/ArticleDetail.cfm?concentrationID=&ID=689&Type=4.

Practice	Work/life balance policies
Organization	Arnold & Porter
Type of Organization	Private law firm
Description	Arnold & Porter's Washington office has addressed an important work/life balance issue by providing full-time child-care on site . In addition, the Children's Center provides free back-up care when an employee's child care arrangements fall through.[54]
Applicability	Provides more flexibility for those attorneys attempting to balance a family and a career at DOJ.

Practice	Practice group rotation program
Organization	Hogan & Hartson
Type of Organization	Private law firm
Description	Upon entering Hogan & Hartson, junior associates are placed into an assigned practice group and a rotation program where they can experience several of the firm's practice groups over a defined period of time. These junior associates then convey their preferences to the administrators of the three main practice groups, who then make the final placement decision. The firm believes that this rotation program provides new hires with an orientation to the firm allowing each individual a period of acclimation and an opportunity to see which practice area suits their interests. Attorneys are nurtured with regards to professional development through practice group meetings, training, and most importantly, feedback.
Applicability	Provides formal professional development program to address retention.

[54] (2002) *Arnold & Porter's Washington DC Office Overview.* [On-line] Available: http://www.arnoldporter.com/tableset.cfm?text=associates_dc&gif=recruiting&toolbar=recruiting.

Practice	Compensation linkage to diversity initiatives
Organization	Bell Atlantic
Type of Organization	Corporation
Description	In its business plan, Bell Atlantic describes the benefits of a diverse workforce for both the bottom line and the working environment. The company has tied performance to financial rewards. Recruiters are required to submit a list of diverse employees for every job and managers have their compensation linked to their diversity goals. Bell Atlantic then monitors the progress of their diversity efforts through a four-person diversity committee headed by the company's general counsel.
Applicability	Addresses accountability regarding diversity initiatives

Practice	Compensation linkage to diversity initiatives
Organization	Allstate
Type of Organization	Corporation
Description	Allstate ensures that diversity initiatives are being implemented by linking all managers' bonuses to how well they develop and maintain a diverse workforce. The strategy has produced impressive results: 41.5% of the company's executives are women and 21% of top spots are held by minorities, 10% more than the national average.
Applicability	Addresses accountability regarding diversity initiatives.

Practice	Management openness and accountability
Organization	Microsoft Corporation
Type of Organization	Corporation
Description	Microsoft promotes an open environment through transparency into their policies by listing it as one of its eight corporate values as well as dedicating an entire web-page to the subject. At Microsoft's diversity page, an employee and potential hires have access to where the company is advertising, the organization's goals, the recruiting events calendar, partnership organizations, employee groups, as well as a bi-monthly diversity newsletter, *Microsoft Pathways*. The company has also created a Diversity Advisory Council with many members from its employee groups.
Applicability	Creates more transparency into HR practices.

Practice	Diversity training
Organization	Federal Communications Commission (FCC)
Type of Organization	Federal agency
Description	The FCC's development of the Office of Workplace Diversity has helped the leadership team understand internal issues that are facing the Agency. This office manages the internal EEO Compliance Program, recruits and trains EEO counselors, coordinates special observances, trains Commission staff on workplace issues such as race relations and dealing with the disabled individuals issues.
Applicability	Creates a more knowledgeable attorney workforce regarding diversity.

Practice	Mentoring
Organization	DuPont
Type of Organization	Corporation
Description	DuPont promotes and supports diversity efforts both internally and externally by sharing its "best practices." DuPont has partnered with Street Law, American Corporate Counsel Association (ACCA), and several law firms to develop the "Pipeline Kit," which is a compilation of best practices in the law profession. Along with this kit, DuPont has formed a "Pipeline Committee" to mentor young adults who demonstrate penchant for the engineering or law profession.
Applicability	Introduces new and exciting programs to help nurture the attorney workforce.

Practice	Empowerment and promotion of women
Organization	DuPont
Type of Organization	Corporation
Description	The DuPont Women Lawyers' Network offers a new approach to empowering female attorneys by bringing women's diverse voices together where they will be heard without interruption or condescension. With the tension of communicating in a man's world eliminated, the energy of the group increased ten-fold." [55]
Applicability	Introduces new and exciting programs to help nurture the attorney workforce.

Promotion

This aspect plays an substantial role in retention, but for the purposes of this study we have separated it out for an intensive review. It involves identifying areas where the diversity climate within DOJ may not support the promotion of female and/or minority attorneys and, based on this identification, establishing corrective action measures to address the problems. The Interactional Model helps

[55] Passante, Lisa M. et al. *Creating the DuPont Women Lawyer's Network: Women's group is catalyst for understanding and empowerment.* (On-Line) Available: http://www.mcca.com/site/data/corporate/BP/dupont899.htm

provide explanations as to why this practice exists and what measures can be taken to address each accordingly.

Practice	Networking groups
Organization	International Business Machines (IBM)
Type of Organization	Corporation
Description	IBM wants women to rise to top-level managerial positions. The best way to do this is to keep women informed of opportunities and give them access to the people making promotion decisions. That's why the company established a series of networking groups for women. There are ad hoc groups that come together at meetings and conferences. Another networking group links women in technological positions around the world.
Applicability	Provides groups with advice regarding a number of areas including case/job assignments and career development.

Practice	Discussion of partnership potential
Organization	Hogan & Hartson
Type of Organization	Private law firm
Description	In terms of attorney advancement, Hogan & Hartson is open and honest by providing an attorney's standing with regards to achieving partner through a transparent evaluation system. The attorney's partnership potential is evaluated every other evaluation period and feedback is provided to the attorney.
Applicability	Provides attorneys with more insight regarding promotions.

Profiles of selected best practice organizations

DuPont (www.dupont.com)

- Received the distinction of having the Sager Award, the MCCA's award for law firms that have demonstrated sustained commitment to improve the hiring, retention and promotion of minority attorneys named after Thomas Sager, Dupont's General Counsel.
- Incorporated the DuPont Women Lawyers' Network, which is focused on the development and advancement of women within the company.

Akin, Gump, Strauss, Hauer & Field (www.akingump.com)

- Received the Minority Corporate Counsel Association's (MCCA) 2001 Thomas Sager Award.
- Boasts of having 1000 lawyers from diverse backgrounds. Of these 1000 Akin Gump lawyers, 301 are female, 48 are African-American, 43 are Hispanic, 38 are Asian, and 2 are American Indian.[56]
- Ranked as the number 46th law firm in the *MinorityLawJournal's* 2000 Diversity Scorecard.[57]
- Rated among the top ten firms nationally for diversity in 2001 (www.vault.com).[58]

Federal Communications Commission (FCC) (www.fcc.gov)

- Created the Office of Workplace Diversity to promote equal opportunity awareness.
- Listed as one of America's Best Places to Work with a Law Degree.

International Paper (www.internationalpaper.com)

- Created one of the first Diversity Task Teams to promote diversity in the workplace.
- Challenged fellow corporations to champion the cause for diversity by creating the IP Diversity Questionnaire.[59]
- Chosen as the recipient of the National Bar Association Commercial Law Section's 2001 Corporate Award
- Selected as a 2001 "Employer of Choice" by MCCA.

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[56] Press Release (June 22,2001) *Akin Gump Receives Thomas L. Sager Award: Minority Corporate Counsel Association Recognizes Firm for Promoting Diversity* [On-line] Available: http://www.akingump.com/news/news_2001_6_22_993738571.html.

[57] American Lawyer Media. (2000) *2000 Diversity Scorecard* [On-line]. *MinorityLawJournal*. Available: http://www.*MinorityLawJournal*.com/summer01/texts/chart.html.

[58] www.akingump.com.

[59] Gavin, M. (Lawyers for One America) (2000). *Bar None: Report to the President of the United States on the Status of People of Color and Pro Bono Services in the Legal Profession*. San Francisco: Lawyers for One America. (p.56).

Microsoft Corporation (www.microsoft.com)

- Devotes an entire website to diversity as well as the SGM Model, which tracks the progress of diversity within the company.
- Listed as one of the Great Places to Work with a Law Degree.

Morrison & Foerster (www.mofo.com)

- Received the Thomas Sager Award (in their region) by the Minority Corporate Counsel Association (MCCA) in 2001.
- Received the 2001 "100 Best Companies for Working Mothers" Award by *Working Mother* magazine.

Hogan & Hartson (www.hhlaw.com)

- Received the honor of being listed as an organization which demonstrated best practices relating to diversity in the Bar None Report, the Report to the President of the United States on the Status of People of Color and Pro Bono Services in the Legal Profession.[60]
- Ranked 1st by the *Legal Times* 100 for hiring minority and women associates and then making them partner among the D.C. Metro Area's 25 Largest Law Offices.[61]
- Ranked 129th in the *MinorityLawJournal* 2000 Diversity Scorecard.

[60] Gavin, M. (Lawyers for One America) (2000). *Bar None: Report to the President of the United States on the Status of People of Color and Pro Bono Services in the Legal Profession*. San Francisco: Lawyers for One America.

[61] (2001) *Legal Times 100: Minority and Women Lawyers At the D.C. Metro Area's 25 Largest Law Offices*. (reproduction). [On-line] Available: www.hhlaw.com..

Arnold & Porter (www.arnoldporter.com)

- Awarded he MCCA's 1999 and 2000 Thomas Sager Award Recipient, which is the award presented to law firms that have demonstrated sustained commitment to improve the hiring, retention and promotion of minority attorneys.
- Awarded the Vault Guide's number one ranking as the most diverse among the Top 100 Law Firms.[62]
- Honored as one of the "Best 20 Firms to Work For" in the United States (Vault.com).
- Ranked as the 57th law firm in the *Minority Law Journal* 2000 Diversity Scorecard.
- Ranked as the 13th "Firm to Work For" in the nation (Vault 2002 Report).[63]
- Received the "100 Best Companies for Working Mothers" Award by *Working Mother* magazine in 1996, 1997, and 2001.
- Received the 1999 D.C. Bar's Pro Bono Law Firm of the Year Award.
- Ranked 16th on the annual list of companies distinguished by their efforts in recognizing the value and needs of working families.
- Listed as one of the "Six Law Firms That Have Raised the Bar When It Comes to Great Benefits and Pay."[64]
- Received first MCCA's 2000 Employer of Choice Award, which "is designed to spotlight industry leaders who have a commitment to and succeed at creating and maintaining an inclusive corporate legal department."[65]

Richard Clarke & Associates (www.diversityrecruiting.com)

- Focuses a particular division (of the executive recruiting firm) on providing quality minority and women candidates to prospective employers.

Bell Atlantic (www.bellatlantic.com)

- Received the MCCA's 1999 Employer of Choice Award for the Northeast Region.

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[62] (2002) Arnold & Porter Overview. [On-line] Available: http://www.arnoldporter.com.
[63] (2002). Vault 2001 Survey [On-line] Available at www.vault.com
[64] Dalphonse, Sherri. "Great Places to Work." *Washingtonian* Oct. 2001: 95.
[65](2001) The Employers of Choice Awards. [On-line] Available: http://www.mcca.com/site/data/corporate/EmployersofChoice/index.html

3.4.3. Conclusion to benchmarking and best practices findings

This section of the report has provided DOJ with benchmarking results among other federal agency attorney workforces and an extensive list of best practices regarding diversity, from other federal agencies, private law firms, and corporations. An overarching theme that has emerged from the research of these organizations is that their best practices are derived from a very open and flexible environment. The organizations' diversity initiatives are publicized and open to discussion, thus lessening any misperceptions steering the workforce. It is important to remember that many of these best practices are not limited to an attorney workforce. Therefore, the Department must approach each in its respective context. Through tailoring and creativity, however, the Department can utilize many of these best practices

4. Recommendations

This section provides our recommendations. For most recommendations, responsibility for implementation will vary between the Litigating Divisions, U.S. Attorneys' Offices, and other components. In most cases the Department should develop a high-level framework, and then allow components to tailor the solution within that framework and any key constraints identified.

Each of these recommendations would require resources to implement. The Department and components must make the best use of their budgets and time, but we believe that these recommendations would be warranted given the importance of diversity and the significant benefits to be derived.

As discussed in section 2.4, we used the Taylor Cox & Associates change model to formulate these recommendations. We have described the recommendations within the context of the five areas of the model.

4.1. Leadership

4.1.1. Demonstrate AG/DAG-level commitment to and communication of diversity issues and solutions

In any organization, leadership from the very top levels is required to implement the kind of cultural change required to improve its diversity climate. This is especially true for DOJ, given the diffuse nature of the Department and the difficulty of implementing cultural change across a major federal government department.

Longer-term, the following steps should be part of the leadership effort:

- Integrate the work on diversity with the Department's strategic planning process.
- Lead communications to further establish the diversity effort as a Department priority.
- Promote accountability for diversity, such as raising it in meetings in which performance on key DOJ goals is reviewed.

The fact that the current top political leadership of the Department is diverse sends an important, positive message as the beginning of management's leadership strategy.

4.1.2. Identify levers to implement change

The AG and DAG must be cognizant of the organizational structure as they lead change. They must also exert leverage vis-à-vis the AAGs (or the equivalent).

The Department should address the impact that Section Chiefs in the Litigating Divisions have on the work climate, given their control over recruitment, selection, promotion, award allocation, job assignment and other career development activities, and performance appraisal; the low turnover in their ranks; their general resistance to change; and the fact that their ranks are less diverse, especially with respect to race, than the attorney workforce as a whole,

Two plausible ways to address this area are to re-cast the role of Section Chiefs and/or re-train them. Although Section Chiefs' roles are defined by the fact that they are held accountable for the performance of their Sections, there are elements of their jobs that can be re-cast, for example by distributing management decision-making—especially hiring and case assignment—more broadly. DOJ should also offer management and diversity training to existing Section Chiefs.

The Civil Rights Division has been able to use the occasions when its attorney workforce has grown to increase the number of minorities in leadership positions without impacting the current management workforce. With the substantial upcoming growth in the Criminal Division, the Department should remain aware of this opportunity to increase diversity without requiring turnover and take advantage of it.

4.2. Research and Measurement

4.2.1. Create a measurement plan for diversity

Once the top leadership of the Department has articulated the imperative to manage diversity, it (along with component leadership) must create plans to measure the results. The Department should develop comprehensive measurement strategies. It should then map the results to component-level measures and charge component heads with supplementing the list with their own measures.

Following are several examples of measurements that might be implemented by component:

Component	Measurements
Litigating Divisions and Executive Office for Immigration Review	▪ Composition of entire workforce, GS-15 workforce, and SES workforce by race and gender compared to labor force ▪ Recent attrition by race and gender ▪ Recent Honors Program hiring by race and gender ▪ Recent lateral hiring by race and gender ▪ Job satisfaction and organizational identification by race and gender
U.S. Attorneys' Offices and U.S. Trustees	▪ Composition of entire workforce by race and gender compared to supervisory workforce ▪ Recent attrition by race and gender ▪ Recent lateral hiring by race and gender ▪ Job satisfaction and organizational identification by race and gender
Bureau of Prisons and Immigration and Naturalization Service	▪ Composition of entire workforce by race and gender compared to supervisory workforce ▪ Recent attrition by race and gender ▪ Recent Honors Program hiring by race and gender ▪ Recent lateral hiring by race and gender ▪ Job satisfaction and organizational identification by race and gender

The measurement approach should include modeling of how attitudinal factors—such as job satisfaction—serve as leading indicators of lower performance, attrition, and other adverse outcomes.

4.2.2. Create a performance measurement system to increase management awareness of and accountability for diversity

What gets measured gets done. Simply making managers aware of where they stand in the area of diversity will be a significant step in improving it. Based on the measurement plan described above, the Department should prepare reports detailing the diversity of the attorney workforce within each component and distribute the results periodically to component heads. In turn, component heads should distribute results within each of their Sections, Districts, geographic offices, or equivalent.

Such data, accompanied by periodic messages from the Attorney General and Deputy Attorney General affirming the importance of diversity, will provide managers a framework in which to act. We find that no manager wants to be at the bottom of a list ranking organizational units according to some criterion that top management finds important. Furthermore, it is likely that component heads and Section Chiefs would be surprised at how low their diversity is.

This data could be collected and disseminated beginning immediately. Over time, production and dissemination should become routinized in a performance measurement system and the topic discussed periodically (e.g., quarterly) at management meetings.

The performance measurement system should store the performance measures for the surveys—for example, quarterly scores by race and gender to reflect various key elements of the climate (like the organizational identification, job involvement, and career satisfaction indicators of the survey that we used for this study)—as well as organizational outcomes such as turnover. Management should scrutinize the figures and discuss individualized problems with the relevant component or Section head.

Additionally, the Department should collect more data elements than it does now. It should store data on applicant flow for lateral hires where possible (some components, such as the Antitrust Division, do this now), more information about pre-DOJ legal experience, and attorneys' performance ratings.

Many private law firms and corporate general counsels have taken incremental steps to increase accountability regarding their diversity initiatives through the use of diversity questionnaires (see International Paper and Hogan & Hartson in the "Best Practices" section). These forms, or "cultural audits" as OPM defines them, provide attorneys and outside interests with information on many topics, including diversity recruiting efforts, attorney demographic totals, and case assignments. This practice has helped to lessen perception problems within their organizations with regard to diversity. DOJ can adapt this practice in every component and on a Section-by-Section basis. The respective Section Chief can then funnel this information to the Executive Office every quarter or six months for a department-wide analysis. By disseminating such data, management is held accountable for their diversity initiatives by both their peers and the attorney workforce.

4.2.3. Conduct a study of case assignment processes to increase likelihood of fairness

The Department should conduct a study of who is assigned to cases, in order to either corroborate or refute the claims of inequities in case assignment.

The Department should ask Section Chiefs (or their equivalent) to analyze the difficulty—in terms of complexity, novelty, publicity, or other relevant criteria—of each current or recent case. It should then separately ascertain which attorney(s) are assigned to lead and work on the case. It should then correlate these results with the difficulty rating to see if there are race or gender effects. (When collecting the information about case difficulty, managers must not know the purpose for the data collection, or else they may not report accurately.)

If there are race or gender effects, then these should be addressed with the Chiefs. If not, then the results should be publicized across the Department.

In parallel, DOJ should study different Sections' case assignment processes in detail and determine whether best practices could be more widely applied.

4.2.4. Administer exit surveys

In order to determine why attorneys leave DOJ, the Department should administer pointed exit surveys of attorneys who leave voluntarily. Questions should be developed to parallel the climate findings revealed in this study. The survey could be conducted/overseen by the EEO Staff, OARM, or the Office of the Deputy Attorney General.

The Centers for Disease Control and Prevention, Agency for Toxic Substances and Disease Registry (CDC/ATSDR) has employed exit surveys to analyze employee retention patterns and create practices to address any problematic findings (see section 3.4.2.). These programs, as well as the academic literature on the subject, can provide a good deal of insight.

4.2.5. Administer attitudinal surveys on an ongoing basis

As the Department implements the recommendations discussed in this report, it should administer surveys such as the one we used in this study to test the success of the programs implemented and support analysis of correlation with organizational outcomes.

As discussed in recommendation 2.1., DOJ should construct statistical models which tie attrition and other adverse patterns to survey results to be able to diagnose and correct climate problems sooner and possibly prevent attrition. For example, DOJ should attempt to obtain a sufficient sample size of responses within each Section in the Litigating Divisions, and tie the survey findings (and findings from the exit surveys described above) to Section-level patterns of attorney performance and attrition, including by race and gender. Such an exercise would enable the Department to determine which elements of the work climate drive attrition most and focus its efforts on improving those elements.

4.3. HR Systems

4.3.1. Implement a comprehensive career development process

Good diversity management begins with good human resources management. This is especially true considering that women and minorities express lower job satisfaction than men and whites and are also more likely to leave the Department. DOJ should make career development a stated part of managers' job descriptions, and conduct periodic attitudinal surveys and exit surveys (as discussed above) to assess success.

Equally important, the Department should include an evaluation of one's promise as a manager in selection decisions for management jobs. Additionally, it should nurture potential future managers by instilling in them good management practices and exposing them to management activities throughout their careers.

The Department should also implement formal career-development tools, such as:

- self-assessment tools to help attorneys plan their careers;
- databases to help them learn of opportunities to match their interests;
- individual career development plans; and
- career counseling.

The Attorney General and Deputy Attorney General should communicate these changes in policy to components and establish an ongoing career development communications plan.

4.3.2. Implement a performance management process with more than two levels

The Department should abolish the "pass"/"fail" performance management system in favor of a system with at least three levels. More important than the development of the system, the Department should do more to make sure that it is used conscientiously. Managers should be held accountable for having candid, value-adding discussions with attorney staff at least once a year. They should be scored on the percentage of employees they supervise who underwent the process, and any figure less than 100% should be scrutinized by upper management. (Upper management should also lead by example and regularly evaluate managers.) Additionally, each staff attorney should have a "performance manager" who is, to some degree, accountable for the staff member's performance.

The Department should develop performance criteria for each of the levels based upon job grade. Criteria should consist of some elements that are the same for all attorneys and others that are component- or Section-specific.

4.3.3. Develop and promulgate consistent processes for human resources systems

Through development and promulgation of consistent standards and policies for performance appraisal, the Department will mitigate some of the concern about transparency of HR practices. It should continue to engage attorneys in dialogue, solicit their input into the HR policies, and hold managers accountable for explaining their approach to recruitment, selection, promotion,

award allocation, job assignment and other career development activities, and performance appraisal for attorneys under their supervision.

One way to reduce the perceptions about a lack of transparency in HR practices is to have a committee, sometimes called "work/life committees," comprised of attorneys at all levels, in each component, office, or Section. The committee would make recommendations about management practices that could substantively improve processes.

The Department should also expand hiring committees to include all levels of staff, especially in those components or offices in which the current selection committee—e.g., in many sections, a group of Section Chiefs—is not diverse with respect to race or gender.

4.3.4. Leverage lessons learned from the Honors Program for lateral recruitment, and implement more creative sourcing techniques

Although we did not have the ability to evaluate the success of Lateral Attorney Recruitment Program (LARP) in the aggregate, we believe that its principles were well-conceived. LARP did not, and any successor should not, attempt to take discretion for making hiring decisions away from components—rather, it should provide components with more tools to increase the diversity of their applicant pools (accountability for following through and hiring a diverse workforce will be covered by the performance reporting process described in recommendation 2.1). A centralized lateral recruitment program should incorporate the following elements:

- Centralized marketing of DOJ job openings, in which components can participate to increase the breadth of advertising without bearing unwieldy costs.
- Raising "brand awareness" of the Department as a place to work in the legal community.
- Outreach to sources with a diverse composition, including minority bar associations, conferences, and publications.
- Centralized mail and e-mail addresses and fax number where candidates know that they can send resumes, and an individual on the receiving end who will collect the resumes and send them to the relevant components.
- Better data collection on vacancies, applicants and their source, and offers and hires.

Components could do better analysis to plan for lateral vacancies. If they analyzed attrition at the component or Section level for the recent past, it is probable that they could discern trends that would enable them to predict future vacancies with a reasonable degree of confidence. Additionally, through OARM (or whichever office administers the lateral recruitment program), they could collaborate with other components to project hiring needs several months in advance across an even broader segment of DOJ. That way, if fewer vacancies than expected occur in any one component, attorneys hired through the program could be placed somewhere else in the Department.

An additional administrative step that could be employed for all unsolicited resumes received is to send the candidate an application form to fill out prior to being considered. The form could ask how the candidate heard about employment opportunities at DOJ as well as his/her

demographic information. The volume of resumes received combined with the burden of processing and storing them, as well as tracking future outcomes of the recruiting process tied to the candidate forms, make this task unwieldy and probably not cost-effective at this time. However, as the Department upgrades its technology, it could consider adding functionality to handle this task.

DOJ should also pay more attention to developing interest in those sections of the law—e.g., antitrust, tax, environment, and bankruptcy—in which it perceives that the labor pool for that practice area is not as diverse as the legal labor pool as a whole. Techniques for such outreach could include seminars targeted toward younger law students or even undergraduates or rotational programs for Honors Program entrants (as long as the quality of assignments was not reduced). The Department should partner with the American Bar Association, National Bar Association, private firms, and other industry groups in conducting such outreach. Examples of past programs in which DOJ has participated or might wish to participate include:

- The ABA Section on Antitrust Law and OARM collaborated to hold seminars on antitrust law at law schools. The ABA arranged for guest speakers, and OARM recruited for the Honors Program.
- The ABA Section of Environment, Energy, and Resources Law provides a fellowship for interns in the field. The program is focused on diversity.

Individual components should give more consideration to otherwise promising attorneys who may not have expertise in their specific field of law. Many participants in the study agreed that basic attorney skills are transferable across components and that individuals can develop the expertise in a particular subject matter with the proper training provided. The Department should make more opportunities, including assistant section chief and similar jobs, available to DOJ attorneys in other components, placing more general advertisements, and spending a bit more effort to develop new lateral hires' expertise in the field where necessary.

These practices could be pilot-tested in the Criminal Division, which is in the process of hiring approximately 80 experienced attorneys.

4.3.5. Disseminate vacancy information across components

As discussed above, components should advertise vacancies, especially for Assistant Chief and other management positions, across the Department. This will create the perception and the reality of more opportunity for female and minority attorneys. The Department should create a simple bulletin on its intranet that components can use to reach attorneys elsewhere in the Department.

DOJ can adapt a principle like *Microsoft Pathways* (see section 3.4.2.) to address vacancy announcements and other issues such as recruitment. Such availability of data will provide employees with greater opportunities in an open environment.

4.3.6. Further develop mentoring capabilities

Our experience with mentoring programs suggests that the best program is one in which senior attorneys formally devote significant attention to this task. Each new hire should ideally be assigned a pair of mentors, one of the same gender and/or racial identity and one of a different identity, for three years. The Department should evaluate resources to determine the feasibility of such an effort. Most importantly, an attorney should have at least one mentor who is in a position of power and has volunteered to serve in such a capacity. Mentors should be trained and provided with guidelines. Such guidance is available through OPM and through private organizations. Mentors and mentees should also evaluate their experiences yearly and the Department should make program improvements and individual reassignments based on the results.

A formal mentor program could be pilot-tested in a component like the Civil Division, which is fairly representative of the Department in climate and diversity outcomes. (Civil Division leadership has also already begun to consider some of the career development steps discussed in this section.) Over time, results should be analyzed alongside attitudinal survey results to ascertain the effects of mentoring on employees' career outlook.

4.3.7. Appoint diversity advocates in each component

In addition to more structured mentoring, each component should have a diversity advocate who is an attorney. This advocate can provide knowledgeable guidance to attorneys, serve as an ombudsman to address disputes, and continue to ensure that the component is cognizant of diversity issues.

4.4. Education

4.4.1. Training for leaders to mitigate climate issues

Training focusing on the details of stereotyping and other subtle forms of identity-related employment bias would help managers mitigate the work climate effects cited by minorities.

4.4.2. Training on the organizational change model

Key managers who will be proponents of the change initiative should be trained on the theory and application of the change model.

4.5. Follow-up and Accountability

4.5.1. Base awards on adherence to the measurement plan

Once the Department implements the performance measurement system described above, over time components will develop proven strategies to solve common diversity problems. As they do, the Department should also collect, store, and report accounting of these strategies. Eventually, the AG and DAG should mandate adoption of these strategies and base awards on adherence.

4.5.2. Give visibility to diversity-related metrics

The DAG has already taken the first step by communicating his interest in diversity. Next, the Department should increase public visibility of the matter by incorporating diversity goals in its Government Performance and Results Act reporting and implementing such tools as the NALP Law Firm Questionnaire (see Best Practices: Recruiting).

Appendix A. Interview, Focus Group, and Employee Survey Questions

Interview and focus groups questions

Note: For individual interviews, the moderator recorded the "yes" or "no" response (where applicable). For focus groups, the moderator recorded a consensus "yes" or "no" if there was one.

1. Describe the culture (most noticeable characteristics of the work climate) in your own words.

2. Do you believe that men and women have equal opportunity to be hired here?

YES NO

Explain your answer (what indicators cause you to answer as you have?).

Follow up: Are there things about the recruiting process that make it more difficult for one gender versus the other to be hired?

3. Do you believe that people of all racial/ethnic backgrounds have equal opportunity to be hired here?

YES NO

Explain your answer (what indicators cause you to answer as you have?).

Follow-up: Are there things about the recruiting process that make it more difficult for people of one race/ethnic group versus others to be hired?

4. Is there equal opportunity for both men and women to be promoted here?

YES NO

Explain your answer (what indicators cause you to answer as you have?).

Follow-up: Are there things about the process for promotions that make it more difficult for one gender versus the other to be advanced to higher job grades?

5. Is there equal opportunity for people of all racial/ethnic groups to be promoted here?

YES NO

Explain your answer (what indicators cause you to answer as you have?).

Follow-up: Are there things about the process for promotions that make it more difficult for one race/ethnic group versus others to be advanced to higher job grades?

6. Do you believe that you have the same opportunity to participate in the best projects or work assignments as others of similar education, and experience ?

YES NO

If no, explain why.

7. One goal of DOJ is to maintain a *work climate* in which people of both genders and all race/ethnic groups can be included and achieve and contribute to their full potential.

Do you see anything in the daily work climate (such as norms of behavior, patterns of communication, or work practices) that is especially helpful to this goal?

Do you see anything that poses a barrier to this goal?

8. Have there been any previous efforts in your division to improve the climate for diversity (such as training programs)? If so, comment on the content and success of these efforts.

YES NO

Follow up: Do you have any suggestions for improving the ability of your organization to create diversity or to take full advantage of the diversity of the workforce?

Is there anything else you would like to tell us about the topic of workforce diversity?

Survey questions

Following is the survey.

Your Race: White ☐ Black ☐ Hispanic ☐ Asian ☐ Native Am. ☐ Other_____

Your Gender: Male ☐ Female ☐

Your Job Type: Supervisory Attorney ☐ Non-Supervisory Attorney ☐ Other ☐

Your Grade: GS-11 ☐ GS-12 ☐ GS-13 ☐ GS-14 ☐ GS-15 ☐ GM-13 ☐ GM-14 ☐ GM-15 ☐

AD-0 — AD-9 ☐ AD-10 — AD-19 ☐
AD-20 ☐ AD-21 ☐ AD-24 ☐ AD-25 ☐ AD-26 ☐ AD-27 ☐ AD-28 ☐ AD-29 ☐

SL ☐ ES ☐ EX ☐ IJ ☐ EF ☐ AD ☐ ZZ ☐ Other_____

Your Component: ATR ☐ CIV ☐ CRT ☐ CRM ☐ ENR ☐ TAX ☐ INS ☐ BOP ☐
U.S. Attorneys ☐ U.S. Trustees ☐ EOIR ☐ Other_____

---

1. Listed below are words to describe the work environment of organizations. For each item circle the number that best describes the work environment of your component.

Example: People are not valued 1 2 3 4 5 (6) 7 People are valued

This indicates a climate that is strong in valuing people

People are not valued	1	2	3	4	5	6	7	People are valued
Dissent is squashed	1	2	3	4	5	6	7	Dissent is welcomed
Style is rewarded above substance	1	2	3	4	5	6	7	Substance is rewarded above style
Intolerant of mistakes	1	2	3	4	5	6	7	Tolerant of mistakes*

**Reasonable tolerance to allow for learning by mistakes and risk-taking, NOT accepting poor quality work*

Departments don't cooperate	1	2	3	4	5	6	7	Departments cooperate
Discourages new Ideas	1	2	3	4	5	6	7	Welcomes and values new ideas
Closed to different perspectives and ways of thinking	1	2	3	4	5	6	7	Open to different perspectives and ways of thinking

---

Instructions for Items 2 thru 28: Circle the number that best indicates your opinion for each question based on **recent** observations and experiences in the areas you have worked in.

	Strongly Disagree	Disagree	Agree	Strongly Agree	No Opinion
2. There is tension and conflict here between: _____					

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	Strongly Disagree	Disagree	Agree	Strongly Agree	No Opinion
2-1 men and women	1	2	3	4	5
2-2 whites and minorities	1	2	3	4	5
3. The following people are often stereotyped here: (stereotyping means assuming people have negative traits or limited abilities based on their race, gender, age, job, etc.)					
3-1 women	1	2	3	4	5
3-2 racial minorities	1	2	3	4	5
3-3 white men	1	2	3	4	5
3-4 workers in other sections or components or offices	1	2	3	4	5
4. Communications are good here between:					
4-1 men and women	1	2	3	4	5
4-2 whites and minorities	1	2	3	4	5
4-3 attorneys and support staff	1	2	3	4	5
4-4 different sections/components/ offices	1	2	3	4	5
5. I have the same opportunities here as anyone else of my ability, experience and education	1	2	3	4	5
6. I would recommend DOJ for employment to a good friend	1	2	3	4	5
7. The promotion decisions at DOJ are fair	1	2	3	4	5
8. I have opportunities to participate in training activities that will help my development	1	2	3	4	5
10. I am knowledgeable about my career opportunities in the DOJ	1	2	3	4	5
11. My current assignment effectively utilizes my experiences and skills	1	2	3	4	5
12. I believe I am compensated fairly compared to others doing similar work:					
12-1 inside the DOJ	1	2	3	4	5
12-2 outside the DOJ	1	2	3	4	5
13. I have access to the information I need to do my job	1	2	3	4	5

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	Strongly Disagree	Disagree	Agree	Strongly Agree	No Opinion
14. My immediate supervisor:					
14-1 gives me candid feedback	1	2	3	4	5
14-2 is sensitive to my personal/family situation	1	2	3	4	5
15. Employees feel free to express differences that may be due to different cultural backgrounds	1	2	3	4	5
16. I have opportunities for professional growth and development that are consistent with my abilities	1	2	3	4	5
17. I receive recognition based on my level of performance	1	2	3	4	5
18. During my career at the DOJ a mentor/mentors have:					
18-1 gone out of their way to support my career interests	1	2	3	4	5
18-2 actively supported me for a desirable lateral move or promotion	1	2	3	4	5
18-3 provided psychological or emotional support when needed	1	2	3	4	5
19. Assignment to the projects and jobs which offer the best career development is influenced by:					
19-1 gender	1	2	3	4	5
19-2 race	1	2	3	4	5
20. The DOJ is making good progress in changing policies and practices to assist employees with work/family conflict	1	2	3	4	5
21. My job commitment is sometimes questioned because of my family priorities	1	2	3	4	5
22. I feel that assignments I receive, and management decisions about my career development, have been made without regard to my race/gender/ethnic origin	1	2	3	4	5

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	Strongly Disagree	Disagree	Agree	Strongly Agree	No Opinion
23. If given the opportunity, I expect to continue working here for at least the next 3 – 5 years	1	2	3	4	5
24. Overall, I am satisfied with my career at the DOJ up to this point in time	1	2	3	4	5
25. I used to be more ambitious about my work than I am now	1	2	3	4	5
26. Quite often I feel like staying home from work instead of coming in	1	2	3	4	5
27. I feel some resentment toward special consideration for female candidates in recruitment	1	2	3	4	5
28. I feel some resentment toward special consideration for minority candidates in recruitment	1	2	3	4	5
29. I prefer that all employees speak English at all times when at work here in the US	1	2	3	4	5

30. Given the right work environment, I believe I could be_____% more productive 0% 5% 10% 15% 20% 25%

The most important change that could help me achieve this increase in productivity is: _____

_____

_____

	Yes	No
31. I have personally experienced an incident of racial harassment (e.g., slurs, race jokes, etc.) at work at DOJ in the last 24 months.	☐	☐
32. I have personally experienced an incident of sexual harassment at work at DOJ in th past 24 months.	☐	☐
33. If/when you observe an incident of sexual harassment, would you report it?	☐	☐
34. I have formal performance feedback meetings with my supervisor at least once a year.	☐	☐

35. Comments: _____

_____

_____

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Appendix B. Additional Graphs

This appendix provides graphs with additional detail referenced throughout the text.

Figure B.1. Percent of attorneys minority by component

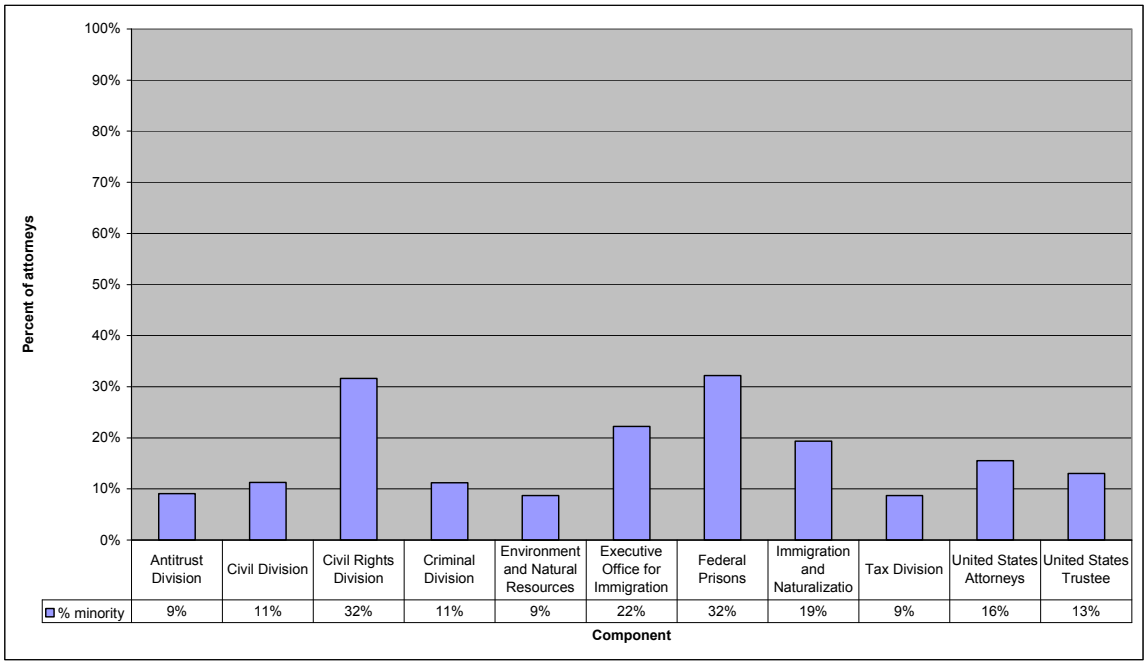


Figure B.2. Percent of attorneys minority by component

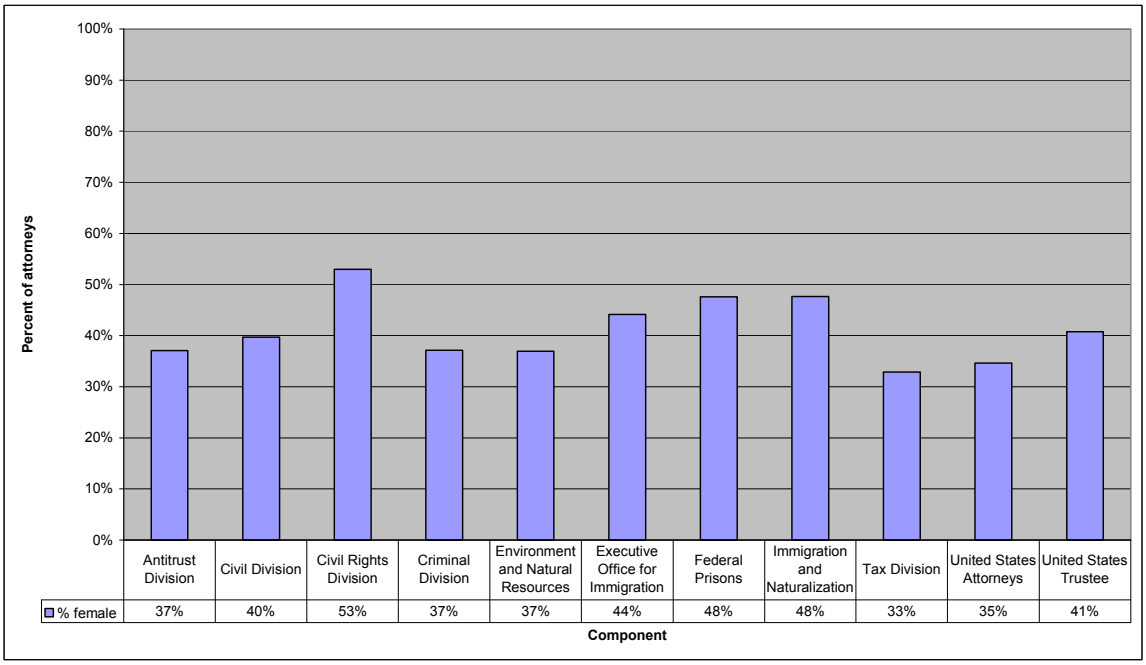
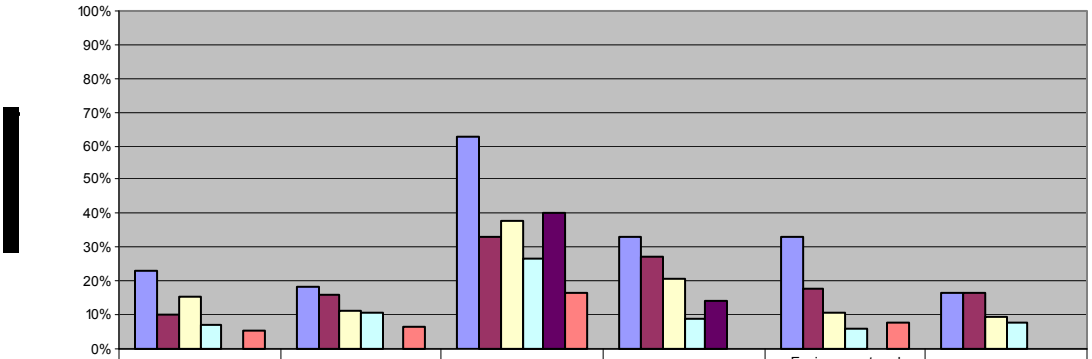


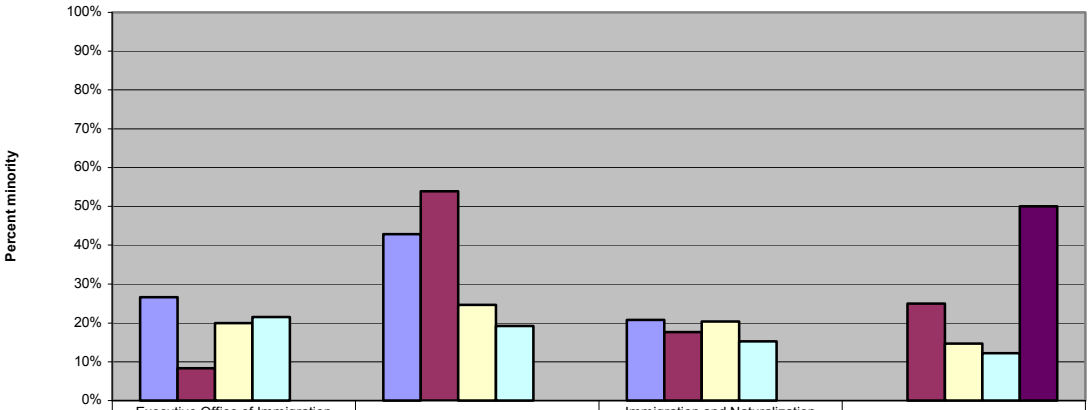
Figure B.3. Percent of attorneys minority by grade, Litigating Divisions



	Antitrust	Civil	Civil Rights	Criminal	Environment and Natural Resources	Tax
GS-11/12	23%	18%	63%	33%	33%	17%
GS-13	10%	16%	33%	27%	18%	17%
GS-14	15%	11%	38%	21%	11%	10%
GS-15	7%	10%	27%	9%	6%	8%
SL	0%	0%	40%	14%		
ES	5%	6%	17%	0%	8%	0%

Component

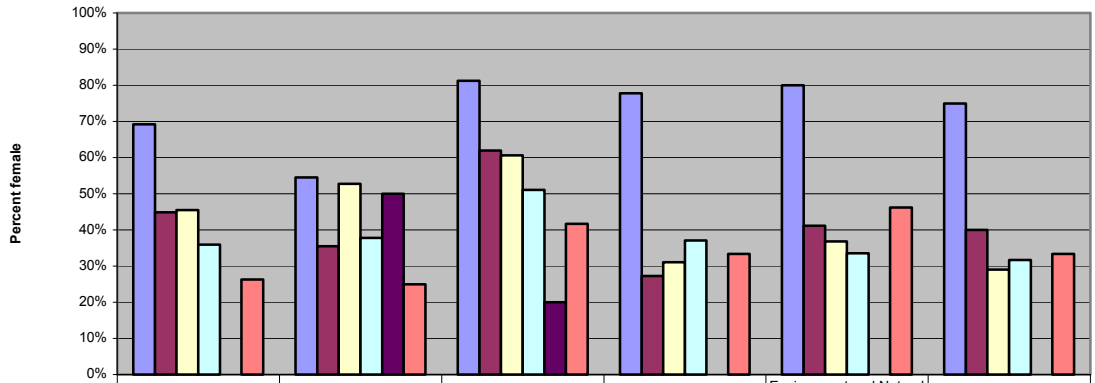
Figure B.4. Percent of attorneys minority by grade, other components



	Executive Office of Immigration Review	Federal Prisons	Immigration and Naturalization Service	United States Trustee
GS-11/12	27%	43%	21%	0%
GS-13	8%	54%	18%	25%
GS-14	20%	25%	20%	15%
GS-15	21%	19%	15%	12%
ES	0%	0%	0%	50%

Component

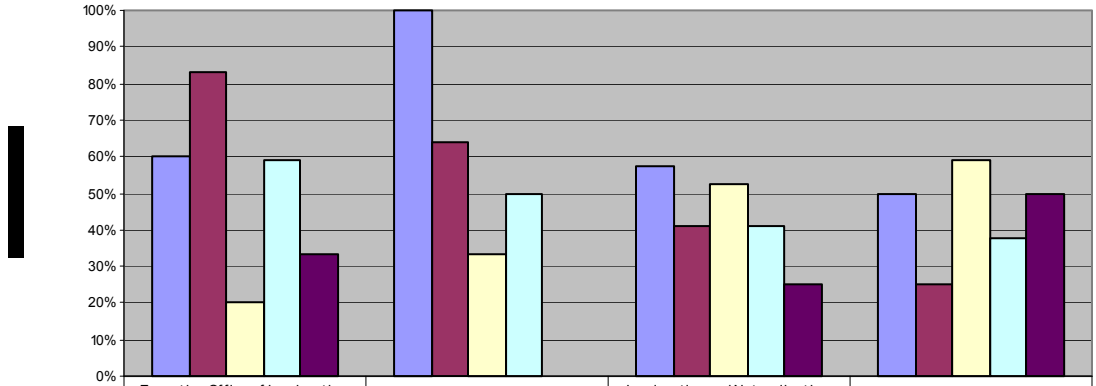
Figure B.5. Percent of attorneys female by grade, Litigating Divisions



	Antitrust	Civil	Civil Rights	Criminal	Environment and Natural Resources	Tax
GS-11/12	69%	55%	81%	78%	80%	75%
GS-13	45%	35%	62%	27%	41%	40%
GS-14	45%	53%	61%	31%	37%	29%
GS-15	36%	38%	51%	37%	34%	32%
SL	0%	50%	20%	0%		
ES	26%	25%	42%	33%	46%	33%

Component

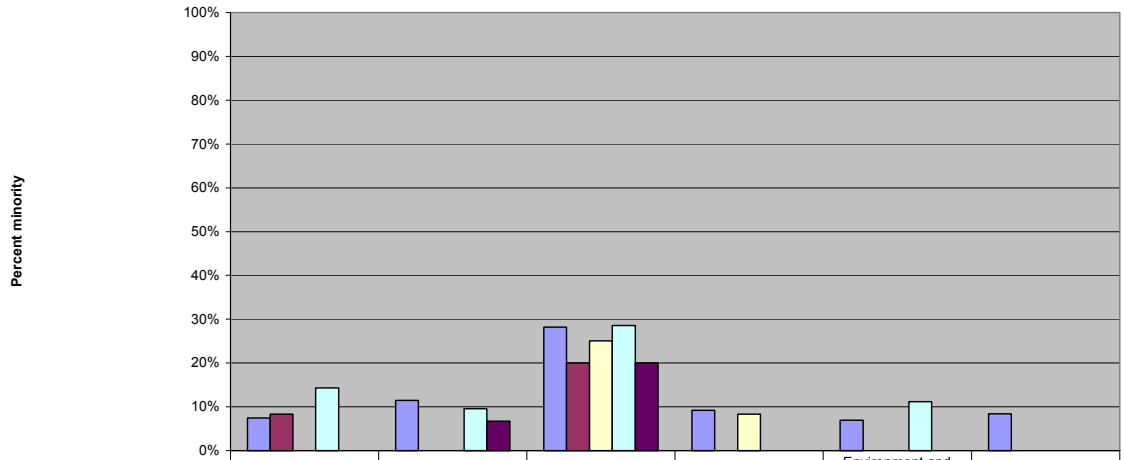
Figure B.6. Percent of attorneys female by grade, other components



	Executive Office of Immigration Review	Federal Prisons	Immigration and Naturalization Service	United States Trustee
GS-11/12	60%	100%	58%	50%
GS-13	83%	64%	41%	25%
GS-14	20%	33%	52%	59%
GS-15	59%	50%	41%	38%
ES	33%	0%	25%	50%

Component

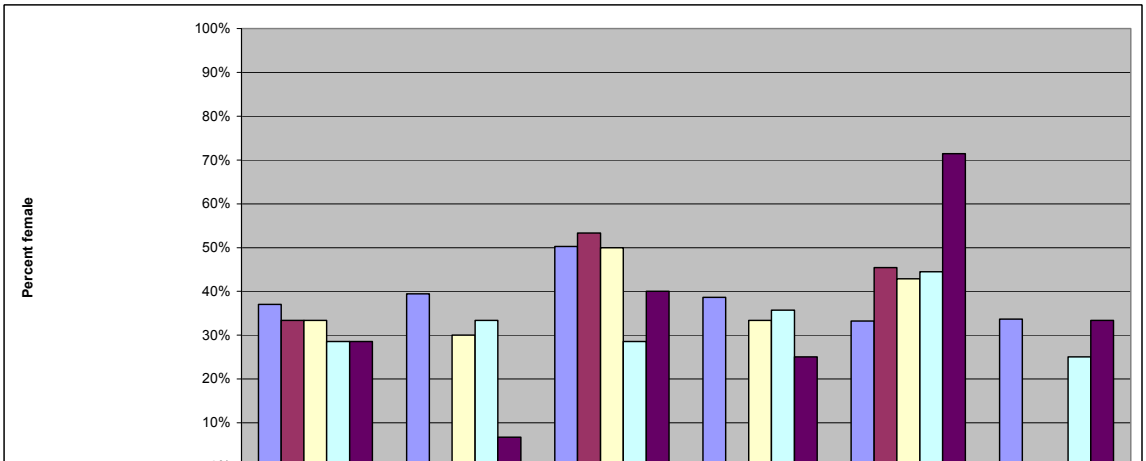
Figure B.7. Percent of attorneys minority, by job title within GS-15 and SES, Litigating Divisions



	Antitrust	Civil	Civil Rights	Criminal	Environment and Natural Resources	Tax
GS-15 non-supervisor	7%	11%	28%	9%	7%	8%
GS-15 other	8%	0%	20%	0%	0%	
GS-15 dep. chief/supervisor	0%	0%	25%	8%	0%	0%
SES other	14%	10%	29%	0%	11%	0%
SES chief or above	0%	7%	20%	0%	0%	0%

Component

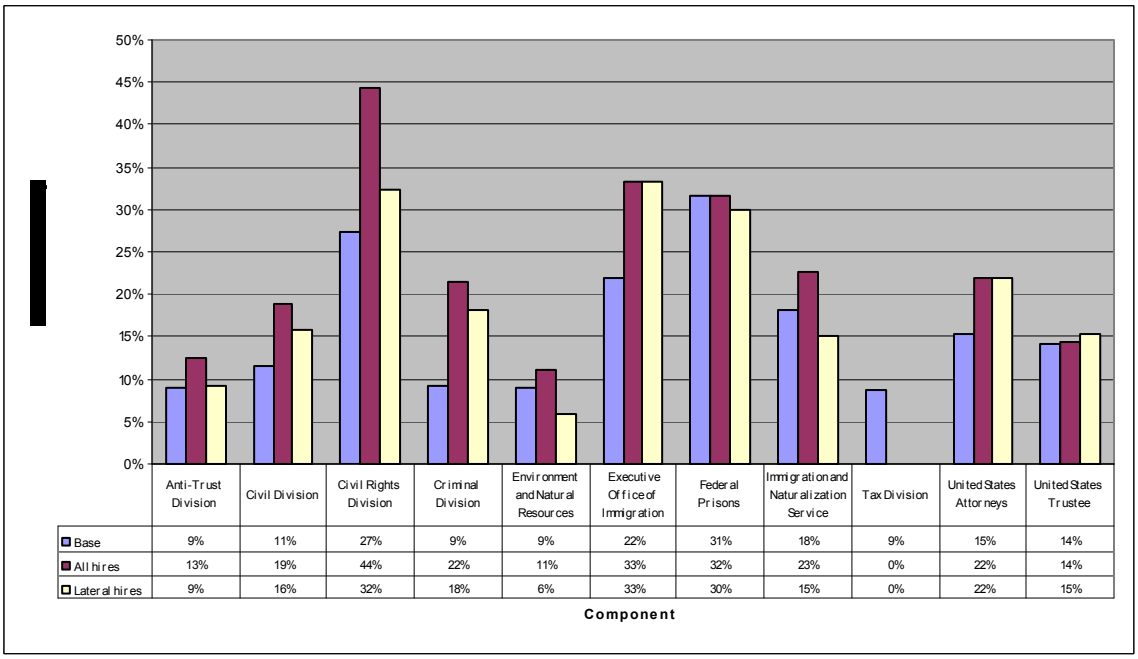
Figure B.8. Percent of attorneys female, by job title within GS-15 and SES, Litigating Divisions



	Antitrust	Civil	Civil Rights	Criminal	Environment and Natural Resources	Tax
GS-15 non-supervisor	37%	39%	50%	39%	33%	34%
GS-15 other	33%	0%	53%	0%	45%	
GS-15 dep. chief/supervisor	33%	30%	50%	33%	43%	0%
SES other	29%	33%	29%	36%	44%	25%
SES chief or above	29%	7%	40%	25%	71%	33%

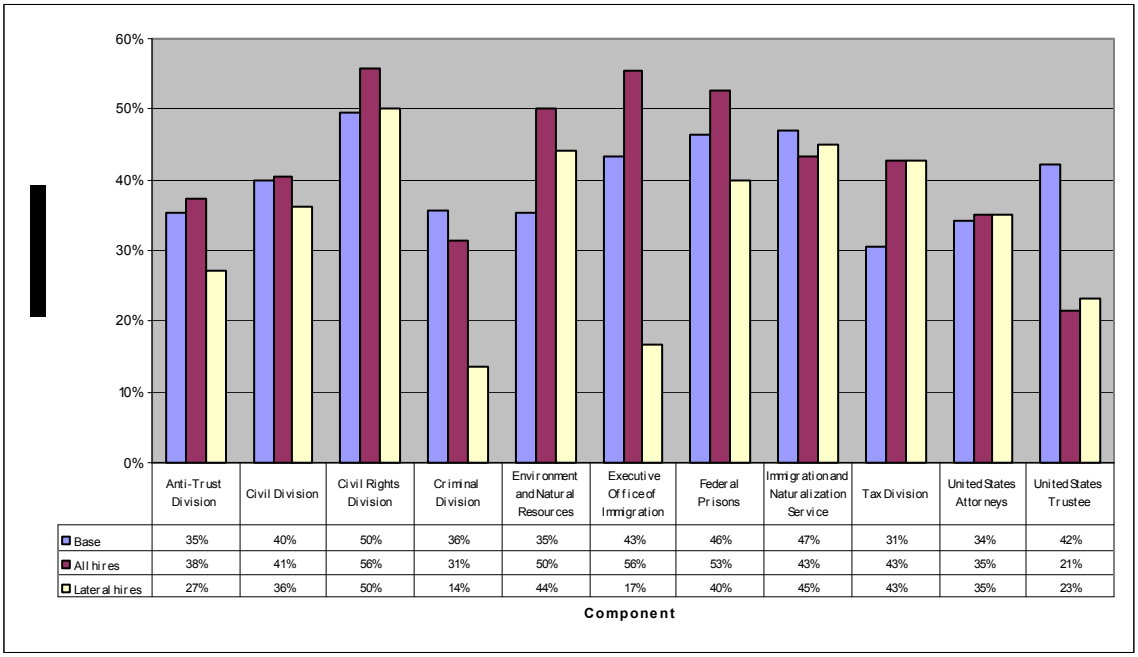
Component

Figure B.9. Percent of base, all hires, and lateral hires minority by component, 2001



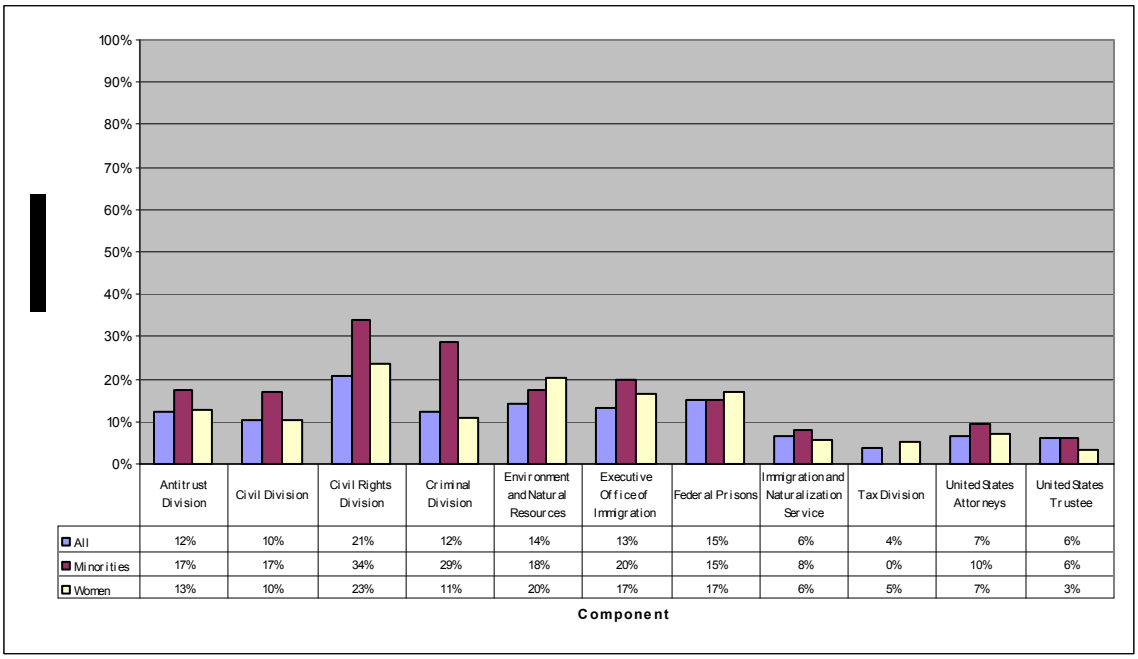
	Anti-Trust Division	Civil Division	Civil Rights Division	Criminal Division	Environment and Natural Resources	Executive Office of Immigration	Federal Prisons	Immigration and Naturalization Service	Tax Division	United States Attorneys	United States Trustee
Base	9%	11%	27%	9%	9%	22%	31%	18%	9%	15%	14%
All hires	13%	19%	44%	22%	11%	33%	32%	23%	0%	22%	14%
Lateral hires	9%	16%	32%	18%	6%	33%	30%	15%	0%	22%	15%

Figure B.10. Percent of base, all hires, and lateral hires minority, 2001



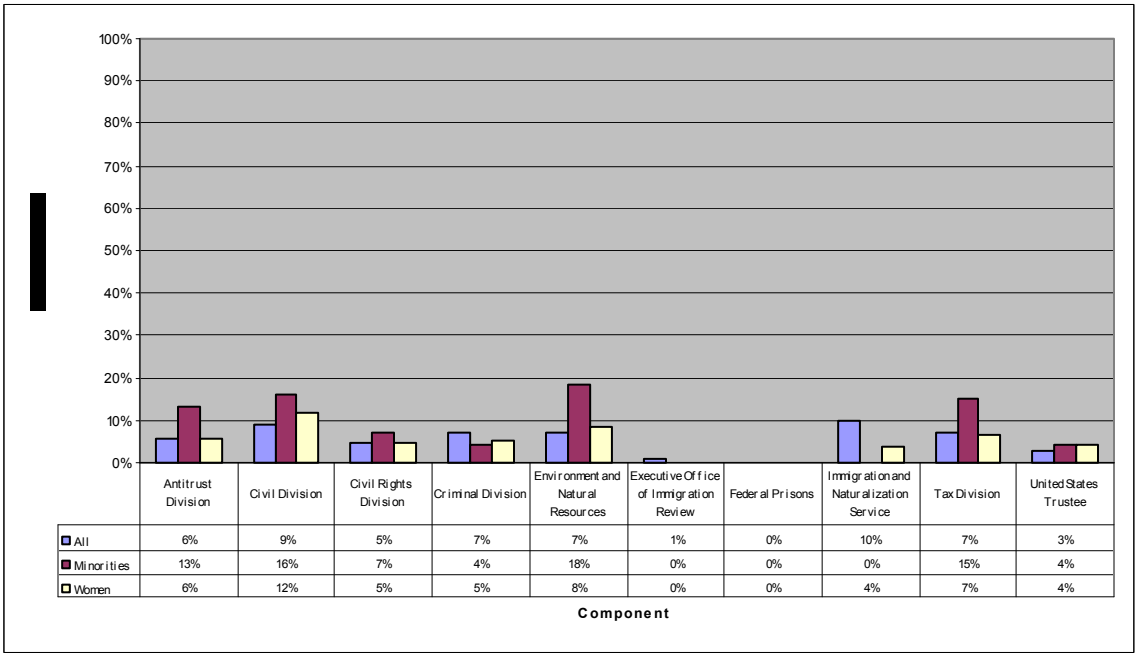
	Anti-Trust Division	Civil Division	Civil Rights Division	Criminal Division	Environment and Natural Resources	Executive Office of Immigration	Federal Prisons	Immigration and Naturalization Service	Tax Division	United States Attorneys	United States Trustee
Base	35%	40%	50%	36%	35%	43%	46%	47%	31%	34%	42%
All hires	38%	41%	56%	31%	50%	56%	53%	43%	43%	35%	21%
Lateral hires	27%	36%	50%	14%	44%	17%	40%	45%	43%	35%	23%

Figure B.11. Attrition rates for all attorneys, women, and minorities by component, 2001



	Antitrust Division	Civil Division	Civil Rights Division	Criminal Division	Environment and Natural Resources	Executive Office of Immigration	Federal Prisons	Immigration and Naturalization Service	Tax Division	United States Attorneys	United States Trustee
All	12%	10%	21%	12%	14%	13%	15%	6%	4%	7%	6%
Minorities	17%	17%	34%	29%	18%	20%	15%	8%	0%	10%	6%
Women	13%	10%	23%	11%	20%	17%	17%	6%	5%	7%	3%

Figure B.12. Attrition rates for all GS-15 attorneys, women, and minorities by component, 2001



	Antitrust Division	Civil Division	Civil Rights Division	Criminal Division	Environment and Natural Resources	Executive Office of Immigration Review	Federal Prisons	Immigration and Naturalization Service	Tax Division	United States Trustee
All	6%	9%	5%	7%	7%	1%	0%	10%	7%	3%
Minorities	13%	16%	7%	4%	18%	0%	0%	0%	15%	4%
Women	6%	12%	5%	5%	8%	0%	0%	4%	7%	4%

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Appendix D. Additional Statistical Analysis of Survey Results

Survey question responses

The following tables show responses to each survey question by race/ethnic group and gender. For each question, the responses of each group, as well as the total sample, are provided. Each table is labeled with the question number. Please refer to appendix A. for the survey form.

Responses by race/ethnicity

The following tables provide survey responses by race/ethnic group. The top-left cell provides the question number, corresponding to the survey form. (In multi-part questions, the question number is followed by the part number.) The left-hand column lists each response to the question, and the top row lists race/ethnicity groups. (Due to rounding, columns may not add to 100%.)

Q1-1	White	Black	Hisp	Asian	Ind	Other	Total
1	3% (28)	6% (8)	7% (5)	10% (4)	0% (0)	11% (2)	4% (47)
2	7% (64)	13% (18)	12% (9)	7% (3)	43% (3)	16% (3)	8% (100)
3	8% (73)	10% (14)	8% (6)	10% (4)	0% (0)	0% (0)	8% (97)
4	13% (119)	15% (21)	13% (10)	17% (7)	14% (1)	16% (3)	13% (161)
5	19% (182)	25% (35)	24% (18)	12% (5)	14% (1)	16% (3)	20% (244)
6	35% (326)	24% (34)	27% (20)	32% (13)	0% (0)	42% (8)	33% (401)
7	16% (149)	7% (10)	9% (7)	12% (5)	29% (2)	0% (0)	14% (173)
Total	100% (941)	100% (140)	100% (75)	100% (41)	100% (7)	100% (19)	100% (1223)

Q1-2	White	Black	Hisp	Asian	Ind	Other	Total
1	7% (69)	11% (15)	7% (5)	7% (3)	0% (0)	16% (3)	8% (95)
2	8% (78)	21% (29)	15% (11)	17% (7)	29% (2)	5% (1)	10% (128)
3	13% (119)	14% (19)	23% (17)	7% (3)	43% (3)	16% (3)	13% (164)
4	22% (209)	20% (28)	25% (19)	32% (13)	14% (1)	26% (5)	22% (275)
5	23% (220)	17% (24)	20% (15)	17% (7)	0% (0)	21% (4)	22% (270)
6	20% (184)	14% (20)	8% (6)	15% (6)	14% (1)	16% (3)	18% (220)
7	7% (63)	3% (4)	3% (2)	5% (2)	0% (0)	0% (0)	6% (71)
Total	100% (942)	100% (139)	100% (75)	100% (41)	100% (7)	100% (19)	100% (1223)

Q1-3	White	Black	Hisp	Asian	Ind	Other	Total
1	4% (41)	7% (9)	12% (9)	7% (3)	0% (0)	17% (3)	5% (65)
2	7% (64)	6% (8)	16% (12)	5% (2)	14% (1)	6% (1)	7% (88)
3	9% (80)	12% (17)	12% (9)	12% (5)	14% (1)	11% (2)	9% (114)
4	14% (129)	25% (34)	19% (14)	22% (9)	14% (1)	6% (1)	15% (188)
5	20% (189)	18% (24)	20% (15)	27% (11)	14% (1)	11% (2)	20% (242)
6	35% (326)	26% (36)	17% (13)	22% (9)	29% (2)	44% (8)	32% (394)
7	12% (111)	7% (9)	4% (3)	5% (2)	14% (1)	6% (1)	10% (127)
Total	100% (940)	100% (137)	100% (75)	100% (41)	100% (7)	100% (18)	100% (1218)

Q1P4	White	Black	Hisp	Asian	Ind	Other	Total
1	3% (24)	6% (8)	4% (3)	2% (1)	0% (0)	0% (0)	3% (36)
2	5% (51)	6% (9)	8% (6)	5% (2)	0% (0)	6% (1)	6% (69)
3	6% (54)	8% (11)	16% (12)	15% (6)	14% (1)	17% (3)	7% (87)
4	19% (179)	24% (34)	16% (12)	15% (6)	14% (1)	17% (3)	19% (235)
5	25% (234)	26% (36)	18% (13)	29% (12)	14% (1)	33% (6)	25% (302)
6	32% (302)	22% (31)	27% (20)	24% (10)	43% (3)	22% (4)	30% (370)
7	10% (95)	7% (10)	11% (8)	10% (4)	14% (1)	6% (1)	10% (119)
Total	100% (939)	100% (139)	100% (74)	100% (41)	100% (7)	100% (18)	100% (1218)

Q1-5	White	Black	Hisp	Asian	Ind	Other	Total
1	3% (30)	3% (4)	8% (6)	5% (2)	0% (0)	6% (1)	4% (43)
2	8% (74)	6% (8)	13% (10)	10% (4)	0% (0)	11% (2)	8% (98)
3	10% (88)	6% (8)	17% (13)	20% (8)	0% (0)	17% (3)	10% (120)
4	23% (207)	27% (35)	16% (12)	24% (10)	57% (4)	17% (3)	23% (271)
5	23% (213)	25% (32)	19% (14)	27% (11)	14% (1)	22% (4)	23% (275)
6	25% (227)	27% (34)	20% (15)	10% (4)	29% (2)	28% (5)	24% (287)
7	8% (77)	5% (7)	7% (5)	5% (2)	0% (0)	0% (0)	8% (91)
Total	100% (916)	100% (128)	100% (75)	100% (41)	100% (7)	100% (18)	100% (1185)

Q1-6	White	Black	Hisp	Asian	Ind	Other	Total
1	3% (31)	6% (9)	5% (4)	7% (3)	0% (0)	16% (3)	4% (50)
2	7% (62)	11% (15)	12% (9)	10% (4)	14% (1)	5% (1)	8% (92)
3	10% (91)	12% (16)	21% (16)	17% (7)	0% (0)	21% (4)	11% (134)
4	16% (147)	19% (27)	19% (14)	20% (8)	29% (2)	0% (0)	16% (198)
5	22% (205)	20% (28)	19% (14)	17% (7)	0% (0)	26% (5)	21% (259)
6	31% (288)	26% (36)	17% (13)	22% (9)	43% (3)	32% (6)	29% (355)
7	12% (115)	6% (8)	7% (5)	7% (3)	14% (1)	0% (0)	11% (132)
Total	100% (939)	100% (139)	100% (75)	100% (41)	100% (7)	100% (19)	100% (1220)

Q1-7	White	Black	Hisp	Asian	Ind	Other	Total
1	5% (47)	8% (11)	8% (6)	10% (4)	0% (0)	21% (4)	6% (72)
2	7% (67)	19% (26)	12% (9)	13% (5)	14% (1)	16% (3)	9% (111)
3	11% (106)	12% (17)	23% (17)	10% (4)	0% (0)	11% (2)	12% (146)
4	15% (145)	16% (23)	24% (18)	25% (10)	29% (2)	5% (1)	16% (199)
5	24% (226)	19% (27)	12% (9)	18% (7)	0% (0)	16% (3)	22% (272)
6	27% (258)	21% (29)	16% (12)	20% (8)	29% (2)	32% (6)	26% (315)
7	10% (90)	5% (7)	5% (4)	5% (2)	29% (2)	0% (0)	9% (105)
Total	100% (939)	100% (140)	100% (75)	100% (40)	100% (7)	100% (19)	100% (1220)

Q2-1	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	3% (30)	6% (9)	3% (2)	12% (5)	0% (0)	4% (1)	4% (47)
Agree	9% (83)	13% (18)	17% (13)	12% (5)	29% (2)	13% (3)	10% (124)
Disagree	43% (407)	56% (79)	40% (30)	37% (15)	29% (2)	39% (9)	44% (542)
Strongly Disagree	44% (411)	22% (31)	37% (28)	37% (15)	43% (3)	22% (5)	40% (493)
Other	1% (12)	2% (3)	3% (2)	2% (1)	0% (0)	22% (5)	2% (23)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q2-2	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	4% (40)	21% (29)	11% (8)	7% (3)	29% (2)	9% (2)	7% (84)
Agree	13% (123)	25% (35)	23% (17)	17% (7)	14% (1)	4% (1)	15% (184)
Disagree	44% (411)	37% (52)	41% (31)	44% (18)	43% (3)	35% (8)	43% (523)
Strongly Disagree	34% (323)	14% (20)	23% (17)	32% (13)	14% (1)	30% (7)	31% (381)
Other	5% (46)	3% (4)	3% (2)	0% (0)	0% (0)	22% (5)	5% (57)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q3-1	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	5% (49)	9% (12)	7% (5)	15% (6)	14% (1)	4% (1)	6% (74)
Agree	9% (87)	24% (34)	16% (12)	12% (5)	14% (1)	9% (2)	11% (141)
Disagree	39% (365)	45% (63)	33% (25)	41% (17)	29% (2)	39% (9)	39% (481)
Strongly Disagree	46% (432)	20% (28)	37% (28)	32% (13)	43% (3)	26% (6)	41% (510)
Other	1% (10)	2% (3)	7% (5)	0% (0)	0% (0)	22% (5)	2% (23)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q3-2	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	2% (21)	30% (42)	16% (12)	10% (4)	14% (1)	4% (1)	7% (81)
Agree	11% (108)	30% (42)	24% (18)	15% (6)	14% (1)	13% (3)	14% (178)
Disagree	41% (387)	26% (37)	33% (25)	51% (21)	43% (3)	30% (7)	39% (480)
Strongly Disagree	42% (398)	11% (16)	24% (18)	24% (10)	29% (2)	30% (7)	37% (451)
Other	3% (29)	2% (3)	3% (2)	0% (0)	0% (0)	22% (5)	3% (39)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q3-3	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	4% (35)	5% (7)	5% (4)	0% (0)	0% (0)	9% (2)	4% (48)
Agree	8% (71)	4% (6)	9% (7)	12% (5)	0% (0)	4% (1)	7% (90)
Disagree	38% (362)	38% (53)	37% (28)	44% (18)	43% (3)	39% (9)	38% (473)
Strongly Disagree	48% (451)	46% (64)	43% (32)	37% (15)	43% (3)	26% (6)	46% (571)
Other	3% (24)	7% (10)	5% (4)	7% (3)	14% (1)	22% (5)	4% (47)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q3-4	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	7% (62)	14% (19)	15% (11)	15% (6)	29% (2)	17% (4)	8% (104)
Agree	21% (194)	18% (25)	28% (21)	27% (11)	14% (1)	9% (2)	21% (254)
Disagree	39% (369)	34% (47)	29% (22)	37% (15)	43% (3)	30% (7)	38% (463)
Strongly Disagree	26% (241)	9% (13)	20% (15)	12% (5)	0% (0)	22% (5)	23% (279)
Other	8% (77)	26% (36)	8% (6)	10% (4)	14% (1)	22% (5)	10% (129)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q4-1	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	45% (429)	23% (32)	36% (27)	32% (13)	43% (3)	39% (9)	42% (513)
Agree	43% (410)	55% (77)	49% (37)	56% (23)	43% (3)	30% (7)	45% (557)
Disagree	7% (67)	16% (22)	8% (6)	10% (4)	14% (1)	9% (2)	8% (102)
Strongly Disagree	2% (21)	4% (6)	3% (2)	2% (1)	0% (0)	0% (0)	2% (30)
Other	2% (16)	2% (3)	4% (3)	0% (0)	0% (0)	22% (5)	2% (27)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q4-2	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	34% (317)	11% (16)	27% (20)	22% (9)	43% (3)	35% (8)	30% (373)
Agree	46% (438)	45% (63)	36% (27)	54% (22)	29% (2)	26% (6)	45% (558)
Disagree	13% (119)	29% (41)	28% (21)	20% (8)	14% (1)	13% (3)	16% (193)
Strongly Disagree	3% (26)	11% (16)	7% (5)	5% (2)	14% (1)	4% (1)	4% (51)
Other	5% (43)	3% (4)	3% (2)	0% (0)	0% (0)	22% (5)	4% (54)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q4-3	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	18% (171)	11% (16)	16% (12)	10% (4)	29% (2)	22% (5)	17% (210)
Agree	48% (448)	37% (52)	28% (21)	54% (22)	43% (3)	35% (8)	45% (554)
Disagree	25% (233)	36% (51)	43% (32)	24% (10)	29% (2)	9% (2)	27% (330)
Strongly Disagree	8% (78)	12% (17)	11% (8)	12% (5)	0% (0)	17% (4)	9% (112)
Other	1% (13)	3% (4)	3% (2)	0% (0)	0% (0)	17% (4)	2% (23)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q4-4	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	14% (132)	4% (5)	12% (9)	7% (3)	14% (1)	9% (2)	12% (152)
Agree	46% (431)	43% (60)	40% (30)	46% (19)	43% (3)	30% (7)	45% (550)
Disagree	27% (259)	27% (38)	32% (24)	34% (14)	14% (1)	30% (7)	28% (343)
Strongly Disagree	6% (55)	6% (8)	8% (6)	12% (5)	14% (1)	4% (1)	6% (76)
Other	7% (66)	21% (29)	8% (6)	0% (0)	14% (1)	26% (6)	9% (108)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q5	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	41% (386)	15% (21)	27% (20)	37% (15)	29% (2)	26% (6)	37% (450)
Agree	36% (343)	36% (51)	29% (22)	27% (11)	29% (2)	26% (6)	35% (435)
Disagree	14% (133)	24% (34)	27% (20)	20% (8)	14% (1)	9% (2)	16% (198)
Strongly Disagree	7% (64)	24% (33)	16% (12)	17% (7)	29% (2)	22% (5)	10% (123)
Other	2% (17)	1% (1)	1% (1)	0% (0)	0% (0)	17% (4)	2% (23)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q6	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	52% (491)	31% (44)	40% (30)	41% (17)	57% (4)	30% (7)	48% (593)
Agree	36% (339)	48% (67)	37% (28)	46% (19)	29% (2)	43% (10)	38% (465)
Disagree	7% (66)	9% (13)	16% (12)	7% (3)	14% (1)	4% (1)	8% (96)
Strongly Disagree	3% (25)	6% (9)	1% (1)	2% (1)	0% (0)	4% (1)	3% (37)
Other	2% (22)	5% (7)	5% (4)	2% (1)	0% (0)	17% (4)	3% (38)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q7	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	24% (225)	9% (12)	13% (10)	22% (9)	0% (0)	17% (4)	21% (260)
Agree	38% (359)	21% (30)	32% (24)	27% (11)	57% (4)	17% (4)	35% (432)
Disagree	17% (164)	25% (35)	27% (20)	22% (9)	29% (2)	17% (4)	19% (234)
Strongly Disagree	8% (73)	28% (39)	19% (14)	17% (7)	14% (1)	17% (4)	11% (138)
Other	13% (122)	17% (24)	9% (7)	12% (5)	0% (0)	30% (7)	13% (165)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q8	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	47% (445)	36% (50)	36% (27)	37% (15)	71% (5)	35% (8)	45% (550)
Agree	39% (366)	49% (68)	37% (28)	46% (19)	14% (1)	22% (5)	40% (487)
Disagree	8% (78)	9% (12)	11% (8)	10% (4)	0% (0)	13% (3)	9% (105)
Strongly Disagree	3% (29)	4% (6)	8% (6)	7% (3)	14% (1)	13% (3)	4% (48)
Other	3% (25)	3% (4)	8% (6)	0% (0)	0% (0)	17% (4)	3% (39)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q10	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	26% (248)	16% (23)	16% (12)	27% (11)	29% (2)	17% (4)	24% (300)
Agree	50% (473)	44% (62)	51% (38)	32% (13)	43% (3)	48% (11)	49% (600)
Disagree	18% (166)	29% (41)	25% (19)	24% (10)	14% (1)	13% (3)	20% (240)
Strongly Disagree	2% (23)	6% (8)	4% (3)	5% (2)	14% (1)	0% (0)	3% (37)
Other	3% (33)	4% (6)	4% (3)	12% (5)	0% (0)	22% (5)	4% (52)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q11	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	38% (359)	22% (31)	29% (22)	34% (14)	29% (2)	13% (3)	35% (431)
Agree	43% (406)	48% (67)	31% (23)	32% (13)	43% (3)	39% (9)	42% (521)
Disagree	13% (124)	19% (27)	24% (18)	22% (9)	14% (1)	13% (3)	15% (182)
Strongly Disagree	5% (44)	9% (13)	13% (10)	12% (5)	14% (1)	17% (4)	6% (77)
Other	1% (10)	1% (2)	3% (2)	0% (0)	0% (0)	17% (4)	1% (18)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q12-1	White	Black		Asian	Ind	Other	Total
Strongly Agree	38% (361)	20% (28)	24% (18)	41% (17)	14% (1)	17% (4)	35% (429)
Agree	44% (419)	48% (67)	48% (36)	34% (14)	57% (4)	43% (10)	45% (550)
Disagree	9% (88)	11% (16)	13% (10)	17% (7)	29% (2)	4% (1)	10% (124)
Strongly Disagree	5% (47)	15% (21)	12% (9)	7% (3)	0% (0)	17% (4)	7% (84)
Other	3% (28)	6% (8)	3% (2)	0% (0)	0% (0)	17% (4)	3% (42)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q12-2	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	10% (92)	4% (6)	9% (7)	7% (3)	0% (0)	4% (1)	9% (109)
Agree	19% (178)	16% (23)	19% (14)	20% (8)	14% (1)	13% (3)	18% (227)
Disagree	31% (297)	34% (47)	31% (23)	32% (13)	29% (2)	17% (4)	31% (386)
Strongly Disagree	37% (351)	37% (52)	39% (29)	34% (14)	57% (4)	43% (10)	37% (460)
Other	3% (25)	9% (12)	3% (2)	7% (3)	0% (0)	22% (5)	4% (47)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q13	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	34% (318)	29% (40)	29% (22)	37% (15)	14% (1)	17% (4)	33% (400)
Agree	54% (512)	56% (78)	51% (38)	44% (18)	86% (6)	52% (12)	54% (664)
Disagree	9% (86)	13% (18)	17% (13)	15% (6)	0% (0)	9% (2)	10% (125)
Strongly Disagree	2% (20)	2% (3)	3% (2)	5% (2)	0% (0)	0% (0)	2% (27)
Other	1% (7)	1% (1)	0% (0)	0% (0)	0% (0)	22% (5)	1% (13)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q14-1	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	36% (336)	29% (41)	24% (18)	32% (13)	43% (3)	26% (6)	34% (417)
Agree	43% (410)	37% (52)	45% (34)	46% (19)	29% (2)	30% (7)	43% (524)
Disagree	13% (118)	19% (26)	20% (15)	12% (5)	29% (2)	13% (3)	14% (169)
Strongly Disagree	6% (61)	7% (10)	11% (8)	10% (4)	0% (0)	13% (3)	7% (86)
Other	2% (18)	8% (11)	0% (0)	0% (0)	0% (0)	17% (4)	3% (33)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q14-2	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	45% (425)	38% (53)	32% (24)	34% (14)	43% (3)	30% (7)	43% (526)
Agree	35% (334)	38% (53)	44% (33)	39% (16)	29% (2)	39% (9)	36% (447)
Disagree	7% (70)	6% (9)	7% (5)	5% (2)	0% (0)	13% (3)	7% (89)
Strongly Disagree	6% (54)	6% (8)	8% (6)	12% (5)	14% (1)	0% (0)	6% (74)
Other	6% (60)	12% (17)	9% (7)	10% (4)	14% (1)	17% (4)	8% (93)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q15	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	20% (187)	6% (9)	20% (15)	17% (7)	14% (1)	4% (1)	18% (220)
Agree	44% (414)	28% (39)	31% (23)	37% (15)	43% (3)	43% (10)	41% (504)
Disagree	12% (116)	32% (45)	31% (23)	22% (9)	14% (1)	13% (3)	16% (197)
Strongly Disagree	6% (56)	23% (32)	11% (8)	7% (3)	14% (1)	9% (2)	8% (102)
Other	18% (170)	11% (15)	8% (6)	17% (7)	14% (1)	30% (7)	17% (206)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q16	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	26% (246)	16% (23)	20% (15)	29% (12)	43% (3)	9% (2)	24% (301)
Agree	47% (441)	39% (54)	39% (29)	34% (14)	29% (2)	39% (9)	45% (549)
Disagree	19% (177)	21% (30)	20% (15)	17% (7)	14% (1)	22% (5)	19% (235)
Strongly Disagree	6% (55)	16% (23)	19% (14)	15% (6)	14% (1)	9% (2)	8% (101)
Other	3% (24)	7% (10)	3% (2)	5% (2)	0% (0)	22% (5)	3% (43)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q17	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	29% (270)	21% (30)	16% (12)	24% (10)	14% (1)	9% (2)	26% (325)
Agree	46% (436)	34% (48)	37% (28)	39% (16)	29% (2)	48% (11)	44% (541)
Disagree	16% (147)	20% (28)	25% (19)	22% (9)	29% (2)	13% (3)	17% (208)
Strongly Disagree	6% (57)	19% (26)	16% (12)	15% (6)	29% (2)	13% (3)	9% (106)
Other	3% (33)	6% (8)	5% (4)	0% (0)	0% (0)	17% (4)	4% (49)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q18-1	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	21% (195)	9% (13)	12% (9)	20% (8)	14% (1)	13% (3)	19% (229)
Agree	28% (265)	25% (35)	19% (14)	32% (13)	29% (2)	30% (7)	27% (336)
Disagree	24% (227)	24% (34)	27% (20)	24% (10)	29% (2)	17% (4)	24% (297)
Strongly Disagree	10% (95)	26% (37)	13% (10)	10% (4)	29% (2)	9% (2)	12% (150)
Other	17% (161)	15% (21)	29% (22)	15% (6)	0% (0)	30% (7)	18% (217)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q18-2	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	18% (170)	12% (17)	11% (8)	20% (8)	14% (1)	13% (3)	17% (207)
Agree	24% (225)	15% (21)	13% (10)	17% (7)	14% (1)	22% (5)	22% (269)
Disagree	18% (167)	19% (27)	21% (16)	24% (10)	14% (1)	9% (2)	18% (223)
Strongly Disagree	9% (89)	24% (33)	17% (13)	10% (4)	29% (2)	17% (4)	12% (145)
Other	31% (292)	30% (42)	37% (28)	29% (12)	29% (2)	39% (9)	31% (385)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q18-3	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	20% (189)	13% (18)	11% (8)	17% (7)	0% (0)	9% (2)	18% (224)
Agree	29% (276)	28% (39)	17% (13)	27% (11)	71% (5)	35% (8)	29% (352)
Disagree	17% (157)	17% (24)	23% (17)	24% (10)	0% (0)	9% (2)	17% (210)
Strongly Disagree	9% (89)	21% (30)	12% (9)	15% (6)	29% (2)	13% (3)	11% (139)
Other	25% (232)	21% (29)	37% (28)	17% (7)	0% (0)	35% (8)	25% (304)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q19-1	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	8% (71)	20% (28)	15% (11)	10% (4)	14% (1)	17% (4)	10% (119)
Agree	12% (112)	24% (33)	12% (9)	15% (6)	29% (2)	13% (3)	13% (165)
Disagree	30% (281)	31% (44)	25% (19)	39% (16)	43% (3)	13% (3)	30% (366)
Strongly Disagree	42% (396)	16% (22)	37% (28)	27% (11)	14% (1)	22% (5)	38% (463)
Other	9% (83)	9% (13)	11% (8)	10% (4)	0% (0)	35% (8)	9% (116)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q19-1	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	8% (71)	20% (28)	15% (11)	10% (4)	14% (1)	17% (4)	10% (119)
Agree	12% (112)	24% (33)	12% (9)	15% (6)	29% (2)	13% (3)	13% (165)
Disagree	30% (281)	31% (44)	25% (19)	39% (16)	43% (3)	13% (3)	30% (366)
Strongly Disagree	42% (396)	16% (22)	37% (28)	27% (11)	14% (1)	22% (5)	38% (463)
Other	9% (83)	9% (13)	11% (8)	10% (4)	0% (0)	35% (8)	9% (116)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q19-2	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	4% (35)	28% (39)	15% (11)	7% (3)	29% (2)	13% (3)	8% (93)
Agree	9% (84)	22% (31)	20% (15)	20% (8)	14% (1)	13% (3)	12% (142)
Disagree	32% (305)	23% (32)	21% (16)	37% (15)	43% (3)	17% (4)	31% (375)
Strongly Disagree	43% (402)	15% (21)	36% (27)	27% (11)	14% (1)	26% (6)	38% (468)
Other	12% (117)	12% (17)	8% (6)	10% (4)	0% (0)	30% (7)	12% (151)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q20	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	11% (102)	7% (10)	9% (7)	10% (4)	0% (0)	4% (1)	10% (124)
Agree	40% (378)	36% (50)	37% (28)	24% (10)	43% (3)	17% (4)	38% (473)
Disagree	19% (179)	21% (29)	24% (18)	29% (12)	29% (2)	22% (5)	20% (245)
Strongly Disagree	11% (103)	12% (17)	8% (6)	12% (5)	14% (1)	17% (4)	11% (136)
Other	19% (181)	24% (34)	21% (16)	24% (10)	14% (1)	39% (9)	20% (251)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q21	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	6% (56)	7% (10)	8% (6)	7% (3)	14% (1)	0% (0)	6% (76)
Agree	13% (124)	13% (18)	8% (6)	22% (9)	0% (0)	13% (3)	13% (160)
Disagree	37% (351)	31% (44)	36% (27)	37% (15)	71% (5)	43% (10)	37% (452)
Strongly Disagree	30% (283)	23% (32)	24% (18)	12% (5)	14% (1)	13% (3)	28% (342)
Other	14% (129)	26% (36)	24% (18)	22% (9)	0% (0)	30% (7)	16% (199)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q22	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	9% (88)	2% (3)	7% (5)	2% (1)	0% (0)	0% (0)	8% (97)
Agree	11% (105)	9% (13)	8% (6)	5% (2)	43% (3)	22% (5)	11% (134)
Disagree	4% (40)	9% (13)	9% (7)	5% (2)	0% (0)	0% (0)	5% (62)
Strongly Disagree	2% (18)	9% (12)	5% (4)	5% (2)	14% (1)	0% (0)	3% (37)
Other	73% (692)	71% (99)	71% (53)	83% (34)	43% (3)	78% (18)	73% (899)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q23	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	39% (371)	31% (43)	28% (21)	27% (11)	57% (4)	26% (6)	37% (456)
Agree	44% (412)	44% (61)	41% (31)	39% (16)	29% (2)	26% (6)	43% (528)
Disagree	8% (78)	10% (14)	5% (4)	27% (11)	14% (1)	9% (2)	9% (110)
Strongly Disagree	3% (29)	3% (4)	12% (9)	0% (0)	0% (0)	13% (3)	4% (45)
Other	6% (53)	13% (18)	13% (10)	7% (3)	0% (0)	26% (6)	7% (90)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q24	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	38% (359)	26% (37)	28% (21)	34% (14)	29% (2)	22% (5)	36% (438)
Agree	49% (460)	45% (63)	40% (30)	39% (16)	43% (3)	35% (8)	47% (580)
Disagree	10% (91)	21% (30)	21% (16)	10% (4)	29% (2)	17% (4)	12% (147)
Strongly Disagree	2% (23)	4% (6)	8% (6)	12% (5)	0% (0)	9% (2)	3% (42)
Other	1% (10)	3% (4)	3% (2)	5% (2)	0% (0)	17% (4)	2% (22)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q25	White	Black	Hisp		Ind	Other	Total
Strongly Agree	9% (86)	17% (24)	12% (9)	17% (7)	14% (1)	13% (3)	11% (130)
Agree	27% (254)	26% (36)	33% (25)	29% (12)	43% (3)	26% (6)	27% (336)
Disagree	38% (363)	34% (47)	35% (26)	34% (14)	14% (1)	30% (7)	37% (458)
Strongly Disagree	23% (215)	20% (28)	17% (13)	15% (6)	29% (2)	13% (3)	22% (267)
Other	3% (25)	4% (5)	3% (2)	5% (2)	0% (0)	17% (4)	3% (38)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q26	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	6% (60)	12% (17)	13% (10)	5% (2)	14% (1)	4% (1)	7% (91)
Agree	13% (126)	14% (19)	11% (8)	20% (8)	14% (1)	17% (4)	14% (166)
Disagree	41% (388)	40% (56)	49% (37)	49% (20)	43% (3)	39% (9)	42% (513)
Strongly Disagree	36% (336)	29% (41)	21% (16)	20% (8)	29% (2)	22% (5)	33% (408)
Other	3% (33)	5% (7)	5% (4)	7% (3)	0% (0)	17% (4)	4% (51)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q27	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	4% (35)	0% (0)	4% (3)	0% (0)	29% (2)	4% (1)	3% (41)
Agree	10% (95)	4% (5)	5% (4)	2% (1)	0% (0)	9% (2)	9% (107)
Disagree	41% (387)	31% (44)	36% (27)	34% (14)	14% (1)	26% (6)	39% (479)
Strongly Disagree	36% (341)	51% (71)	43% (32)	51% (21)	57% (4)	26% (6)	39% (475)
Other	9% (85)	14% (20)	12% (9)	12% (5)	0% (0)	35% (8)	10% (127)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q28	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	4% (34)	1% (1)	3% (2)	0% (0)	29% (2)	4% (1)	3% (40)
Agree	13% (119)	1% (2)	4% (3)	7% (3)	0% (0)	4% (1)	10% (128)
Disagree	42% (397)	26% (37)	27% (20)	34% (14)	14% (1)	26% (6)	39% (475)
Strongly Disagree	33% (314)	61% (85)	56% (42)	49% (20)	57% (4)	30% (7)	38% (472)
Other	8% (79)	11% (15)	11% (8)	10% (4)	0% (0)	35% (8)	9% (114)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q29	White	Black	Hisp	Asian	Ind	Other	Total
Strongly Agree	0% (4)	0% (0)	1% (1)	5% (2)	0% (0)	0% (0)	1% (7)
Agree	1% (13)	4% (5)	3% (2)	5% (2)	0% (0)	0% (0)	2% (22)
Disagree	3% (26)	6% (8)	8% (6)	7% (3)	0% (0)	9% (2)	4% (45)
Strongly Disagree	2% (15)	4% (6)	12% (9)	5% (2)	0% (0)	0% (0)	3% (32)
Other	94% (885)	86% (121)	76% (57)	78% (32)	100% (7)	91% (21)	91% (1123)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q30	White	Black	Hisp	Asian	Ind	Other	Total
0%	24% (224)	19% (26)	11% (8)	15% (6)	29% (2)	4% (1)	22% (267)
5%	12% (113)	10% (14)	5% (4)	5% (2)	0% (0)	9% (2)	11% (135)
10%	22% (207)	19% (26)	17% (13)	29% (12)	29% (2)	17% (4)	21% (264)
15%	13% (123)	9% (12)	17% (13)	7% (3)	0% (0)	9% (2)	12% (153)
20%	13% (119)	15% (21)	19% (14)	17% (7)	43% (3)	13% (3)	14% (167)
25%	16% (148)	28% (39)	28% (21)	24% (10)	0% (0)	30% (7)	18% (225)
Other	1% (9)	1% (2)	3% (2)	2% (1)	0% (0)	17% (4)	1% (18)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q31	White	Black	Hisp	Asian	Ind	Other	Total
Yes	1% (6)	4% (5)	8% (6)	0% (0)	0% (0)	0% (0)	1% (17)
No	6% (61)	11% (16)	17% (13)	27% (11)	0% (0)	9% (2)	8% (103)
Other	93% (876)	85% (119)	75% (56)	73% (30)	100% (7)	91% (21)	90% (1109)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q32	White	Black	Hisp	Asian	Ind	Other	Total
Yes	5% (48)	4% (6)	3% (2)	12% (5)	0% (0)	13% (3)	5% (64)
No	93% (877)	94% (131)	95% (71)	83% (34)	100% (7)	57% (13)	92% (1133)
Other	2% (18)	2% (3)	3% (2)	5% (2)	0% (0)	30% (7)	3% (32)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q33	White	Black	Hisp	Asian	Ind	Other	Total
Yes	72% (683)	70% (98)	73% (55)	59% (24)	86% (6)	52% (12)	71% (878)
No	10% (90)	9% (12)	5% (4)	15% (6)	14% (1)	13% (3)	9% (116)
Other	18% (170)	21% (30)	21% (16)	27% (11)	0% (0)	35% (8)	19% (235)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Q34	White	Black	Hisp	Asian	Ind	Other	Total
Yes	73% (690)	81% (113)	83% (62)	76% (31)	71% (5)	61% (14)	74% (915)
No	23% (214)	16% (22)	12% (9)	22% (9)	29% (2)	17% (4)	21% (260)
Other	4% (39)	4% (5)	5% (4)	2% (1)	0% (0)	22% (5)	4% (54)
Total	100% (943)	100% (140)	100% (75)	100% (41)	100% (7)	100% (23)	100% (1229)

Responses by gender

The following tables provide survey responses by gender. The top-left cell provides the question number, corresponding to the survey form. (In multi-part questions, the question number is followed by the part number.) The left-hand column lists each response to the question, and the top row lists gender groups ("other" means that a response was indecipherable or blank).

Q1-1	Male	Female	Other	Total
1	2% (13)	6% (33)	50% (1)	4% (47)
2	6% (38)	11% (62)	0% (0)	8% (100)
3	6% (42)	10% (55)	0% (0)	8% (97)
4	10% (68)	17% (93)	0% (0)	13% (161)
5	21% (141)	18% (102)	50% (1)	20% (244)
6	39% (257)	26% (144)	0% (0)	33% (401)
7	16% (104)	12% (69)	0% (0)	14% (173)
Total	100% (663)	100% (558)	100% (2)	100% (1223)

Q1-2	Male	Female	Other	Total
1	5% (30)	11% (64)	50% (1)	8% (95)
2	9% (58)	13% (70)	0% (0)	10% (128)
3	13% (83)	14% (80)	50% (1)	13% (164)
4	22% (146)	23% (129)	0% (0)	22% (275)
5	25% (164)	19% (106)	0% (0)	22% (270)
6	21% (138)	15% (82)	0% (0)	18% (220)
7	7% (45)	5% (26)	0% (0)	6% (71)
Total	100% (664)	100% (557)	100% (2)	100% (1223)

Q1-3	Male	Female	Other	Total
1	3% (22)	8% (42)	50% (1)	5% (65)
2	7% (45)	8% (43)	0% (0)	7% (88)
3	9% (58)	10% (56)	0% (0)	9% (114)
4	13% (86)	18% (102)	0% (0)	15% (188)
5	19% (128)	21% (114)	0% (0)	20% (242)
6	38% (248)	26% (146)	0% (0)	32% (394)
7	11% (74)	9% (52)	50% (1)	10% (127)
Total	100% (661)	100% (555)	100% (2)	100% (1218)

Q1-4	Male	Female	Other	Total
1	2% (12)	4% (24)	0% (0)	3% (36)
2	6% (38)	6% (31)	0% (0)	6% (69)
3	6% (39)	8% (47)	100% (1)	7% (87)
4	17% (112)	22% (123)	0% (0)	19% (235)
5	27% (180)	22% (122)	0% (0)	25% (302)
6	34% (222)	27% (148)	0% (0)	30% (370)
7	9% (59)	11% (60)	0% (0)	10% (119)
Total	100% (662)	100% (555)	100% (1)	100% (1218)

Q1-5	Male	Female	Other	Total
1	3% (21)	4% (22)	0% (0)	4% (43)
2	7% (47)	10% (51)	0% (0)	8% (98)
3	8% (50)	13% (69)	50% (1)	10% (120)
4	24% (159)	21% (112)	0% (0)	23% (271)
5	25% (165)	21% (110)	0% (0)	23% (275)
6	26% (171)	22% (115)	50% (1)	24% (287)
7	6% (40)	10% (51)	0% (0)	8% (91)
Total	100% (653)	100% (530)	100% (2)	100% (1185)

Q1-6	Male	Female	Other	Total
1	3% (19)	5% (30)	50% (1)	4% (50)
2	6% (37)	10% (55)	0% (0)	8% (92)
3	9% (59)	14% (75)	0% (0)	11% (134)
4	16% (104)	17% (94)	0% (0)	16% (198)
5	22% (149)	20% (110)	0% (0)	21% (259)
6	33% (218)	25% (136)	50% (1)	29% (355)
7	12% (77)	10% (55)	0% (0)	11% (132)
Total	100% (663)	100% (555)	100% (2)	100% (1220)

Q1-7	Male	Female	Other	Total
1	4% (27)	8% (44)	50% (1)	6% (72)
2	7% (44)	12% (67)	0% (0)	9% (111)
3	11% (70)	14% (76)	0% (0)	12% (146)
4	16% (104)	17% (95)	0% (0)	16% (199)
5	25% (164)	19% (107)	50% (1)	22% (272)
6	29% (192)	22% (123)	0% (0)	26% (315)
7	9% (61)	8% (44)	0% (0)	9% (105)
Total	100% (662)	100% (556)	100% (2)	100% (1220)

Q2-1	Male	Female	Other	Total
Strongly Agree	2% (12)	6% (35)	0% (0)	4% (47)
Agree	8% (53)	13% (71)	0% (0)	10% (124)
Disagree	42% (279)	47% (263)	0% (0)	44% (542)
Strongly Disagree	47% (311)	32% (181)	17% (1)	40% (493)
Other	2% (10)	1% (8)	83% (5)	2% (23)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q2-2	Male	Female	Other	Total
Strongly Agree	5% (33)	9% (51)	0% (0)	7% (84)
Agree	12% (79)	19% (105)	0% (0)	15% (184)
Disagree	42% (281)	43% (242)	0% (0)	43% (523)
Strongly Disagree	36% (241)	25% (139)	17% (1)	31% (381)
Other	5% (31)	4% (21)	83% (5)	5% (57)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q3-1	Male	Female		Total
Strongly Agree	1% (7)	12% (67)	0% (0)	6% (74)
Agree	7% (45)	17% (96)	0% (0)	11% (141)
Disagree	38% (254)	41% (227)	0% (0)	39% (481)
Strongly Disagree	52% (347)	29% (162)	17% (1)	41% (510)
Other	2% (12)	1% (6)	83% (5)	2% (23)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q3-2	Male	Female	Other	
Strongly Agree	4% (25)	10% (56)	0% (0)	7% (81)
Agree	11% (74)	19% (104)	0% (0)	14% (178)
Disagree	39% (262)	39% (218)	0% (0)	39% (480)
Strongly Disagree	43% (288)	29% (162)	17% (1)	37% (451)
Other	2% (16)	3% (18)	83% (5)	3% (39)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q3-3	Male	Female	Other	Total
Strongly Agree	4% (25)	4% (23)	0% (0)	4% (48)
Agree	8% (53)	7% (37)	0% (0)	7% (90)
Disagree	39% (259)	38% (214)	0% (0)	38% (473)
Strongly Disagree	45% (302)	48% (268)	17% (1)	46% (571)
Other	4% (26)	3% (16)	83% (5)	4% (47)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q3-4	Male	Female	Other	Total
Strongly Agree	6% (43)	11% (61)	0% (0)	8% (104)
Agree	21% (137)	21% (117)	0% (0)	21% (254)
Disagree	39% (260)	36% (202)	17% (1)	38% (463)
Strongly Disagree	25% (169)	20% (110)	0% (0)	23% (279)
Other	8% (56)	12% (68)	83% (5)	10% (129)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q4-1	Male	Female	Other	Total
Strongly Agree	44% (294)	39% (218)	17% (1)	42% (513)
Agree	45% (299)	46% (257)	17% (1)	45% (557)
Disagree	7% (45)	10% (57)	0% (0)	8% (102)
Strongly Disagree	2% (14)	3% (16)	0% (0)	2% (30)
Other	2% (13)	2% (10)	67% (4)	2% (27)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q4-2	Male	Female	Other	Total
Strongly Agree	32% (214)	28% (158)	17% (1)	30% (373)
Agree	46% (309)	44% (248)	17% (1)	45% (558)
Disagree	13% (86)	19% (107)	0% (0)	16% (193)
Strongly Disagree	4% (26)	4% (25)	0% (0)	4% (51)
Other	5% (30)	4% (20)	67% (4)	4% (54)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q4-3	Male	Female	Other	Total
Strongly Agree	20% (136)	13% (74)	0% (0)	17% (210)
Agree	47% (313)	43% (239)	33% (2)	45% (554)
Disagree	23% (155)	31% (175)	0% (0)	27% (330)
Strongly Disagree	7% (49)	11% (63)	0% (0)	9% (112)
Other	2% (12)	1% (7)	67% (4)	2% (23)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q4-4	Male	Female	Other	Total
Strongly Agree	13% (85)	12% (66)	17% (1)	12% (152)
Agree	50% (331)	39% (219)	0% (0)	45% (550)
Disagree	26% (171)	31% (172)	0% (0)	28% (343)
Strongly Disagree	5% (31)	8% (45)	0% (0)	6% (76)
Other	7% (47)	10% (56)	83% (5)	9% (108)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q5	Male	Female	Other	Total
Strongly Agree	40% (263)	33% (186)	17% (1)	37% (450)
Agree	39% (260)	31% (175)	0% (0)	35% (435)
Disagree	12% (83)	21% (115)	0% (0)	16% (198)
Strongly Disagree	7% (47)	13% (75)	17% (1)	10% (123)
Other	2% (12)	1% (7)	67% (4)	2% (23)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q6	Male	Female	Other	Total
Strongly Agree	53% (353)	43% (239)	17% (1)	48% (593)
Agree	37% (249)	39% (216)	0% (0)	38% (465)
Disagree	5% (32)	11% (63)	17% (1)	8% (96)
Strongly Disagree	3% (17)	4% (20)	0% (0)	3% (37)
Other	2% (14)	4% (20)	67% (4)	3% (38)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q7	Male	Female	Other	Total
Strongly Agree	24% (160)	18% (99)	17% (1)	21% (260)
Agree	39% (258)	31% (174)	0% (0)	35% (432)
Disagree	16% (104)	23% (129)	17% (1)	19% (234)
Strongly Disagree	8% (52)	15% (86)	0% (0)	11% (138)
Other	14% (91)	13% (70)	67% (4)	13% (165)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q8	Male	Female	Other	Total
Strongly Agree	46% (309)	43% (240)	17% (1)	45% (550)
Agree	40% (263)	40% (224)	0% (0)	40% (487)
Disagree	8% (54)	9% (50)	17% (1)	9% (105)
Strongly Disagree	3% (20)	5% (28)	0% (0)	4% (48)
Other	3% (19)	3% (16)	67% (4)	3% (39)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q10	Male		Other	Total
Strongly Agree	26% (171)	23% (128)	17% (1)	24% (300)
Agree	53% (352)	44% (248)	0% (0)	49% (600)
Disagree	15% (103)	25% (137)	0% (0)	20% (240)
Strongly Disagree	2% (14)	4% (23)	0% (0)	3% (37)
Other	4% (25)	4% (22)	83% (5)	4% (52)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q11	Male	Female	Other	Total
Strongly Agree	37% (243)	34% (187)	17% (1)	35% (431)
Agree	45% (297)	40% (224)	0% (0)	42% (521)
Disagree	14% (91)	16% (91)	0% (0)	15% (182)
Strongly Disagree	4% (27)	9% (49)	17% (1)	6% (77)
Other	1% (7)	1% (7)	67% (4)	1% (18)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q12-1	Male	Female	Other	Total
Strongly Agree	37% (249)	32% (179)	17% (1)	35% (429)
Agree	47% (310)	43% (240)	0% (0)	45% (550)
Disagree	8% (56)	12% (68)	0% (0)	10% (124)
Strongly Disagree	5% (31)	9% (52)	17% (1)	7% (84)
Other	3% (19)	3% (19)	67% (4)	3% (42)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q12-2	Male	Female	Other	Total
Strongly Agree	9% (58)	9% (51)	0% (0)	9% (109)
Agree	21% (137)	16% (89)	17% (1)	18% (227)
Disagree	34% (225)	29% (161)	0% (0)	31% (386)
Strongly Disagree	34% (225)	42% (235)	0% (0)	37% (460)
Other	3% (20)	4% (22)	83% (5)	4% (47)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q13	Male		Other	Total
Strongly Agree	35% (233)	30% (166)	17% (1)	33% (400)
Agree	55% (368)	53% (296)	0% (0)	54% (664)
Disagree	8% (52)	13% (73)	0% (0)	10% (125)
Strongly Disagree	2% (10)	3% (17)	0% (0)	2% (27)
Other	0% (2)	1% (6)	83% (5)	1% (13)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q14-1	Male	Female		Total
Strongly Agree	37% (247)	30% (169)	17% (1)	34% (417)
Agree	46% (303)	40% (221)	0% (0)	43% (524)
Disagree	11% (70)	18% (99)	0% (0)	14% (169)
Strongly Disagree	4% (28)	10% (57)	17% (1)	7% (86)
Other	3% (17)	2% (12)	67% (4)	3% (33)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q14-2	Male	Female	Other	Total
Strongly Agree	46% (309)	39% (216)	17% (1)	43% (526)
Agree	38% (254)	34% (192)	17% (1)	36% (447)
Disagree	5% (35)	10% (54)	0% (0)	7% (89)
Strongly Disagree	4% (24)	9% (50)	0% (0)	6% (74)
Other	6% (43)	8% (46)	67% (4)	8% (93)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q15	Male	Female	Other	Total
Strongly Agree	19% (129)	16% (91)	0% (0)	18% (220)
Agree	44% (290)	38% (212)	33% (2)	41% (504)
Disagree	13% (88)	20% (109)	0% (0)	16% (197)
Strongly Disagree	6% (37)	12% (65)	0% (0)	8% (102)
Other	18% (121)	15% (81)	67% (4)	17% (206)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q16	Male	Female	Other	Total
Strongly Agree	25% (169)	24% (132)	0% (0)	24% (301)
Agree	50% (330)	39% (218)	17% (1)	45% (549)
Disagree	17% (112)	22% (122)	17% (1)	19% (235)
Strongly Disagree	6% (38)	11% (63)	0% (0)	8% (101)
Other	2% (16)	4% (23)	67% (4)	3% (43)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q17	Male	Female	Other	Total
Strongly Agree	29% (196)	23% (129)	0% (0)	26% (325)
Agree	48% (316)	40% (224)	17% (1)	44% (541)
Disagree	14% (96)	20% (112)	0% (0)	17% (208)
Strongly Disagree	5% (35)	13% (70)	17% (1)	9% (106)
Other	3% (22)	4% (23)	67% (4)	4% (49)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q18-1	Male	Female	Other	Total
Strongly Agree	18% (118)	20% (111)	0% (0)	19% (229)
Agree	30% (199)	25% (137)	0% (0)	27% (336)
Disagree	25% (164)	24% (132)	17% (1)	24% (297)
Strongly Disagree	9% (61)	16% (89)	0% (0)	12% (150)
Other	18% (123)	16% (89)	83% (5)	18% (217)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q18-2	Male	Female	Other	Total
Strongly Agree	16% (107)	18% (100)	0% (0)	17% (207)
Agree	24% (162)	19% (106)	17% (1)	22% (269)
Disagree	18% (119)	19% (104)	0% (0)	18% (223)
Strongly Disagree	10% (64)	14% (80)	17% (1)	12% (145)
Other	32% (213)	30% (168)	67% (4)	31% (385)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q18-3	Male	Female	Other	Total
Strongly Agree	15% (100)	22% (124)	0% (0)	18% (224)
Agree	31% (207)	26% (145)	0% (0)	29% (352)
Disagree	15% (102)	19% (108)	0% (0)	17% (210)
Strongly Disagree	9% (59)	14% (79)	17% (1)	11% (139)
Other	30% (197)	18% (102)	83% (5)	25% (304)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q19-1	Male	Female	Other	Total
Strongly Agree	6% (42)	14% (77)	0% (0)	10% (119)
Agree	10% (69)	17% (96)	0% (0)	13% (165)
Disagree	30% (199)	30% (167)	0% (0)	30% (366)
Strongly Disagree	45% (298)	29% (164)	17% (1)	38% (463)
Other	9% (57)	10% (54)	83% (5)	9% (116)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q19-2	Male	Female		Total
Strongly Agree	5% (34)	11% (59)	0% (0)	8% (93)
Agree	10% (66)	14% (76)	0% (0)	12% (142)
Disagree	30% (199)	32% (176)	0% (0)	31% (375)
Strongly Disagree	45% (299)	30% (168)	17% (1)	38% (468)
Other	10% (67)	14% (79)	83% (5)	12% (151)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q20	Male	Female	Other	Total
Strongly Agree	11% (73)	9% (51)	0% (0)	10% (124)
Agree	44% (291)	32% (181)	17% (1)	38% (473)
Disagree	16% (105)	25% (140)	0% (0)	20% (245)
Strongly Disagree	7% (46)	16% (90)	0% (0)	11% (136)
Other	23% (150)	17% (96)	83% (5)	20% (251)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q21	Male	Female	Other	Total
Strongly Agree	5% (32)	8% (44)	0% (0)	6% (76)
Agree	7% (49)	20% (111)	0% (0)	13% (160)
Disagree	43% (286)	30% (165)	17% (1)	37% (452)
Strongly Disagree	33% (218)	22% (124)	0% (0)	28% (342)
Other	12% (80)	20% (114)	83% (5)	16% (199)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q22	Male	Female	Other	Total
Strongly Agree	9% (62)	6% (35)	0% (0)	8% (97)
Agree	11% (70)	11% (64)	0% (0)	11% (134)
Disagree	4% (26)	6% (36)	0% (0)	5% (62)
Strongly Disagree	1% (9)	5% (28)	0% (0)	3% (37)
Other	75% (498)	71% (395)	100% (6)	73% (899)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q23	Male	Female	Other	Total
Strongly Agree	39% (261)	35% (194)	17% (1)	37% (456)
Agree	44% (292)	42% (236)	0% (0)	43% (528)
Disagree	8% (52)	10% (58)	0% (0)	9% (110)
Strongly Disagree	3% (22)	4% (22)	17% (1)	4% (45)
Other	6% (38)	9% (48)	67% (4)	7% (90)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q24	Male	Female	Other	Total
Strongly Agree	39% (260)	32% (177)	17% (1)	36% (438)
Agree	48% (318)	47% (262)	0% (0)	47% (580)
Disagree	9% (59)	16% (88)	0% (0)	12% (147)
Strongly Disagree	3% (19)	4% (22)	17% (1)	3% (42)
Other	1% (9)	2% (9)	67% (4)	2% (22)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q25	Male	Female	Other	Total
Strongly Agree	8% (56)	13% (74)	0% (0)	11% (130)
Agree	25% (169)	30% (167)	0% (0)	27% (336)
Disagree	40% (263)	35% (194)	17% (1)	37% (458)
Strongly Disagree	23% (156)	20% (110)	17% (1)	22% (267)
Other	3% (21)	2% (13)	67% (4)	3% (38)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q26	Male	Female	Other	Total
Strongly Agree	6% (41)	9% (50)	0% (0)	7% (91)
Agree	11% (73)	17% (93)	0% (0)	14% (166)
Disagree	44% (290)	40% (223)	0% (0)	42% (513)
Strongly Disagree	36% (239)	30% (167)	33% (2)	33% (408)
Other	3% (22)	4% (25)	67% (4)	4% (51)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q27	Male	Female	Other	Total
Strongly Agree	5% (33)	1% (8)	0% (0)	3% (41)
Agree	13% (88)	3% (19)	0% (0)	9% (107)
Disagree	42% (277)	36% (202)	0% (0)	39% (479)
Strongly Disagree	32% (211)	47% (263)	17% (1)	39% (475)
Other	8% (56)	12% (66)	83% (5)	10% (127)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q28	Male	Female	Other	Total
Strongly Agree	4% (27)	2% (13)	0% (0)	3% (40)
Agree	12% (83)	8% (45)	0% (0)	10% (128)
Disagree	43% (285)	34% (190)	0% (0)	39% (475)
Strongly Disagree	33% (218)	45% (253)	17% (1)	38% (472)
Other	8% (52)	10% (57)	83% (5)	9% (114)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q29	Male		Other	Total
Strongly Agree	0% (3)	1% (4)	0% (0)	1% (7)
Agree	1% (8)	3% (14)	0% (0)	2% (22)
Disagree	2% (14)	6% (31)	0% (0)	4% (45)
Strongly Disagree	2% (15)	3% (17)	0% (0)	3% (32)
Other	94% (625)	88% (492)	100% (6)	91% (1123)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q30	Male	Female	Other	
0%	24% (160)	19% (107)	0% (0)	22% (267)
5%	12% (79)	10% (56)	0% (0)	11% (135)
10%	23% (154)	20% (109)	17% (1)	21% (264)
15%	11% (75)	14% (78)	0% (0)	12% (153)
20%	13% (87)	14% (80)	0% (0)	14% (167)
25%	16% (105)	21% (119)	17% (1)	18% (225)
Other	1% (5)	2% (9)	67% (4)	1% (18)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q31	Male	Female	Other	Total
Yes	1% (8)	2% (9)	0% (0)	1% (17)
No	6% (37)	12% (66)	0% (0)	8% (103)
Other	93% (620)	87% (483)	100% (6)	90% (1109)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q32	Male	Female	Other	Total
Yes	2% (16)	9% (48)	0% (0)	5% (64)
No	95% (633)	89% (499)	17% (1)	92% (1133)
Other	2% (16)	2% (11)	83% (5)	3% (32)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q33	Male	Female	Other	Total
Yes	75% (500)	68% (378)	0% (0)	71% (878)
No	6% (40)	13% (75)	17% (1)	9% (116)
Other	19% (125)	19% (105)	83% (5)	19% (235)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Q34	Male		Other	Total
Yes	79% (528)	69% (386)	17% (1)	74% (915)
No	17% (111)	27% (149)	0% (0)	21% (260)
Other	4% (26)	4% (23)	83% (5)	4% (54)
Total	100% (665)	100% (558)	100% (6)	100% (1229)

Responses by to demographic questions

The following tables provide counts of responses to the demographic questions.

Race	Count
White	77% (943)
Black	11% (140)
Hispanic	6% (75)
Asian	3% (41)
Indian/Nat. Am.	1% (7)
Other	2% (23)
Total	100% (1229)

Gender	Count
Male	54% (665)
Female	45% (558)
Other	0% (6)
Total	100% (1229)

Job classification	Count
Non-supervisory attorney	63% (777)
Supervisory attorney	34% (413)
Other	5% (62)
Total	100% (1229)

Grade	Count
GS-11	1% (16)
GS-12	2% (24)
GS-13	3% (37)
GS-14	12% (147)
GS-15	36% (447)
GM-13	1% (7)
GM-14	1% (14)
GM-15	4% (48)
AD-20	0% (3)
AD-21	1% (12)
AD-24	1% (11)
AD-25	1% (16)
AD-26	1% (16)
AD-27	1% (14)
AD-28	1% (10)
AD-29	11% (137)
AD-10 thru AD-19	2% (22)
AD-0 thru AD-9	4% (55)
ES	4% (47)
EX	1% (16)
Other	11% (130)
Total	100% (1229)

Component	Count
ATR	2% (51)
CIV	5% (113)
CRT	4% (96)
CRM	1% (22)
ENR	4% (110)
TAX	4% (104)
BOP	1% (28)
EOIR	1% (16)
INS	3% (77)
USA	17% (434)
UST	6% (144)
Other	1% (34)
Total	100% (1229)