



The Architecture of Authority

NYPD Power and Promotion Structures: An Analysis of Institutional Selection Effects

Based on the Report by Eric Sanders | January 18, 2026

Entry is a Gate. Promotion is Governance.

Public discourse often conflates “hiring diversity” with institutional change. This analysis separates the two to examine **Trajectory**.



Entry (Hiring) determines who crosses the threshold.

Trajectory (Promotion) determines who governs the organization, shapes culture, and enforces discipline.

The Data Landscape

- Analysis relies on the **October 23, 2025** workforce snapshot.
- Represents actual workforce outcomes, not applicant pools.
- **Key Insight:** New officers have minimal discretion. **Structural power** resides in the ranks of **Sergeant and above**.

The Analytical Lens: UGESP and the Four-Fifths Rule

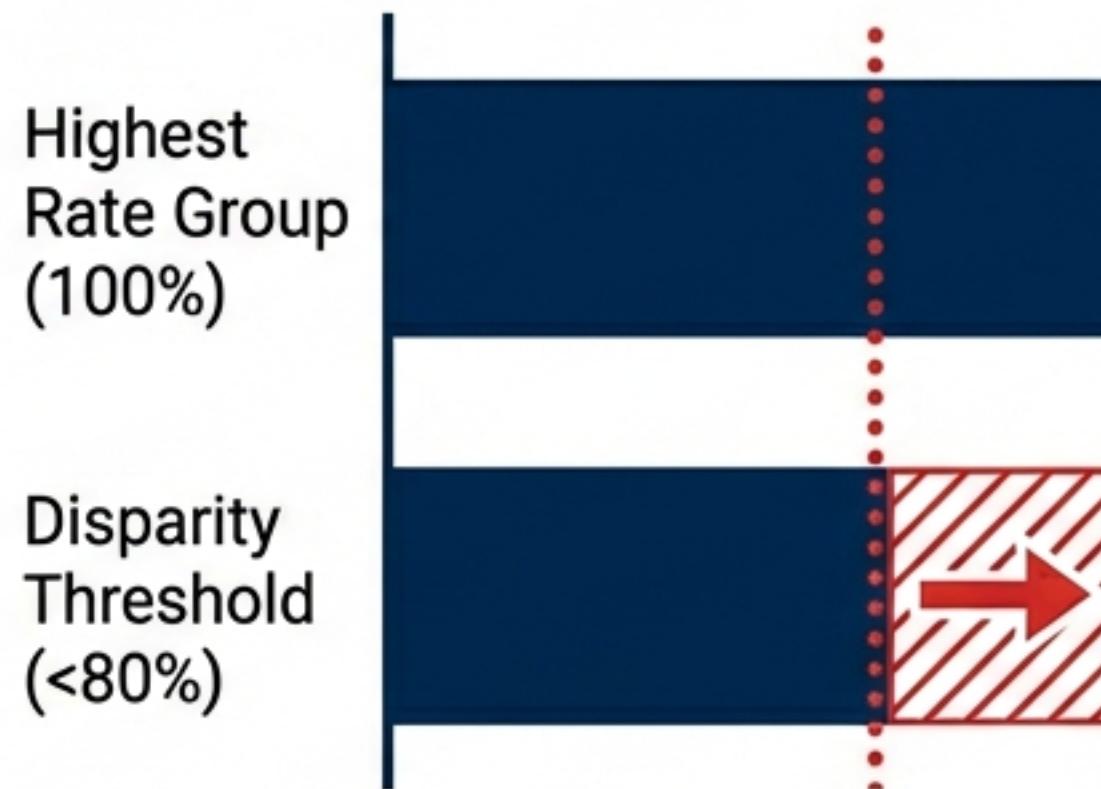
Core Principle

The Uniform Guidelines on Employee Selection Procedures (UGESP) focus on **outcomes**, not intent.

We measure the system, not the individual.

The Diagnostic Tool

The “Four-Fifths Rule” acts as a screening heuristic.



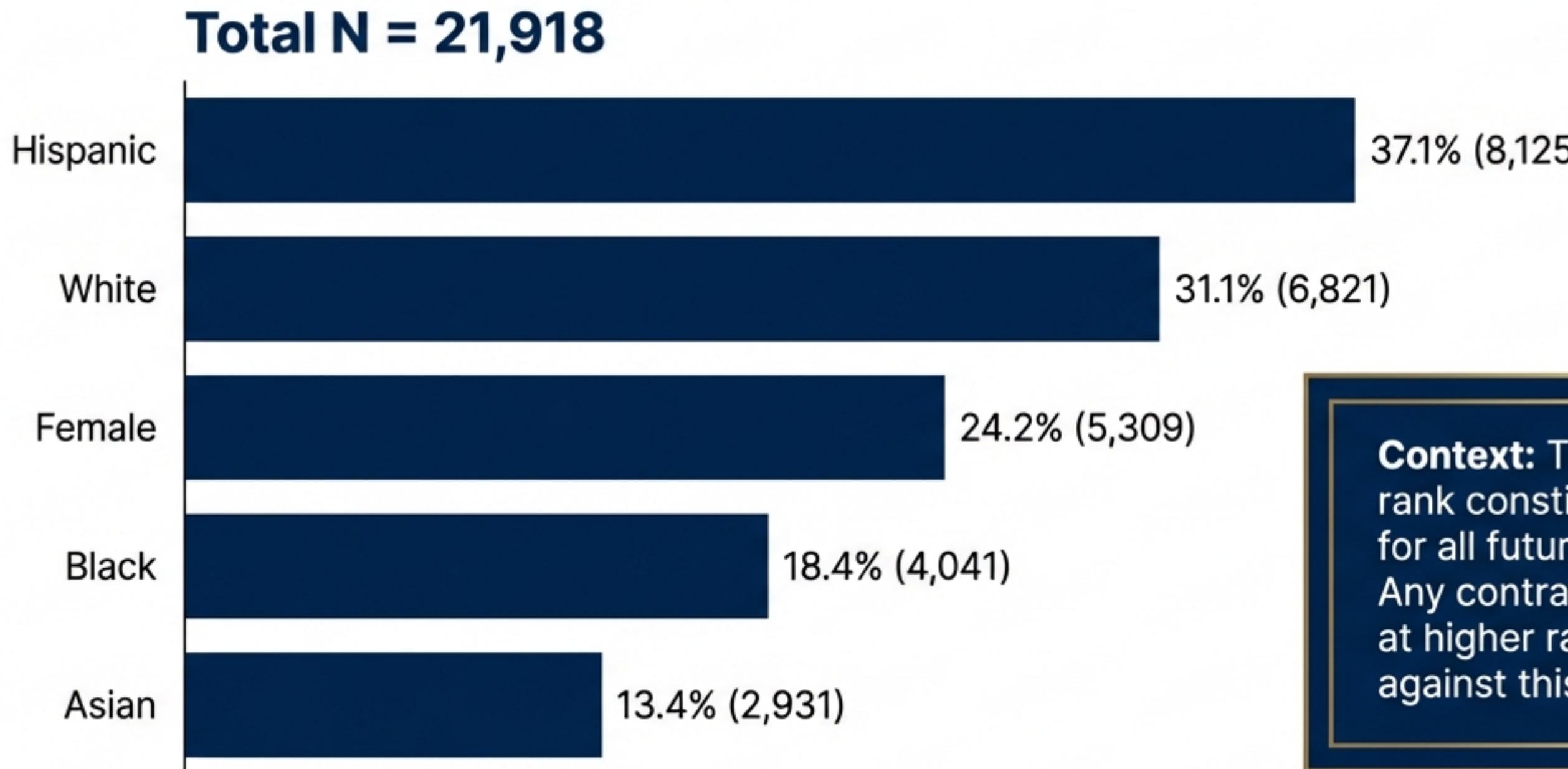
A disparity exists if selection rate is less than 0.80 of the highest group.

The Methodology

- Utilizes **Rank-to-Rank comparisons** (e.g., Sergeant to Lieutenant).
- Isolates internal selection mechanisms from external labor market.
- **Goal:** Determine if the system is a neutral progression or a structural filter.

The Feeder Pool: Police Officer Representation

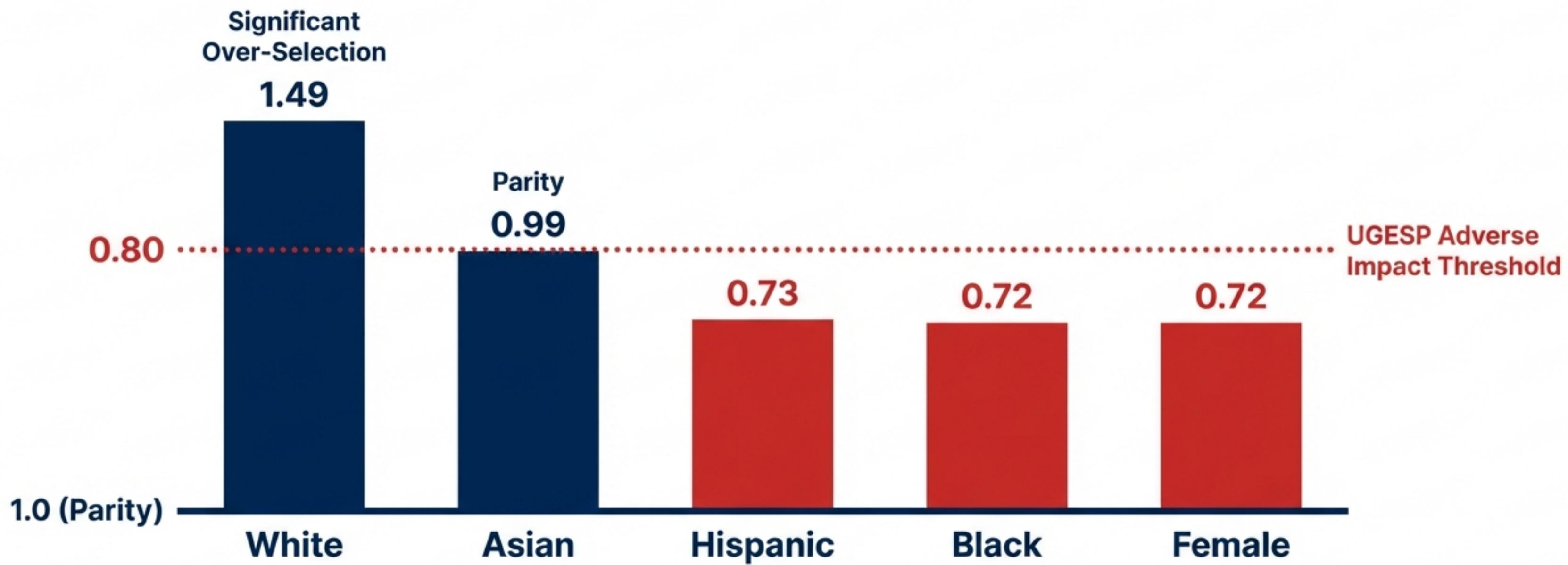
The entry-level pool is relatively balanced. This is the benchmark for all future ranks.



Context: The "Police Officer" rank constitutes the primary pool for all future supervisory roles. Any contraction in representation at higher ranks must be measured against this distribution.

The First Filter: Sergeant and the Onset of Disparity

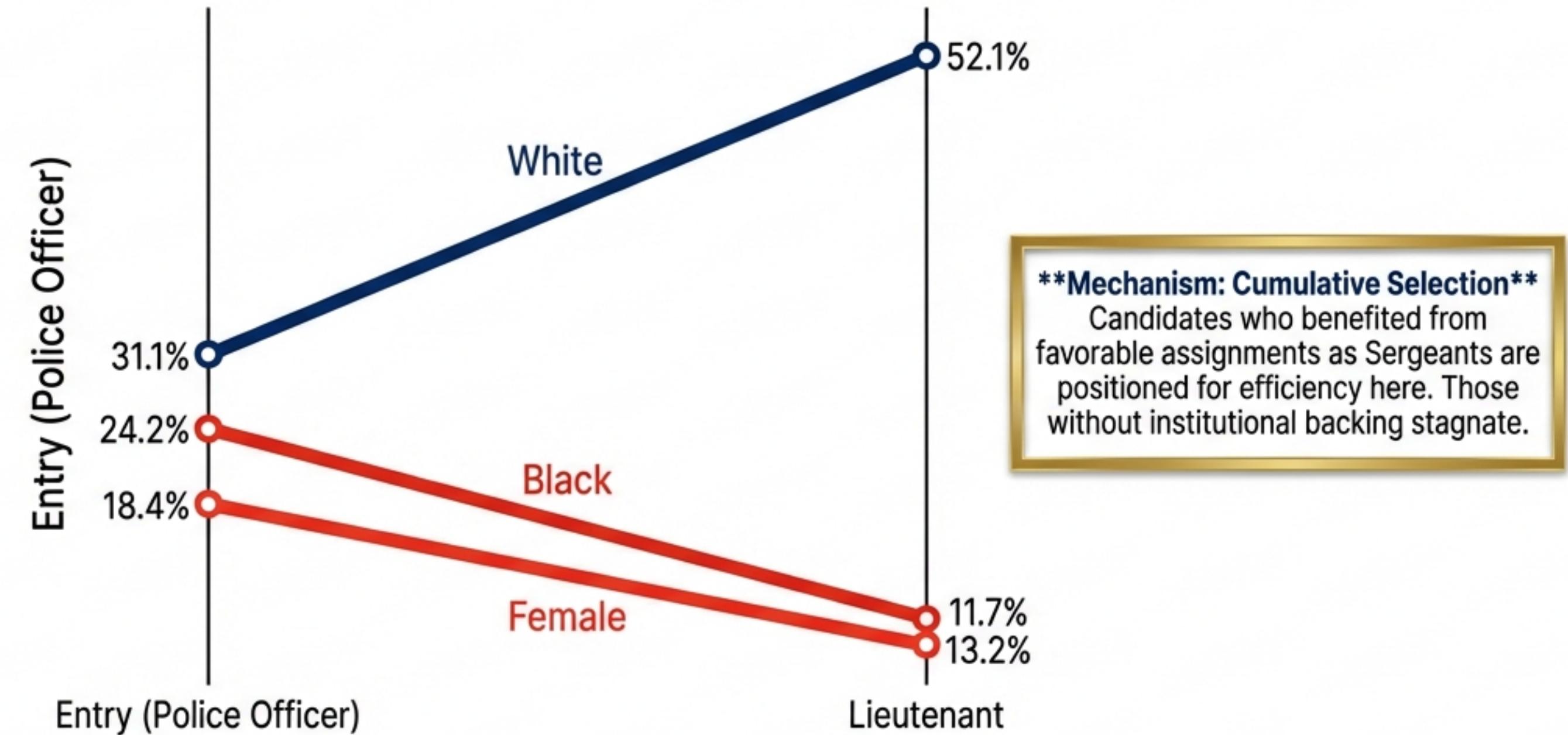
Comparing Sergeant Selections to the Police Officer Pool (Retention Ratio)



Insight: At the very first rung of supervision, Black, Hispanic, and Female officers fall below the Four-Fifths threshold. This occurs despite civil service exams, suggesting pre-exam factors (assignments/evaluations) play a role.

Lieutenant: The Compounding of Advantage

Cumulative Selection favors those with early sponsorship.



Insight: The disparity observed at the Sergeant rank not only persists but widens significantly at the Lieutenant level. The compounding effect of early advantages and disadvantages creates a more pronounced imbalance, with the White group gaining substantial ground while Black and Female representation experiences a severe decline. This suggests that initial placement heavily influences future promotion trajectory.

The Hinge Point: Captain



The Definition

Captain is the first true **Command Rank**. They do not just enforce policy; they operationalize it. This is the gateway to the executive corps.

The Data (Total N=364)

White: 44.2%

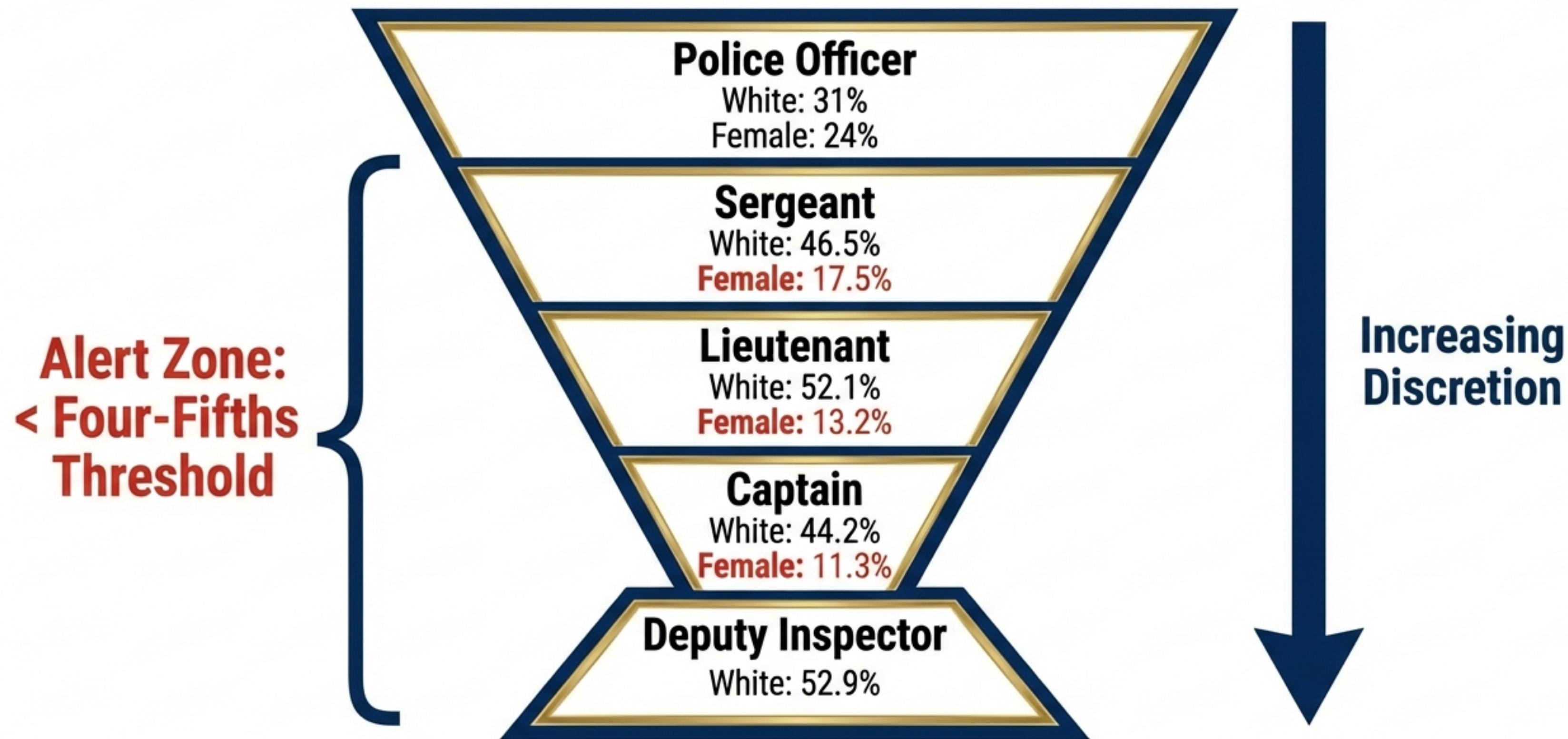
Female: 11.3%

(Stark drop from 24.2% baseline)

The Reality

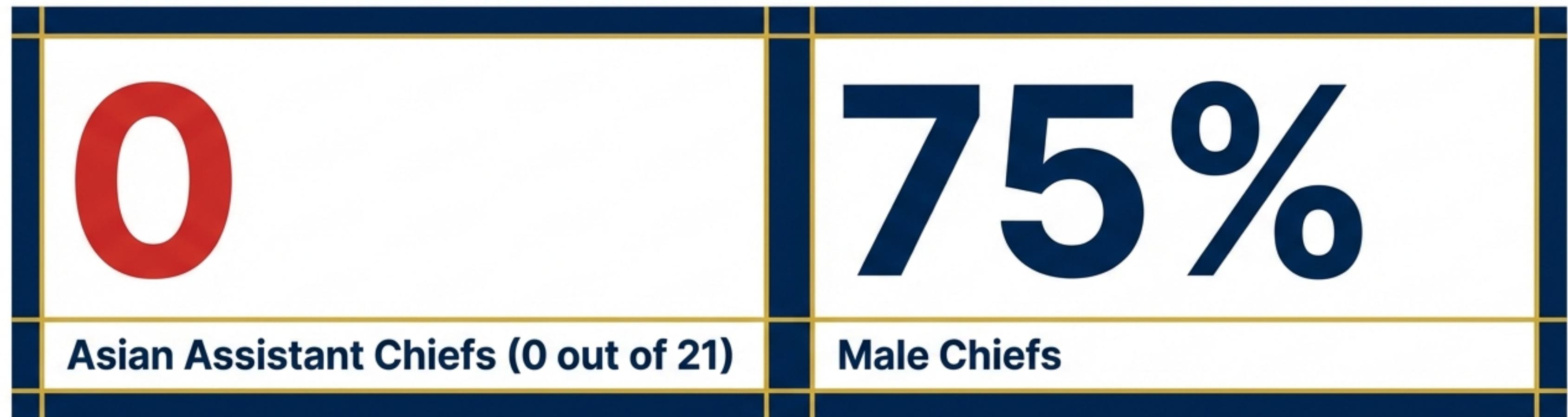
Tenure Arguments Fail. Officers eligible for Captain have served 10+ years and were hired during diversity initiatives. The contraction here is durable, not transitional.

Visualizing the Architecture of Authority



The Executive Tier: Where Discretion is Total

Ranks above Captain are Appointments, relying on “trust” and “alignment”.



****Analysis: Institutional Self-Reproduction****

Attrition explanations lose plausibility here. This is a closed loop of career officers. Leadership replicates leadership, reflecting who the institution trusts with absolute power.

The Mechanism: Validated Exams vs. Unvalidated Discretion



The Result: Without feedback loops or validation audits, discretionary systems reproduce existing norms. Discretion magnifies disparity.

The Governance Gap: Notice Without Obligation



Data Transparency (OpenData)

Demographic Data, Attrition Trends, Granular Reporting

Accountability Mechanisms

No Formal Reconciliation, No Validation Audits

The Paradox: Maximum Transparency, Minimal Accountability.

The NYPD publishes granular demographic data, meaning the institution has **Notice** of the attrition.

The Gap: There is no formal mechanism requiring decision-makers to reconcile discretionary outcomes with these observed trends.

Deliberate Indifference: Continued reliance on the same selection architecture, despite knowing it produces **adverse outcomes**, shifts the issue from "inadvertence" to "policy choice".

Legal Implications: Liability in the Absence of Intent

Inter: Discretion increases responsibility, not immunity.

UGESP Reality

The Guidelines do not require proof of animus (bad intent). They require a response to **Adverse Impact**.

Risk Factors

1. **High Discretion:** Courts view discretionary systems as probative of structural issues.
2. **Continuity:** Stable patterns across time are not random.
3. **Custom:** Disparities can evidence an official “custom or practice”.

Conclusion

A system that relies on unvalidated discretion while producing consistent disparities creates significant legal exposure.

From Rhetoric to Structure



The data forecloses the possibility of “indifference”. Hiring diversity is insufficient if the “Architecture of Authority” filters it out before command.

The Obligation: Public institutions must govern their systems. Recalibrate the mechanisms of advancement or accept that the resulting disparities are a feature of the design.

Data without response is not reform.