



Written by [R. Cort Kirkwood](#) on October 15, 2024

## DOJ Sues South Bend PD Because Too Many Blacks, Women, Fail Easy Cop Test

Not content with wrecking the U.S. military [by permitting](#) “transgenders” [in the foxhole](#), the Biden administration is now suing the South Bend, Indiana, police department.

The reason: It’s “discriminating” against blacks and women because too many are failing the tests to become an entry-level cop. Women are failing the physical-fitness portion at higher rates than white men, while blacks are failing the written portion at higher rates than white men.

X users are posting what they say are questions from the written test. If they are, the questions are so easy a sharp seventh- or eighth-grader could answer them.



halbergman/iStock/Getty Images Plus

Leading the lawsuit is the head of the department’s Civil Rights Division, Kristen Clarke, an anti-white radical once arrested for knifing her husband.

### The Lawsuit

Filed on October 11, the nine-page lawsuit describes the tests in detail and disclosed the percentages of blacks and women who fail them.

The lawsuit targets the fitness test first.

It “requires applicants to perform six activities, including a vertical jump, sit-ups, 300-meter run, push-ups, 1.5-mile run, and a pistol trigger pull. To pass the PFT, candidates must meet specific standards for each of the six PFT components.”

Sounds easy enough for the physically fit, but alas, “since at least 2016, female applicants have passed the PFT at a lower rate than male applicants,” the [lawsuit complains](#):

From 2016 through August 2019, approximately 87.6 percent of male test-takers passed the PFT, while approximately 45.5 percent of female test-takers passed.

Despite lowering standards so fewer women would fail, since August 2019, just 47.4 percent of women passed versus 83.8 percent of men passed, a sign that Americans are growing more out of shape as the years pass. On that note, a Pentagon study released in 2022 [found that](#) almost 80 percent of Americans ages 17-24 were ineligible for military service because they are too out of shape, too mentally ill, or too addicted to drugs.

The written test “includes 120-130 multiple choice questions broken down into seven sections: (1) Learn and Apply Knowledge; (2) Observe and Accurately Describe Events and Objects; (3) Remember



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Identifying Information; and (4) Remember Shapes and Spatial Relationships; (5) Complete Routine Forms; (6) Grammar; and (7) Spelling,” the lawsuit explains.

Before 2017, a score of 82 was the passing grade. Since then, it has been 80 percent, a high C in a good elementary or high school.

Substantially fewer blacks than whites are passing the test, the [lawsuit complains](#):

Since at least 2016, African-American applicants have passed the written test at a lower rate than white applicants. Approximately 84.1 percent of white test-takers passed the written test, while approximately 62.8 percent of African-American test-takers passed.

Because the test has a “disparate impact” on blacks and women, DOJ expects the department to drop it. Clarke’s name appears at the top of the list of attorneys who are pursuing the city, all but one of whom are women.

### **Test Questions**

Anyone with a high-school education should have the math, reading, and other abilities to pass the test.

One question offers a list of four items stolen from a dentist’s office, with values ranging from \$125 to \$810. The question asks the applicant to add the three-digit numbers for a total, then asks the applicant to subtract one item.

Another question asks the applicant to calculate the number of miles an officer must travel on three roads to arrive at an accident scene. Numbers to add: two, three, and 12.

Something of a legal question explains the First, Fifth, Sixth, and Eighth Amendments to the Constitution. It then offers four scenarios involving a defendant, and asks which of them best describes the Fifth.

Others are shockingly easy and involve basic English:

There were three \_\_\_\_\_ at the accident scene.

- A. witness
- B. witnesses
- C. witness’ ...

The Lieutenant decided \_\_\_\_\_ was enough evidence to issue a warrant.

- A. there
- B. their
- C. they’re

- 1. there
- 2. their



### 3. they're

The lawsuit does not discuss the pass-fail rates of Asians, Hispanics, or other racial groups.

Unlike the Maryland State Police, [which recently settled](#) a similar lawsuit, South Bend says it will “vigorously defend” itself.


The city said the physical fitness is “consistent” with the Indiana Law Enforcement Academy, “which sets the minimum physical standard for police officers.”

The written test, it said, is “regularly evaluated” to ensure its fairness, and applicants can receive free tutoring before taking it.

Moreover, the number of blacks and women in the department — 11.5 percent and 9.9 percent — are close to the national averages, 11.6 percent and 13.5 percent, the city said.



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 South Bend Police Department  
October 11 at 12:28 PM · 🌐

**CITY, SOUTH BEND POLICE DEPARTMENT DEFEND HIRING RECORD AND DENY ALLEGATIONS IN DOJ LAWSUIT**

The City of South Bend will vigorously defend a lawsuit filed today by the Department of Justice, which accuses the City's Police Department of unlawful hiring practices.

The City learned of the filing through the DOJ's press release and has not yet been formally served with the Complaint. Based on a preliminary review, the DOJ is not accusing the City of intentional discrimination. Instead, the lawsuit claims that the City Police Department's hiring process and testing for new officers has had a disparate impact on female and African American applicants.

The City has consistently sought to build a diverse workforce, while it fulfills the requirements of state law, and makes sure that applicants can perform the job responsibilities of a South Bend police officer.

The South Bend Police Department believes its screening process fairly measures a candidate's ability to perform the job. Like every other city in Indiana, South Bend must ensure its officers meet certain minimum criteria. Unlike every city in Indiana, South Bend allows every applicant multiple attempts at the physical examination per hiring cycle.

In its lawsuit, the DOJ accuses the SBPD of requiring a physical test that allegedly disproportionately screens women. However, the City's requirements are consistent with the ILEA, the Indiana Law Enforcement Academy (an agency created by Indiana law), which sets the minimum physical standards for police officers in Indiana.

The DOJ's lawsuit also attacks the SBPD's written test, which is administered by an outside firm and is similar to written tests in other Indiana police departments, including the Indiana State Police. South Bend has regularly evaluated its written test to make sure it is fair and non-biased. Importantly, all SBPD applicants are invited to free tutoring sessions to prepare for the written test.

SBPD is confident that its standard applicant process results in high quality officers to protect and serve the City.

"I am beyond disappointed that the DOJ has not been forthcoming with how these claims were determined in the first place," said South Bend Police Chief Scott Ruskowski. "Our hiring process, which includes females and African American applicants, has been consistent over the last ten years and led to an increasingly diverse department, especially over the past several years. We have even asked the outside testing company to modify the written test to open the process to more applicants. We are, and have been, very transparent and inclusive in our hiring process. All requirements are listed online and meet State mandates, and more importantly, meet what our community expects in a professional police officer."

From 2017 to 2023, SBPD hired 15 female officers and 29 officers of color, accounting for 12.6% and 24.4% of all new officers, respectively. Currently, 9.9% of all officers are females and 11.5% of all officers are black – the highest percentage of black officers since at least 2012. Nationally, female officers make up 13.5% of local police departments and black officers make up 11.6%.<sup>[1]</sup>

The City, which has been cooperating with the DOJ during its investigation, believes the DOJ's lawsuit ignores the City's obligations to comply with state law, will cause a delay in the City's hiring processes, and amounts to a waste of taxpayer resources.

"The City is committed to recruiting a workforce that represents the community we serve, and the City is proud of the progress we have made over the past several years," said Mayor James Mueller. "Our police department has worked diligently to increase the number of officers from underrepresented groups and to follow the letter and spirit of Indiana and federal law. Although the costs of this targeted litigation will be borne by federal and local taxpayers, the City will not voluntarily agree to federal control. We hope that common sense will prevail during the judicial process."

Email or phone





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Like many cities in Indiana, South Bend [uses the NPost test](#) endorsed by the Indiana Police Chiefs Association. That means DOJ might sue any city that uses it.

The import of the lawsuit is that the “disparate impact” is the fault of the test, not the test-taker.

Police work requires basic math and reading skills, along with a basic familiarity with criminal and constitutional law.

Amusingly, the mayor of South Bend from 2012 through 2020 was none other than homosexual Transportation Secretary [Pete Buttigieg](#).

## **Kristen Clarke**

For her part, Clarke is an anti-white, far-left activist once arrested, again, for knifing her husband. She almost cut off his finger. Cops were called to the couple’s home nine times.

Asked about that arrest in a written question during the confirmation process for Assistant Attorney General for Civil Rights, [Clarke lied](#) by saying she was never arrested for a violent crime.

[She’s also a fangirl](#) of cop-killer Mumia al Jamal, who murdered Philadelphia cop Daniel Faulkner in 1981. She thinks Jamal was a “scapegoat” and “lynch victim.” She has also likened police to the Ku Klux Klan.

Clarke is also a black supremacist. In college, in a piece for the Harvard’s *Crimson* newspaper, [she wrote](#) that blacks were intellectually superior to whites.



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