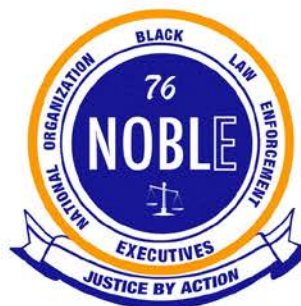


TRANSFORMING LAW ENFORCEMENT BY CHANGING THE FACE OF POLICING

21st Century Policing: Guide to Recruiting, Hiring, Retaining and Promoting Women and Minorities

September 2016



Submitted by: Women in Federal Law Enforcement, along with coalition partners: Hispanic American Police Command Officers Association, National Asian Police Officers Association, National Association of Women Law Enforcement Executives, National Latino Police Officers Association and National Organization of Black Law Enforcement Executives



Women in Federal Law Enforcement (WIFLE)

WIFLE is the only non-profit in the United States dedicated to addressing reasons why women remain underrepresented in Federal law enforcement. WIFLE advocates to strengthen federal law enforcement operations through the achievement of gender equity and inclusiveness at all levels. WIFLE advocates for gender equity in law enforcement through: Training, Professional Development and Leadership Enhancement; Collaborative Partnerships; Scholarship and Mentoring Programs; Relevant and Credible Research; Strategic Communications and Professional Relations, and through a Strong Sustainable Organization. As a member of the law enforcement community, WIFLE values diversity, empowerment, inclusiveness and integrity.

Women in Federal Law Enforcement, Inc. and the Women in Federal Law Enforcement Foundation, Inc. are both commonly known as WIFLE. WIFLE has been in existence since ICWIFLE in the 70's when it was an interagency committee formed by the U.S. Departments of Justice and Treasury. In 1999, WIFLE incorporated as a non-profit organization, Women in Federal Law Enforcement, Inc. to continue the work of ICWIFLE. The WIFLE Foundation, incorporated in 2006, is the educational arm for WIFLE providing Leadership Training, Seminars, and Scholarship Programs. The WIFLE Executive Leadership Institute, established in 2011, provides immersive leadership training sessions for GS-13 thru 15, Senior Executives, and State and local equivalents, held in conjunction with the WIFLE Annual Leadership Training.

www.wifle.org



Hispanic American Police Command Officers Association (HAPCOA)

HAPCOA was established in 1973, is the oldest and largest association in the U.S. of Hispanic American command officers from law enforcement and criminal justice agencies at the municipal, county, state and federal levels. With members in hundreds of agencies across the United States and Puerto Rico, many of whom are active in local chapters, HAPCOA is a national organization with a local presence.

www.hapcoa.org



National Asian Peace Officers Association (NAPOA)

NAPOA is the national association that serves as the voice of over 3,000 Asian American and Pacific Islander (AAPI) law enforcement officers and special agents in 22 local chapters across the country. The mission of NAPOA is to promote diversity within the law enforcement community and open doors for advancement through leadership training, education and mentorship.

www.napoablue.org



National Association of Women Law Enforcement Executives (NAWLEE)

NAWLEE is the first organization established to address the unique needs of women holding senior management positions in law enforcement. NAWLEE is a non-profit organization sponsored and administered directly by law enforcement practitioners. NAWLEE's mission is to serve and further the interests of women executives and those who aspire to be executives in law enforcement. The general purpose and mission of the National Association of Women Law Enforcement Executives, Inc. is to promote the ideals and principles of women executives in law enforcement; to conduct training seminars to train and educate women executives in law enforcement; including but not limited to the areas of leadership, management, and administration; to provide a forum for the exchange of information concerning law enforcement and generally fostering effective law enforcement.

www.nawlee.org

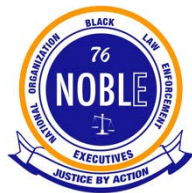


National Latino Police Officers Association (NLPOA)

The NLPOA association mission is to eliminate prejudice and discrimination in the Criminal Justice System, particularly in law enforcement. NLPOA's mission is to: create a fraternal/professional association that provides support, advocacy, personal and professional development to its members; prevent and reduce juvenile delinquency; and lessen neighborhood

tension in the Latino communities, through awareness and role modeling, provide bi-lingual assistance to the public, and bridge the gap between the Latino community and the police.

www.nlpoa.com



**The National Organization of Black Law Enforcement Executives
(NOBLE)**

NOBLE serves as the conscience of law enforcement by being committed to Justice by Action. NOBLE has nearly 60 chapters and represents over 3,000 members worldwide that represent chief executive officers and command-level enforcement officials from federal, state, county, municipal law enforcement agencies, and criminal justice practitioners. The combined fiscal budget oversight of our membership exceeds \$8 billion. NOBLE serves more than 60,000 youth through its major program components that include: Mentoring, Education, Leadership Development and Safety.

www.noblenational.org

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PART ONE – INTRODUCTION

PURPOSE

The intent of this document is to provide recommendations to increase the numbers of women, women of color and underrepresented minorities through proven and research-based recruitment, retention, and promotion strategies in law enforcement.

This strategy is designed to increase the number of highly qualified diverse women and underrepresented minorities in the pool of recruits/applicants and consequently, new hires in law enforcement. This document also describes recruitment, retention and promotion issues that are imperative to increasing diversity. The recruitment strategies identified are designed to be part of a broader, comprehensive agency recruitment effort.

This strategy relies on research and model policies to make sound recommendations to increase the number of women and underrepresented minorities in every law enforcement agency across the nation. Without a concerted effort to significantly increase the number of women and underrepresented minorities in the law enforcement profession, we will be unable to achieve the goals and objectives of the President's Task Force on 21st Century Policing. The overall added benefits are to move the law enforcement profession toward a more inclusive workforce, to regain the public's trust, and to better position policing to effectively address the new challenges facing the law enforcement profession in the 21st Century

EXECUTIVE SUMMARY

Transforming Law Enforcement by Changing the Face of Policing

21st Century Policing: Guide to Recruiting, Hiring, Retaining and Promoting Women and Minorities

Last year, in response to the creation of the President's Task Force on 21st Century Policing, Women in Federal Law Enforcement (WIFLE) submitted an official response and testimony to convey our unified support for the findings and recommendations cited in the Final Report. The President's Task Force on 21st Century in Policing focused on current overarching strategies and highlighted many critical policing issues, including the recent misconduct, and in some cases illegal actions, by certain law enforcement officers that reflect negatively on the entire law enforcement profession. In their aftermath, these actions have eroded the trust of the communities that we, as law enforcement professionals, have sworn to protect and serve. We applaud the President's Task Force on 21st Century Policing for opening up honest discourse and candor in the narrative regarding challenges faced by law enforcement today. We support the key findings outlined, while also suggesting that law enforcement executives have a unique opportunity to become leaders of change. Although there has been a tremendous amount of discussion about diversity in policing, there has been little serious discussion centered on the benefits of gender diversity in policing. ***Leading change, particularly culture change, within the law enforcement profession that embraces women and minorities is paramount in order for law enforcement professionals to effectively serve the citizenry and the communities in***

which they live. Recent conversations have centered on diversity in policing, however, few have addressed the real benefits of gender balance to achieve optimal effectiveness in policing.

In a historic first, WIFLE initiated a force multiplier by aligning with the Hispanic American Police Command Officers Association (HAPCOA), National Asian Peace Officers' Association (NAPOA), National Association of Women Law Enforcement Executives (NAWLEE), National Latino Peace Officers Association (NLPOA), and the National Organization of Black Law Enforcement Executives (NOBLE). As a coalition, we believe that the report provides a unique opportunity to define some of the deeper issues challenging the policing profession today. Compelled to address the issues that will help reshape law enforcement to best face the enforcement challenges of today and the future of policing, WIFLE, and its partners, drafted an official response to the President's Task Force on 21st Century in Policing Final Report. This testimony outlined what we believe to be the highest priority in any plan implemented to rapidly reform the profession - to increase the percentage of well-qualified, diverse women and underrepresented minorities at all levels in every law enforcement agency in the United States.

The President's Task Force on 21st Century Policing identifies the "warrior model", as one similar to a soldier's mission to conquer. The warrior model took decades to develop and entrench itself into American law enforcement. The creation of a warrior police culture has also led to an ever-increasing development of an agency's internal rules and punishment which has led to a mistaken belief that more and stricter rules lead to fewer mistakes. In actuality, employees then reciprocate the level of distrust developed between the employees and the agency/department. Further, this type of environment leads to an "us vs. them" mentality within the agency/department and, inevitably, becomes the standard for dealing with the public. Therefore, in order to change public perception we must first endeavor to change the way we treat and value each other in the law enforcement profession, and move to a "guardian model", one that honors and respects that a police officer's role is to protect. Transitioning to the guardian model will be met with intensifying resistance because it challenges the power that the warrior model carries with it. Transitioning to a guardian mentality takes power away from the individual and shares it. This culture change will most likely attack the individual's ego and concepts of self-worth, as well as that of the institution of policing...because it requires a different approach. Officers/agents may fear that they are becoming armed social workers, and, because of the decades long culture of warrior mentality, they view prevention and community as far less important than the more physical aspects of the position. This warrior culture has also led to increasing salaries and budgets, as well as an influx of grants and equipment. Transitioning to a guardian culture will place all these items in jeopardy because they may no longer be justifiable in the future. Although the warrior culture was established over a period of decades, we do not have the luxury of spending decades to change this culture. As a coalition, we know that, along with the concrete recommendations made by the President's Task Force on 21st Century Policing, the highest priority of any strategic plan to rapidly reform the profession should be to increase the percentage of well-qualified, diverse women and underrepresented minorities, at all levels in every law enforcement agency in the United States.

To acknowledge and utilize the varying skills and talents that women and minorities bring to the profession is to enhance the effectiveness and positive relationships within the communities we serve. **Research (and many anecdotal successes), clearly demonstrates that recruiting,**

hiring, retaining and promoting women; diversifying law enforcement agencies to mirror the community; and recruiting and hiring a new generation of diverse candidates would not only change the face of policing, but would transform law enforcement's ability to rebuild trust within the communities they serve. There is nothing more important to the future of law enforcement today than the successful recruitment, retention, and promotion of highly qualified women and underrepresented minorities. Clearly, this is a continual challenge given the current culture in policing and is further evidenced by the fact that women represent an average of only 13% of all police officers in the United States. Further, there is a true lack of female and minority role models at the higher levels, as the percentage of women and underrepresented minorities decreases significantly in the higher ranks. **The long overdue challenge of hiring more women and members of underrepresented groups is not insurmountable and should be tackled with fervor. Then, and only then, will culture change in policing begin to emerge.**

WIFLE and its' partner organizations have long conducted independent empirical studies to analyze the relationship between gender presence in the ranks and more effective enforcement performance across the board. Through research, we are able to provide sound advice and guidance for agencies and departments to consider in their recruitment and retention strategies. Therefore, in a 2nd unified and joint action, WIFLE, along our partners, developed a Thought Leadership Compendium for Policing in the 21st Century to add to the research and recommendations published in the President's Final Report.

Our organizations believe that the top priority at this time should be to direct **"a call to action"** to ensure that the law enforcement community takes full advantage of this unique opportunity in time to lead and inspire a transformational culture change within the profession. **The first call to action would be for every law enforcement agency throughout the United States to increase the percentage of women and underrepresented minorities at every organizational level.** Research indicates that when organizations multiply the base percentage of women (and any underrepresented group) to 30%, it effects a culture change from within. According to "Women Lead the Way", Linda Tarr-Whelan (2009), at 30% representation of women at every level we begin to see concrete, positive outcomes for everyone – not just women. Thirty (30) percent is identified as a strong starting point. How exactly does a law enforcement organization attract qualified candidates to achieve a 30% women and minority base across the board?

The key to achieving a more diverse body of law enforcement, each organization must aggressively root out both conscious and unconscious bias. Findings from independent audits show that "the culture" is so engrained within the law enforcement profession that most police departments or law enforcement agencies are unaware that conscious and unconscious bias even "exists" in their organizations. Biases adversely impacts the recruitment, hiring, and promotion processes of most police departments and law enforcement agencies – and surprisingly, include those departments and agencies whose leaders are proactively trying to revamp or create robust programs to hire women and minorities and change culture.

The second call to action to achieve this change requires each department/agency to re-evaluate, (whole or in part), the policies and programs in place within their current Organizational -Wide Recruitment Strategy. What should these re-evaluations focus on?

Artificial barriers. Independent audits conclude that police departments and law enforcement agencies are not aware that their recruitment, retention and hiring policies and procedures contain artificial barriers, and sometimes incorporate barriers perceived to be necessary for successful performance, that often reflect non-relevant job requirements and skill sets. For example, a 6-foot solid wall requirement has never addressed the required skills needed in the profession and it does not address the genuine proficiencies needed for a new complex policing role in today's society. Although, to be clear, we are not suggesting that physical readiness is not vital to these positions, it is. What we are stating is that while general and more specific physical standards can be critical to performing more hazardous duties associated with policing, often the over emphasis of physical standards (artificial barriers) further the warrior mentality and can and will adversely impact the recruitment of otherwise well-qualified female and minority candidates. Further, the under emphasis of communication, collaboration, conflict resolution, reasoning, and problem solving skill sets, which are more commonly associated with the guardian mentality, are all also associated with effective de-escalation of potentially volatile situations, and happen to be the very skill sets that research indicate women possess. This emphasis on more realistic policing skill sets will always promote a more effective means of policing and better serve today's troubled societies. Further, agencies and departments that have embraced the guardian model and community policing concepts, develop community partnerships, engage in problem solving, and implement organizational transformation have found a great degree of success in establishing trust with their communities. Research also demonstrates that organizations that readily acknowledge and utilize the varying skills and talents that women and minorities bring to the profession can measure quantitative improvements in their particular jurisdictions to those communities served.

Trained leaders are making important decisions today that will impact the future of law enforcement, including one of their most important challenges: recruiting and hiring more women and underrepresented minorities. It is increasingly clear that recruiting and empowering more women and minorities would not only change the “face” of law enforcement but, more importantly, would transform policing through the injection of diverse life experiences, varied cognitive abilities, and a wide range of cultural experiences as Hispanic, African America, Asian, Middle Eastern, Gay, Lesbian or Transgender and female law enforcement officers. The primary focus of our project is dedicated to women and women of color, along with underrepresented minorities in the law enforcement profession, as many of the inequities are overlapping and recommendation are similar in nature.

Law enforcement executives and leaders have an undeniable responsibility to hold themselves accountable for fully representing their communities, a fundamental responsibility that has not yet been achieved. **Make no mistake, in the absence of strong leadership and a genuine commitment to change the culture of policing, the citizens of our communities will – and should - continue to hold police departments and law enforcement agencies publicly accountable.**

Our coalition of law enforcement partners at local, state and federal law enforcement agencies, nonprofit organizations, academic research institutions, and private industry stakeholders stand willing and able to be part of the solution that builds the platform for change by working collaboratively, as observers and advisors, through the attached listed

issues, strategies, recommendations, and best practices in order to achieve culture change in law enforcement. We are committed to work with the President's 21st Century in Policing Task Force, as well as every law enforcement organization across the country, to assist them to increase the percentage of women and minorities in every law enforcement agency -- at every organizational level -- throughout the United States. The measures will go a long way in ensuring the law enforcement profession is a diverse and inclusive representation of the communities served and will propel the profession forward to effectively tackle new challenges.

This project examines key areas to recruit, hire, retain and promote women and minorities, including issues and recommendations regarding: Status of Women and Minorities in Local, State and Federal Law Enforcement; History of Women and Minorities in Local, State and Federal Law Enforcement; The Value and Importance of Diversity in Law Enforcement; Culture and Bias in the Law Enforcement Profession; Procedural Justice in the Law Enforcement Profession; Recruitment Practices; Recruitment Plan, Outreach and Targeted Recruitment, Position Descriptions, Recruitment Brochures and Recruitment Materials, Web Site and Vacancy Announcement, Recruitment Board, Advisory Committees – Women/Minorities, Role of Executive Managers, Recruitment Board, Recruiters and Employees, Hiring Processes, Interview Panel, Background Process, Selection Process, Education and Student Career Programs, Other Appointment Authorities, Academy Culture, Physical Fitness and Tactical Requirements, Firearms Qualification, Issued Weapon Selection, Issued Equipment Selection, Family-Friendly Policies, Mobility Policy, Mentoring, Pregnancy and Childcare Issues, Assignments, Awards and Recognition, Performance Evaluations, Promotions and Internal Affairs. This document not only includes recommendations and practical advice relevant to each topic but also, where available, cites successful model policies.

RECOMMENDATIONS:

Women in Federal Law Enforcement, along with coalition partners: Hispanic American Police Command Officers Association, National Asian Police Officers Association, National Association of Women Law Enforcement Executives, National Latino Police Officers Association and National Organization of Black Law Enforcement Executives respectfully submit the following recommendations in order to Change the Face of Policing through Recruiting, Hiring, Retaining and Promoting Women and Minorities:

- *Establish an independent consolidated consulting group. This group would be dedicated to the recruitment and advancement of women and underrepresented minorities in law enforcement and the development of a culture that embraces the concepts of procedural justice. This entity would provide assistance and guidance to law enforcement agencies that are working to minimize or eliminate those policies and procedures that create artificial barriers to the successful recruitment, hiring and retention of women and minorities. For agencies that lack the resources to make these needed fundamental changes, this entity would be integral to facilitating positive change. Our collective goal is to establish more contemporary police departments and law enforcement agencies that better represent the communities they serve by providing additional strategies and*

recommendations for successfully accomplishing department/agency recruitment and hiring goals.

- *Create and Implement of a National Recruitment Program for Law Enforcement – A National Recruitment Program would be instrumental identifying the skill sets needed in modern day policing, as well as educating the agency/department and the public of the need and critical importance of more women and underrepresented minorities, to join and become part of the fabric of the law enforcement profession.*
- *Attach all Department of Justice (DOJ) grants, incentive funds and discretionary funds into achieving specific recruitment and hiring goals.*
- *Create increased accountability, through Office of Personnel Management, for achieving diversity in Federal Law Enforcement. Federal law enforcement agencies should be held accountable for recruitment and hiring goals highlighted in Executive Order 13583 -- the Coordinated Government-Wide Initiative to Promote Diversity and Inclusion, signed by President Obama in 2011. The President's Executive Order and the subsequent Office of Personnel Management (OPM) Strategic Plan for Diversity and Inclusion were not only designed to promote diversity and inclusion, but directed executive departments to implement a comprehensive strategy for achieving equal employment opportunity by identifying and removing barriers that hinder an inclusive workforce. Even though diversity and inclusion remains a top priority, executive leaders and senior officials are not being held accountable for meeting the requirements of the Executive Order and OPM mandates. As recommended above, federal law enforcement Senior Executive Service (SES) selections, promotions, and bonuses should be directly linked to achieving the goals of gender diversity, as outlined above.*
- *Conduct comprehensive DOJ-Bureau of Justice Statistics (BJS) Federal Law Enforcement Officers survey and report by the end of fiscal year 2017, along with a commitment to continue the survey (as has been done in the past) on a 4-year cycle. The DOJ/BJS survey and report has not been done since 2008. We are currently unable to accurately determine the status of women (and minorities) in federal law enforcement. Further, the last available data indicates that the percentage of women in federal law enforcement decreased from 16.1% in 2004 to 15.5% in 2008. The DOJ-BJS, Federal Law Enforcement Officers report is critical to determining the percentage of women in federal law enforcement. The information contained in the report is vital to our efforts to recruit, retain, and promote women and minorities.*
- *Review and reauthorize the DOJ's Diversity Management Plan and Diversity Policy Statement, with accountability measures in place for all. Hold accountable agencies to meet their Departments' diversity goals. Review and assess all components to determine if current recruitment/hiring, retention and promotion efforts are increasing the percentage of women and underrepresented minorities, at all levels. Review of recruitment strategies, hiring processes, family friendly policies, promotion processes, retention, promotion of women and minorities, including statistics for each.*
- *Increase accountability of all Federal Agency/Component strategic plans and diversity goals. All agencies "support" hiring more women and minorities. All available statistics indicate that there has been little progress made and according to the most recent data, the percentage of women in federal law enforcement has declined.*
- *Institute a comprehensive pregnancy policy for women who have arrest and firearm authority. A comprehensive model pregnancy was developed by WIFLE for federal*

officers/agents and is available at www.wifle.org. In addition, the International Association Chiefs of Police (IACP) has a comprehensive model pregnancy policy listed on its website at www.iacp.org

- Establish commitment to work with national organizations, such as: WIFLE, NOBLE, NAWLEE, NAPOA, HAPCOA, and NLPOA to provide quality and professional leadership training, including career fairs, formal mentoring sessions, opportunities to network, and recognition of women and men through their respective awards programs. These organizations are critical in providing much needed training, and increases efforts to discuss and provide vital recruitment, retention and promotion strategies to law enforcement leaders.

The coalition is willing to participate in a committee to address any/all concerns and assist with recommendations.

STATUS OF WOMEN AND MINORITIES IN LOCAL, STATE AND FEDERAL LAW ENFORCEMENT

General Statistics:

According to the United States Census Bureau Population Estimates (2015) for the United States, there are:

- 163.1 million females in the U.S. (32.8 million are 20-34 years of age)
- 158.2 million males in the U.S.

According to the U.S. Department of Labor (2015)

- Women comprise 57% of the civilian labor force in the U.S
- Women earned 61% of all associate's degrees in the U.S.
- Women earned 58% of all bachelor's degrees in the U.S.

Local, State and Federal Law Enforcement

According to the Uniform Crime Report (2014), U.S. Full-time Law Enforcement Employees, there are:

- 627,949 full time enforcement officers
88.1 percent are male
11.9 percent are female
- Cities with populations of 10,000 to 24,999 inhabitants:
 - 92% of all officers are male
 - 8% of all officers are female
- Cities with populations of 1 million inhabitants and over:
 - 82.4% of all officers are male
 - 17.6 % of all officers are female

According to the United States Census Bureau Population Estimates (2015): Annual estimates of Population by Race the most recent statistics available, there are a total of:

- White - 197.9 million

- Hispanic Origin - 56.5 million
- Black/African American - 39.9 million
- American Indian - 2.3 million
- Asian/Native Hawaiian and other Pacific Islanders - 17.9 million
- Two or More Races - 6.5 million

According to the Bureau of Justice Statistics (2013), local and state law enforcement is comprised of:

- White - 72.8 percent
- Black/African American - 12.2 percent
- Hispanic/Latino - 11.6 percent
- Asian/native Hawaiian/Pacific Islander - 2.4 percent
- American Indian/Alaska Native - 0.6 percent
- Two or more races - 0.5 percent

Federal Law Enforcement:

The Bureau of Justice Statistics (2008), federal agencies employed approximately 120,000 full-time law enforcement officers in the United States.

- **Women accounted for 15.5% of federal officers with arrest and firearm authority**
- **The percentage of women decreased from 16.1% in 2004 to 15.5% in 2008.**
- **Overall, the percentage of women increased less than one-half of 1 percent each year since 1971 when the government began hiring women 45 years ago.**

A recent *U.S. Merit Systems Protection Board*, “How You Hire and Who You Hire: The Implications of the Appointing Authority” (2014) indicated that in competitive examining **males represented 92% of the new hires into police officer occupations.**

Based upon the civilian labor force and comparable law enforcement agencies, **women officers/agents remain the most underrepresented category in law enforcement.**

Race and Ethnicity

The Bureau of Justice Statistics (2008) indicates that the percent of minority federal officers arrest and firearm authority in 2008:

- Any Minority: 34.3%
- Hispanic/Latino Origin: 19.8%
- African American/Black: 10.4%
- Asian/Pacific Islander: 3.0%
- American Indian/Alaska Native: 1%

Any Minority: A slight increase from 33.2% (2004) and 28.0% (1996). The increase in minority representation from 1996-2008 is primarily attributable to an increase in the percentage of

Hispanic or Latino officers, from 13.1% to 19.8%. During the same period, the percentage of African American/Black officers decreased to 10.4% from 11.5%.

Women and other minority groups will remain underrepresented in the law enforcement profession unless the culture of policing changes, along with the traditional policies and practices in policing.

The data referenced above is limited, dated, and, in some cases, not available. For example, DOJ/BJS has not conducted a survey of federal law enforcement agencies since 2008. Therefore, updated data on gender and ethnicity is not available. **As a result, we do not have an accurate picture of women and minorities in policing at the federal level.**

It is essential for law enforcement agencies, advocacy groups, and the public to know the current composition of their respective agency/department and its' plan and progress in hiring a new and diverse generation of candidates that reflect the communities they serve.

HISTORY OF WOMEN AND MINORITIES IN LOCAL, STATE AND FEDERAL LAW ENFORCEMENT

According to the National Center for Women & Policing (NCWP):

Throughout the United States, women were hired to protect and administer to incarcerated women and juveniles. In 1845, New York City officials hired two women to work as matrons in the city's two jails after the American Female Moral Reform Society campaigned for the matron positions. They hoped the police would hire matrons for the police stations as well; however, the police department itself blocked this. Mary Owens received the rank of policeman from the Chicago Police Department in 1893; she worked for thirty years for the department and assisted on cases involving women and children. She was the first woman to receive arrest powers. In 1905, Lola Baldwin was given police powers and put in charge of a group of social workers in order to aid the Portland, Oregon Police Department. She was the first woman to work as a sworn police officer in the United States and later, in 1908, she became director of the Department of Public Safety for the Protection Young Girls and Women.

Alice Stebbin Wells was the first woman to be called a policewoman; she joined the Los Angeles Police Department in 1910. Several historians have described Wells as the first policewoman in the country, however others have argued that Baldwin should be considered the first policewoman. Part of the difficulty in asserting a "first" is that from the onset, the job description for women officers has been varied and has overlapped with duties we now consider social work rather than law enforcement. Matrons, social workers, and women working for private organizations all worked in positions of some authority for the moral betterment of society. None of these women had the same status as the men working as police officers. Throughout the 1910s and 1920s, Americans widely accepted the idea that women's inherent nurturing qualities should be focused on fixing societal problems associated with moral weakness. As a result, numerous women's bureaus were established across the country in police stations to work on cases relating to women and children, such as young runaways, shoplifting, and prostitution.

In the 1930s with the Great Depression came changes in how employment was viewed, and women's employment suffered because of this viewpoint. A married woman with a job was seen as wrongfully taking a job away from a man who needed it to support his family. Women were always assumed to be on their way to getting married, if they were not already married, and therefore not needing a job. As jobs became scarcer, women's career aspirations suffered. This period also saw a change in how law enforcement officers perceived their social role. In the mid-1930s the FBI was formed and law enforcement officers began to project a role of "combatant of crime," turning away from the idea that police should work as social agents against moral decline or destitution.

The number of women hired increased during World War II, but most of these women were confined to auxiliary work. Women worked as dispatchers or clerical workers and sometime worked with children and young women within the departments, whereas men still had patrol duties and worked as the crime fighters. The role that women police officers originally filled as social workers still strongly defined how women were used in the police force.

Although the overall number of women making up law enforcement officers remained relatively low, the 1950s saw a marked increase in the number of women officers. In the 1950s and early 1960s, there was a new push to advance women in the profession through integration with the men. Some of the younger working-class women wanted to work in the same departments with men, doing the same work. This period saw the re-establishment of the International Association of Women Police and an increased enthusiasm for the profession as a career distinct from that of a social worker. All these changes led to greater demands for equal treatment and opportunities for women police officers, and in 1968, two women from the Indianapolis Police department were allowed to go on patrol duty, just like the men. These new changes in policing would have a dramatic effect on women in law enforcement everywhere.

The women's movement, as well as advances in the law, helped to change how women were able to excel on the police force throughout the 1970's and 1980's. In 1972, Title VII of the 1964 Civil Rights Act was expanded to include public agencies and as a result police departments that were now prohibited by law from discriminating against women in hiring, recruiting and promoting, and working conditions. At the same time, the Revenue Sharing Act and the Crime Control Act, both concentrated on withholding funds from departments that discriminated. From 1960 to 1980, the percentage of women in police agencies doubled and the greater numbers brought greater opportunities and challenges. From the 1970's into the 1990's women in law enforcement agencies have worked for an equal role in all facets of policing. In 1985, Penny Harrington became the first woman Chief of Police for a major city, Portland, Oregon, and Beverly J. Harvard became the first African American woman Chief of Police for the Atlanta Police Department. In the past decade, women have continued to make their mark in law enforcement through major contributions to the profession and many "firsts".

Women - Federal

It was not until August 8, 1969, that President Nixon signed Executive Order 11478, which "provided equal opportunity in Federal employment for all persons; prohibited

discrimination in employment because of race, color, religion, sex, national origin, handicap, or age; and promoted equal employment opportunity through a continuing affirmative program in each executive department and agency.” **For the first time in Federal service, women could occupy positions that they had previously been barred from based on their gender.** Women could now obtain positions that held authority to carry firearms, execute search warrants, and make arrests. For the first time in federal service, women could occupy positions in the GS-1811 special agent and other job series from which they were previously barred from based on their gender. However, since then women in Federal law enforcement has increased at a rate of less than one-half of one percent each year.

Minorities in Policing

Recent discussions in policing have centered on the lack of diversity in the law enforcement profession. It has also resulted in a more in depth look at the culture of policing and its’ role in historical social injustices, as well as its’ devastating impact on trust and legitimacy with the communities. In order to move the profession forward, it is beneficial to review and assess our history with minorities in the law enforcement profession. For example, historically policemen often engaged in wrongful, immoral and, illegal behavior such as being: “bagmen” for the corrupt politicians; paid thugs used by the businesses to bust unionization; corrupt enforcers of “Jim Crow” laws, hunters of slaves, and members of the Ku Klux Klan engaged in lynching black men. Policing was such a low level job, at one point, that only the newly immigrated Irish would take the job. It goes without saying that, at the time, there was little respect for the police and whole segments of the society lived in abject fear of police. Unfortunately, these stories became part of family histories and were handed down from generation to generation creating fear and distrust of the police before any contact ever took place.

The birth and development of the American police forces can be traced to a multitude of historical, legal and political-economic conditions. The institution of slavery and the control of minorities, however, were two of the more formidable historic features of American society shaping early policing. Slave patrols and Night Watches, which later became modern police departments, were both designed to control the behaviors of minorities. For example, New England settlers appointed Indian Constables to police Native Americans (National Constable Association, 1995); the St. Louis police was founded to protect residents from Native Americans in that frontier city and many southern police departments began as slave patrols. In 1704, the colony of Carolina developed the nation's first slave patrol. Slave patrols helped to maintain the economic order and to assist the wealthy landowners in recovering and punishing slaves who essentially were considered property. (A Brief History of Slavery and the Origins of American Policing, Victor E. Kappeler, Ph.D., Eastern Kentucky University)

Understandably, the culture of the law enforcement profession, along with entrenched history of social injustices and underrepresentation of minorities in law enforcement has contributed to distrust between the police, many minority groups, and the communities served.

Additionally, according to “Governing the States and Localities, “Where Police Don't Mirror Communities and Why It Matters”, by Mike Maciag, (2015) states, in part that: “Minorities are underrepresented in nearly every large law enforcement agency in America. A *Governing*

analysis of published 2013 personnel data reported to the Bureau of Justice Statistics finds minority groups remain underrepresented, to varying degrees, in nearly all local law enforcement agencies serving at least 100,000 residents. Racial and ethnic minorities are underrepresented by a combined 24 percentage points, on average, when each police department's sworn officer demographics are compared with Census estimates for the general public. In 35 of the 85 jurisdictions where either blacks, Asians or Hispanics make up the single largest racial or ethnic group; their individual presence in the police department is less than half their share of the population.

According to Delores Jones-Brown, a professor at the John Jay College of Criminal Justice, the policing profession is mired by a legacy of racism, and many of the best-qualified minority candidates instead take their skills to the private sector. Further compounding matters, young black men are disproportionately burdened with prior arrests, disqualifying them from police work. Recent shootings provoking public uproar involved African Americans, so observers most often argue to increase their numbers in law enforcement. There is an even greater disparity for Hispanics, however; underrepresentation averaged nearly 11 percentage points for all agencies reviewed.

According to Andrew Peralta, past president of the National Latino Peace Officers Association: "One possible contributing factor to the disparity: Hispanics may want nothing to do with cops if they've migrated from countries notorious for police corruption. Just convincing them to call police is challenging, so it may take a generation or two before their children view law enforcement as a career." When Peralta makes recruiting trips to schools for the Las Vegas Metropolitan Police Department, not many students raise their hands when he asks if they are interested in becoming cops, he said. By contrast, white males have historically dominated the ranks of local law enforcement, and their children are more likely to view the profession, which often runs in the family, as a viable career. Hispanics who are not U.S. citizens are ineligible to apply for most local law enforcement positions.

For some police agencies, it may be hiring practices, rather than recruiting efforts, that are to blame. Earlier this year, the city of Pittsburgh settled a lawsuit with the American Civil Liberties Union alleging that police exercised discriminatory hiring practices. Police diversity also surfaced recently in Philadelphia, where the police department is becoming increasingly white.

Efforts have failed to keep pace with the country's rapidly changing demographics. In fact, the gap between representation of minorities in police departments and the general population has widened slightly over the last 25 years.

Major demographic shifts are one common denominator of many police departments where officers least reflect the racial and ethnic makeup of their communities. This is particularly true in parts of Texas, California and the New York metropolitan region.

Of all agencies reviewed, minorities are most underrepresented in Fontana, Calif., a mostly working-class city that has welcomed an influx of Latinos and Asian Americans. According to current agency figures, 28 percent of its 188 full-time officers are minorities, compared to

roughly 86 percent of the total population. One of the few agencies where blacks are slightly overrepresented has also seen its demographics shift, but in the opposite direction. The District of Columbia's white population jumped significantly in recent years as the black population dipped below 50 percent. As of 2013, about 59 percent of Metropolitan Police Department officers are black.

Agencies with low turnover often cannot keep up with major demographics changes. Consider the Irving Police Department, which reports they typically hire approximately a dozen officers a year for a department of just fewer than 350. Departments employing fewer officers generally exhibit somewhat greater disparities in part for this reason. In majority-minority jurisdictions, underrepresentation can grow quite high very quickly. Majority-black Ferguson, which only employed a few black police officers at the time of the Michael Brown shooting, was almost entirely white just a few decades ago. Disparities are also common among burgeoning Asian communities, several of which had among the largest levels of underrepresentation nationally. In two majority-Asian cities, Daly City, Calif., and Fremont, Calif., Asians only accounted for approximately 12 percent and 10 percent of sworn officers, respectively."

Clearly, the law enforcement profession has experienced difficulties in attracting and recruiting minority candidates and, as a result, has never truly reflected the communities they serve. Further, every time there was a push to add women and minorities, it was met with protests, from within; arguing that the standards were being gutted or watered down, and that these new diverse recruits were not qualified to be police officers. **The profession aggressively defended every requirement in spite of the fact that there was no connection between the requirement and job performance.** This led to over two decades of discrimination lawsuits and consent decrees filed against law enforcement agencies, resulting in forced compliance with the law.

Lawsuits/Consent Decrees

For example, the "Alabama state troopers "long symbolized systematic oppression in the South and, as late as 1972, remained an all-white institution. In 1963, troopers stood behind George Wallace and his promise of "segregation now, segregation tomorrow, and segregation forever," and, in 1965, beat civil rights activists during the march from Selma to Montgomery. The Southern Poverty Law Center filed *Paradise v. Allen* in 1972 and transformed the state troopers forever and set legal precedent. Alabama was ordered to hire one qualified African-American trooper for every white trooper hired, until the force was 25 percent black. State officials resisted, imposing a virtual ban on hiring to preserve the all-white force and making it difficult for newly hired African-American troopers to complete training. African-American officers also were not allowed to advance by state officials who refused to implement fair promotion tests. In 1987, the case reached the U.S. Supreme Court. In view of the troopers' long history of discrimination, the high court upheld the Center's controversial affirmative action remedy. The case finally ended in 1995, more than 23 years after it began. The Alabama state troopers have been transformed from a symbol of oppression to evidence of affirmative action's success, at the time, with the highest percentage of minority officers in the nation.

During the 1970s and 80s lawsuits filed against police departments mandated agencies increase their numbers of women and minorities. For example, the New York Police Department

Hispanic Society has been involved in challenging entrance and promotional examinations and assessing the status of Hispanic officers in the department. In the early 1970's, as a result of the recruitment drives, Society members discovered that many Hispanics were unable to realize their dream of becoming police officers because they did not meet the departments height requirement. The Hispanic Society addressed the problem locally by attempting to have the Police Department change these criteria; this was an unsuccessful venture, but in 1972, congress amended the Civil Rights Act of 1964, prohibiting the height requirement as it was ruled discriminatory. This resulted in a change in personnel selection practices in the law enforcement field. The removal of this barrier substantially increases the number of women and Hispanics in the Police Department. In 1972, the Hispanic Society joined the Guardians in contesting the entry-level examinations administered in 1968 and 1972. An injunction barred the selection of candidates from those lists. Subsequently, that lawsuit had an impact on those Hispanic and African-American officers who were hired off that list. Those affected received retroactive monies due to their newly designated appointment dates. On October 5, 1979, the Guardians Association and the Hispanic Society lodged a lawsuit, which challenged the June 1979 police examination as not being job-related and its format unlike that of previous examinations. A Federal court ruled, on December 17, 1978, that New York City could not use its latest Civil Service Exam to select new police recruits until the judge decided on a plan to assist African-American and Hispanic applicants to the Police Department. This lawsuit resulted in a hiring quota of 1/3 of the recruits selected being of Hispanic and African-American descent.

More recently, in January 2016, a U.S. Department of Justice, Office of Justice Programs, Office of Civil Rights (OCR), after evaluating the Alabama Law Enforcement Agency's (ALEA) and the Department of Public Safety's (DPS) employment practices regarding recruiting, hiring, and retaining female troopers, issued a Compliance Review Report. The review found that ALEA and the DPS are not in compliance with the civil rights requirements of the Safe Streets Act and its implementing regulations. Specifically, the report cited reservations about the adequacy of the ALEA's and the DPS's: Recruitment Program, Selection Practices, Retention Program, Assignment of Personnel to Equal Employment Opportunity Program, among others. The report cited ALEA and the DPS falling short of their collective Equal Opportunity Employment (EEO) obligations regarding recruitment, selection, and retention, and found that they did not dedicate adequate resources to their EEO efforts. Further, the report cites that received funding under Safe Streets Act must utilize non-discriminatory selection devices in hiring employees, such as Troopers. The OCR found that the DPS was not in compliance with the Safe Streets Act's EEOP regulations because it did not analyze whether its recruitment program effectively encourages women to apply for the entry-level trooper position. Because the Department did not evaluate readily available data, it hired troopers in 2014 from an applicant pool that contained an astonishingly low percentage (i.e., 5.72%) of female applicants. The report, in part, states: "A recipient that receives funding under the Safe Streets Act must utilize nondiscriminatory selection devices in hiring employees, such as troopers. Under the Safe Streets Act's regulations, the OCR applies Title VII of the Civil Rights Act of 1964 (Title VII) to determine whether a recipient engaged in prohibited, sex-based employment discrimination against applicants. Title VII prohibits a recipient from adopting employment practices that are "fair in form, but discriminatory in operation. The Supreme Court enunciated this disparate impact theory of discrimination in *Griggs v. Duke Power Co.* According to the *Griggs* Court, under Title VII, employers cannot erect employment obstacles that serve as "built-in headwinds" and

prevent members of protected classes, like women, from accessing particular job opportunities. Congress later amended Title VII to codify Griggs' disparate impact test." The OCR concluded that the ALEA and the DPS must undertake additional steps to ensure compliance with the Safe Streets Act and its implementing regulations. The OCR's Compliance Review of the ALEA and the DPS is part of a broader compliance review initiative that evaluates the efforts of law enforcement agencies to employ women as sworn officers. This project aligns with the DOJ's strategic plan, which prioritizes the enforcement of federal laws prohibiting discrimination in employment. To achieve this goal, the plan encourages DOJ components to investigate and address discrimination against female applicants and employees.

Research documents that the biggest gains for women and minorities in sworn law enforcement positions are seen in agencies that are subject to a consent decree and/or other court order that mandates the hiring and/or promotion of qualified women and minorities. Most of these decrees were imposed after women and minorities brought discrimination lawsuits against their departments. For example, Pittsburgh Police Department was under a court order from 1975 to 1991, mandating that for every white male they hired they were to hire one white female, one African-American male, and one African-American female. At the time the court order was imposed, Pittsburgh had only 1% women at the rank of police officer. By 1990, the department had the highest representation of women police officers in a major U.S. metropolitan city at 27.2%. Unfortunately, evidence suggests that progress in these agencies often erodes as soon as the consent decree expires or is otherwise lifted by the courts. Once the court order against Pittsburgh Police Department was lifted, for example, the number of women hired dropped dramatically from the 50% ratio mandated under the court order to 8.5%. As of 2001, the percentage of women serving in the rank of police officer was down to 22% and continuing to decline. The example of Pittsburgh Police Department is particularly disturbing given the declining number of active consent decrees and the unwillingness of the Civil Rights Division to bring lawsuits and negotiate such decrees." (Southern Poverty Law Center, *Paradise vs. Allen*).

Without lawsuits consent decrees imposed to remedy discriminatory hiring and employment practices by law enforcement agencies, it is clear that the marginal gains women and minorities have made in policing would not have been possible. Even with these marginal gains, the fact remains that women have faced a long history of resistance, seclusion and discrimination through their underrepresentation in the law enforcement profession. Although, women have made great strides and equality in many other traditionally male dominated fields, i.e. medical, legal, etc., women have been slow to gain traction in the field of policing, one of the last strongholds of a male dominated profession. Minorities have experienced a long history of prejudices, injustices and racism in society and, unfortunately, in policing. In addition, history indicates that, when mandated through a lawsuit or consent decrees that police departments, can and will diversify. **Although society and policing have come a long way, we still have a long way to go to remove bias and make law enforcement a progressive and welcoming profession and one that truly reflects the communities that we serve.**

THE VALUE AND IMPORTANCE OF DIVERSITY IN LAW ENFORCEMENT

Benefits of Diversity

The International Association Chiefs of Police (IACP), “A Symbol of Fairness and Neutrality; Policing Diverse Communities in the 21st Century” (2007) defines the overall benefits of a diverse police agency as:

“Having a department that reflects the community it serves helps to build trust and confidence, offers operational advantages, improves understanding and responsiveness and reduces the perception of bias.”

In addition, the Law Enforcement Recruitment Toolkit developed by the Community Oriented Police (COPS) and IACP list the specific benefits of diversity as:

- **Diversity assists officers in developing a broader range of solutions**
- **Diversity assists in developing balanced, relevant and culturally sensitive responses to community problems and critical incidents**
- **Diversity enhances mutual understanding between the department and the community**
- **Diversity helps increase mutual understanding between the police and the community they serve**
- **Diversity reduces stereotyping of groups by the police and reduces stereotyping by the community of the police**
- **Diversity inspires members of underrepresented groups to support the police**

Diversity and inclusion is not simply about gender, race and ethnicity, it is about the depth of knowledge and problem solving diverse individuals from different races or cultures contributes to the goals of serving and being part of our communities. With the expansion of women and underrepresented minorities, the diversification of policing will allow for perspectives and viewpoints that are more comprehensive. Further, it will allow for greater flexibility and greater depth, involving people who can meaningfully address a problem, as part of law enforcement’s response. Flexibility not only includes a physical response, but an ability to address an issue through more effective communication. A diverse workforce results in better communication and a better understanding of all factors involved in resolving problems. For example, it is critical that members of agencies/departments speak a variety of languages and/or possesses language skills to effectively communicate with our diverse communities. Research suggests that greater diversity also increases the intelligence quotient of the organization. Increasing the intelligent quotient of a (n) agency/department not only identifies issues before they become problems, it also harnesses a more robust problem solving process that will create stronger bonds with the communities served. Differing viewpoints and increased intelligent quotient brings about a deeper level of empathy to the organization and leads to improved communication and problem solving both within and outside the agency. Empathy cannot be taught in any police academy and unfortunately, is a rarely sought out or valued personality trait in the law enforcement hiring process. Even in the face of research that shows when police demonstrate a deeper level of empathy, members of the community are more accepting of law enforcement’s

decisions. The better a law enforcement agency is at problem solving, the greater the depth of empathy they develop and, as a result, citizens trust and believe that these officers/agents are making good and unbiased judgments and decisions that have everyone's best interest in mind. Simply stated, diversification and inclusion in policing enhances the profession and better serves the communities that we serve.

The Advantages to Hiring More Women, including Women of Color:

A study published by the National Center for Women & Policing (2003), *"Hiring & Retaining More Women: The Advantages to Law Enforcement Agencies identified:*

Six Advantages for Law Enforcement Agencies to Hire and Retain More Women:

- **Female officers are proven as competent as their male counterparts are.**
- **Female officers are less likely to use excessive force.**
- **More female officers will improve law enforcement's response to violence against women.**
- **Female officers implement "community-oriented policing."**
- **Increasing the presence of female officers reduces problems of sex discrimination and harassment within a law enforcement agency.**
- **The presence of women can bring about beneficial changes in policy for all officers.**

The NCWP research further shows that women in law enforcement:

- Rely on communication skills and interpersonal skills to a greater degree and are less likely to use excessive force
- Support community policing
- Emphasize communication and cooperation with citizens that may lead to better intelligence collection.
- Use appropriate levels of force (not excessive force) in diffusing situations
- Respond more effectively to crimes of violence against women, such as domestic violence and sexual assault
- Reduce incidents of sex discrimination and sexual harassment as their numbers increase
- Change the climate to allow for the incorporation of more family friendly policies that are beneficial to all
- Provide a different perspective that encourages management to examine practices to provide better law enforcement operations and services

Research has shown that women tend toward a different style of policing that relies more on communication skills. Further, it demonstrates that women tend to be better communicators and listeners and are better at forming consensus. **In a highly competitive and increasingly fractious world, women possess the kind of critical problem-solving skills that are urgently needed to break down barriers, build understanding, and create the best conditions for law enforcement to effectively address its jurisdictional responsibilities, as well as contribute to the future of law enforcement.**

Over the past several decades, there has been a fundamental change in law enforcement from the “warrior” to the “guardian” style of policing, from a traditional physical-policing model to a more strategic method that relies increasingly on crime prevention, technology, problem solving, and conflict resolution, among others. Such changes also necessitate reliance on analytical skills, communication skills, and “brainpower.” Research conducted, over the last 25 years in the United States, and internationally, clearly demonstrates that women in law enforcement rely on a different policing style than typically used by men—a style that uses less physical force and more problem-solving and/or conflict-resolution skills. This shift away from a physical-policing stereotype to a more tactical and cerebral approach cited in the President’s 21st Century Policing Task Force Final Report, requires the very skill sets that research consistently shows that women bring to law enforcement. In addition, (NCWP, 2003) female police officers almost never use excessive force, although they use the same amount of appropriate force, saving their agencies/departments a substantial amount of money in excessive force lawsuits. This research also demonstrated that women are less likely to draw and/or utilize their weapon and tend to look for non-physical solutions, are more likely to de-escalate conflict, and are better at community outreach.

Research also indicates that the law enforcement profession overemphasizes the physicality of the profession, with agencies tending to embellish the physical attributes of the job; at the same time, the more realistic duties and responsibilities of the profession are not highlighted. A number of studies document that both police officers and community members are concerned that women are not strong or aggressive enough for police work; however, physical strength has not been shown to predict either general police effectiveness or the ability to successfully handle dangerous situations. Rather, some have suggested that other characteristics might be preferable to physical strength, such as the ability to diffuse potential violence and maintain composure in situations of conflict. In this regard, female officers not only exhibit more reasoned caution than their male counterparts do, but they also increase this tendency in their male partners. Strength is relative and situations arise where tactics, which are a learned skill, are most important. In addition, physical standards (often artificial barriers) serve to weed out women and men who could potentially implement an alternative and effective model of policing that focuses more on the de-escalation of conflict and effective communication. Women are also better able to facilitate the cooperation and trust that are required to implement today’s community-policing model. Recognizing these more contemporary and “guardian” type skill sets is the first step in analyzing an agency’s/department’s needs to successfully accomplish their goal of protecting and safeguarding our communities. Once this is accomplished, along with appropriate changes to recruitment practices, policies and tactics, a tremendous opportunity for recruitment of female and minority candidates is created.

Research conducted by Tarr-Whelan (2009), indicates that when organizations achieve a level of 30%, participation, at every level, of any minority category, the group begins to effect culture change from within. The research further indicates that:

- 30% representation of women, at every level, is identified as a strong starting point.
- at 30% representation of women, we begin to see concrete, positive outcomes for everyone – not just women.
- 30% representation of women is the proven tipping point

- at 30% representation of women in executive level positions; real change starts to happen
- a few “first women” making key decisions in high place does not have any significant impact on the organization

Although there are many overlapping issues and recommendations when it comes to addressing women and underrepresented minorities in the field of law enforcement, there has been considerably less research conducted on the specific impact, value and benefits of diversity, specifically, race and ethnicity and its impact on policing. However, it is evident, through our communities, anecdotal successes and research, that when law enforcement achieves greater diversity is able to more effectively build trust and better serve its communities

Even though we may not have a large body of research, we do know that each race and ethnic group have unique characteristics which requires agencies to create different approaches to recruit, retain and promote minorities. For example, the Alhambra Police Department found (Mar, 2005) found that when recruiting Asian Pacific male and female candidates they must address the family’s cultural beliefs law enforcement is a poor investment of their child’s education, the job lacks prestige, and it is not an honorable profession.

In the area of promotions, the American Association of University Women (AAUW) found that when looking at finding a mentor/sponsor both women and men of color have a more difficult time because they often do not live in the same communities, participate in the same community events or send their children to the same schools as their managers which limits access.

CULTURE AND BIAS IN THE LAW ENFORCEMENT PROFESSION

To effect transformational change, we must take a realistic and in depth look at the culture of law enforcement, including the barriers that inadvertently discourage women and minorities from considering a career in law enforcement and/or contribute to unsuccessful recruitment, hiring, and retention efforts.

As a profession, we were slowly evolving, and then three things happened: the War on Drugs, the War on Crime, and the War on Terrorism. Each one transformed the perception of law enforcement presence as a negative occupying force (warrior) in their communities rather than the protectors (guardians) of their communities. It also led to recruitment tactics that spoke of the excitement and danger of the job, rather than the obligation of ethical service to the community. This is also evident and unmistakable in many recruitment brochures, often depicting elite officers repelling out of a helicopter or a SWAT team breaching a door. This culture and recruitment style lends itself to recruitment of a generation of individuals, mostly men, who gravitated towards the job for prestige, status and excitement. It also generated interest from a generation of individuals, primarily with a warrior mindset, and we, in turn, established standards and requirements to support the warrior. In 2000, the U.S. Commission on Civil Rights published, “Revisiting Who is Guarding the Guardians?” A Report on Police Practices and Civil Rights in America. This report focused on the last 20 years, since the organization had made their first set of recommendations. They found that many of the same issues still persisted, with little meaningful change, including:

- A serious underutilization of people of color and women will prevent police departments from functioning effectively.
- Law enforcement agencies have not been able to maintain diversity because they do not specifically direct their efforts to communities of color and women even as negative perception of the police persists and barriers remain.
- Biases may exist in the selection process that eliminates women and candidates of color, including background checks and psychological testing (including a lack of psychologists of color) evaluating candidates from inner cities vs. white suburbs.
- Promotion and reward systems may have bias built into them with their focus on statistics instead of focusing on civil rights, including a focus on statistics that may encourage officers to generate statistics instead of performing community policing.

Sue Rahr and Stephen Rice (2015) write that a law enforcement officer's mission is to protect the community and the rules of engagement evolve as an incident unfolds. The soldier's mission is to conquer and rules of engagement are determined before the battle begins acting on orders from superiors whereas the law enforcement officer rarely operates under direct supervision. They further state that: **"There are two things cops hate: the way things are, and change. When we add the emotional implications of changing culture, we must anticipate and be prepared for strong resistance. That resistance will be intensified because we are challenging the very core of the warrior identity that many have embraced in the popular culture of policing. Furthermore, we are challenging the strict paramilitary organizational structure that is a hallmark of many police agencies."** Further, according to Chief Robert Lehner, as cited in Police Executive Research Forum (2015): "The concept of police officers as warriors, whether we like it or not, has run through our profession, certainly for the almost 40 years I've been in it. I think we should make an adjustment, and I wonder how that adjustment is going to be accepted by the rank and file of our profession, when we have drilled that concept of warrior into them from the beginning, and as "guardian," not so much. I think we need to confront this issue, however."

Furthermore, the shared experiences of the community follow us throughout life and often involve feelings of comfort, safety and understanding. Police officers/agents develop their own communities within the organization and through professional associations and unions, where they feel safe and comfortable enough to discuss issues. Unfortunately, this also increases bias against others. Often, managers and leaders feel more comfortable surrounding themselves with friends or individuals they "came up" with on the job or friends, creating additional challenges to diversification. This strategy has often resulted in a less informed or narrow-minded decision-making process and the creation of a management team that demonstrates less flexibility in viewing all sides of a problem and a solution, in part, due to the lack of women and minorities.

The single largest issue facing the recruitment and retention of women is the inherent "cultural barriers" in law enforcement. In a survey conducted by WIFLE (2008), respondents identified the negative attitudes of their male colleagues and work/life issues as their biggest challenges. Further, in WIFLE's 2003 survey almost half of those surveyed indicated that they had experienced sexual harassment in their agency, and in a more recent survey, 62% reported experiencing sexual harassment. Although "cop culture" is, both well researched and well documented as a hegemonic and masculine subculture, some law enforcement organizations

have had better results than others have when it comes to changing the culture to fit the needs of today's law enforcement challenges. The law enforcement culture remains male dominated and values the hierarchal systems as a way to carry out its operations and services.

As outlined previously, research clearly demonstrates that women police differently and that how the value and contributions they make is highly beneficial to the profession. However, research on tokenism (Yu, 2014) reflects that groups maintain a "token" position in a group until they reach approximately 30 % representation of the department/agency population at every level. Until then, members of underrepresented groups maintain the status of being in the agency, but never really become part of the agency. This may also significantly contribute to a lack of culture change because there are insufficient numbers of minorities to effect culture change, clearly resulting in a far reaching impact on recruiting, hiring and maintaining a diverse workforce.

In addition, the effect of implicit bias and "out groups" has an adverse impact on women and minorities. Goldin and Rouse (2000) studied the relationship of instituting totally blind auditions and its impact on the hiring of women among the top U.S. Symphony Orchestras between 1970-1996. Many conductors regarded women as over emotional, requiring more attention, and inferior musicians. However, when blind auditions were instituted they found that they increased the probability that a woman would advance to the next round by 50% and a 30% increase in the proportion of women among new hires. The study explained that some auditions even included the use of carpet to hide the sound of women's high heels. This study shows the impact of "implicit bias". It also illustrated that even the most talented musicians, who pride themselves on the ability to discern talent, allowed bias to creep into their selection process changing what they heard and eliminating candidates who should have been considered.

Each of us holds biases that influence the way we think and evaluate others. This is particularly true in regards to the way women and minorities are viewed within agencies/departments and police departments. Often, male co-workers view women's use of their communication skills to de-escalate potentially violent situations as a sign of weakness and/or fear of physical engagement. Supervisors, often, contribute to the problem by not correcting these officers/agents and/or by holding the same opinion that women are less capable. In turn, women and minorities often fight biases to include misguided perceptions that physical standards are lowered in order to accommodate them. As a result, the law enforcement's profession's lack of diligence in addressing personnel issues in recruiting, hiring, training, performance evaluations, and promotions leave their employees open to the negative impact of implicit bias. In turn, implicit bias contributes to how officers interact with the community, often leading to communication that is perceived as disrespectful. Implicit bias contributes to how an officer perceives they are supposed to act and interact with the public, often coming across as tough, insensitive or unsympathetic, with a commanding presence. This persona is in contrast with the reality of what the public wants, which is an officer that listens to them, respects them, and helps them solve the problem at hand.

In the mid 1970's, Goldstien (1977) examined patrol work and found the majority of an officer's time was spent dealing and interacting with the public. The skill sets required to perform these functions were not compatible with the skill sets that the officers were recruited, screened, and

trained. The law enforcement agencies, in general, adhere to the “selecting out” or “hurdle process” of recruiting and hiring because they cling to an outdated perception of police work. (Scrivner, 2006) In addition, the paramilitary structure of departments, along with their respective training academies, do not support actual police officers duties and responsibilities or an individual approach to personal professional development.

The law enforcement culture is one that is deeply entrenched in a climate that demands sameness and assimilation. The paramilitary structure of agencies forces uniformity and a culture where questions about policy and procedure are discouraged and people displaying independent thought are viewed as disrespectful of leadership. “Police subculture is the primary impediment to change and reform and must be expunged...” (Clark 2015). This assimilation to fit in where “Blue” (the unwritten rules that exist among police officers) trumps everything leads to “us vs. them” culture and the development of the “Blue Wall of Silence”, where good law enforcement officers support those they should not and fail to support those that they should. There are some who proffer that this may be the result of “blue” trumping race or that the issue of race and culture are overshadowed by being male. This could also be related to department’s/agency’s paramilitary culture, adherence to Veterans Preference provisions, and adoption of the perception that veterans make good police officers. Hiring veterans fits into and reinforces a paramilitary culture and, reinforces law enforcement’s Blue Wall. Although law enforcement has benefitted tremendously from an insertion of military personnel possessing special skill sets and good leadership qualities, there is no linkage between military experience and successful performance as a law enforcement officer. More importantly, an unwavering reliance on Veterans Preference severely limits our ability to hire women and other underrepresented minorities. In 2013, the Department of Defense reported that women comprise approximately 14.9 % of active military personnel. Even if there were sufficient numbers of female and underrepresented minorities to recruit, the issue remains that a heavy reliance on veteran’s leadership skills is only magnifying our problem of increasing the numbers of women and some minorities.

It is our fervent hope that **this unique opportunity to lead transformational change, particularly culture change, in a law enforcement profession that embraces women and minorities is embraced and will go a long way to more effectively serve the citizenry and the communities in which they live.**

PROCEDURAL JUSTICE

As the President’s Task Force on 21st Century in Policing Report states: “Adopting procedural justice as the guiding principle for internal and external policies and practices can be the underpinning of a change in culture and should contribute to building confidence, trust and legitimacy within the agency/department and within the community.

The Final Report of the President’s Task Force on 21st Century Policing describes procedural justice as incorporating four central principles:

- Treating people with dignity and respect
- Giving individuals a voice
- Being neutral and transparent in decision making and

- Conveying trustworthy motives.

Furthermore, “there is a growing recognition of the need for police executives to treat their employees with the same sense of legitimacy and procedural justice that applies to members of the public.” This is sometimes referred to as “internal legitimacy” or “internal procedural justice.” When the leaders of a police department treat their officers with dignity, respect, and fairness – for example, by creating meaningful and transparent paths for career advancement, ensuring that disciplinary system are fair, and soliciting officers’ views about major issues of policy and practice, they increase the likelihood that the officers will show initiative and seek to do a good job.

Further, according to “Implementing a Comprehensive Performance Management Approach in Community Policing Organizations: An Executive Guidebook. (Branley and Luna et al, 2015) “Internal procedural justice is important not only because it represents the right thing to do but also because officers who experience procedural justice from their supervisors are more likely to understand those principles and use them in their interactions with the public. Essentially, “police leaders who use procedural justice with officers are modeling the types of behaviors that they want officers to demonstrate in their dealings with community members.” To achieve trust and legitimacy in our communities, agencies/departments must first accomplish internal legitimacy. **A commitment to building trust and legitimacy, is a commitment to expanding diversity, and is the cornerstone of tenants of procedural justice.**

PART TWO – RECRUITMENT AND HIRING: ISSUES AND RECOMMENDATIONS

There has been a wide variety of studies and research conducted over the past several decades that, without exception, provided sound recommendations to increase the number of women and underrepresented minorities in the law enforcement profession.

In 2010, the Rand Center on Quality Policing published a series of studies on recruiting and retaining police officers in general. These studies outline steps police departments can take to increase their recruitment and retention of officers. The report cites many of issues previously identified, along with recommendations and guides for overcoming such challenges.

The “President’s Task Force on 21st Century Policing” outlined issues and made recommendations in regards to: building trust and legitimacy; policy and oversight; technology and media; policing and community reduction; training and education officer wellness and safety. Many of the task force’s concrete recommendations were centered on culture change in law enforcement and improvements for law enforcement to bridge the gap and build trust with their communities. While diversity in policing was a focal point of the discussion and make recommendations, little time was dedicated to addressing the underrepresentation of women and the advantages and importance of gender equity in policing.

As part of a Department of Justice grant, The National Center for Women and Policing published “Recruiting and Retaining Women: A Self Assessment Guide for Law Enforcement (2000) to

assist police departments in recruiting and retaining women. This handbook identified issues and outlined assessments and recommendations for police departments to increase the numbers of women hired. This project included the institutional concepts of procedural justice, as well as: advantages to hiring more women; developing a job description; removing obstacles in the selection process; designing a quality recruitment academy; mentoring; evaluating family friendly policies; monitoring performance appraisals; assignments and promotions; preventing sexual and gender harassment; ensuring impartial internal affairs systems and developing fair and effective award programs.

In addition, WIFLE has conducted research projects, including: “In the Face of Challenges, Women in Federal Law Enforcement Persist and Excel” (Keverline, 2003) and “An Examination of Eight Factors Influencing Women’s Retention in Federal Law Enforcement”, (Yu, 2015) and posted “Pregnancy Guidelines for Federal Law Enforcement” (2011), among others. The research contains information and recommendations regarding the recruitment, retention and promotion, for rarely studied sector of women in federal law enforcement.

Over the past several decades, there has been a plethora of studies, along with concrete recommendations on the importance of diversity in law enforcement and sound recommendations on how to increase the numbers of women and minorities. Unfortunately, **by every measure, agencies/departments have been excruciatingly slow at hiring women and underrepresented minorities. One thing, however, is very clear: the problems have moved from an inability to recruit and retain female and minority applicants to the inability to recruit any qualified candidates.**

RECRUITMENT PRACTICES

Law enforcement agencies nationwide are experiencing severe problems in recruiting women and many underrepresented minority groups. Every agency should strive to create a workforce that contains a broad range of diversity that includes race, gender, sexual orientation, language capability, life experiences and cultural backgrounds (Pillar 1 Recommendation 1.8). We acknowledge that there are a number of external issues that impede and undermine police diversity, including:

- We hire personnel with the intent that employment will last for 20-30 years and hiring cannot exceed the attrition rate and or the budget.
- Small communities departments may only be able to afford to hire individuals with prior law enforcement experience or those who pay to become certified, severely limiting their outreach to officers from other communities and people who can afford to self fund their certification training. This requires small agencies to be more creative in their recruitment programs.
- University and college police departments serve populations that do not age and at the end of the day university employees retire to communities outside the university, whose demographic makeup does not match the student body.
- Federal agencies serve all communities and geographic locations. Their nationwide reach allows them greater access to talent, but their hiring processes, security clearance, education requirements, resident training academies, mobility requirements, along with

lack of pregnancy and family friendly policies may discourage and/or eliminate many potentially qualified candidates.

In addition, according to Rand (2010), “Police Recruitment Retention for the New Millennium and Beyond The State of Knowledge” there are five causes of attrition, Baby Boomer retirements, military call-ups, changing generational expectation, budgets, and organizational characteristics. Attrition is increasing as the demand for expanding police functions increases and the candidate pool decreases. The newest generation is more likely to have used drugs, have “unacceptable” debt levels, and health issues (obesity). Revisiting these policies to address these issues, will in turn, likely increase the pool of qualified applicants. These challenges can often be mitigated and/or overcome by creating and maintaining a comprehensive and targeted recruitment strategy. Focused recruitment strategies help, but to effectively implement new strategies, it is important to do an in depth review of recruitment practices and develop a comprehensive recruitment plan focused on hiring and retaining women and underrepresented minorities.

Policing is an ever-changing profession and, subsequently requires ever-expanding skill sets. It is also more important than ever that the law enforcement profession maintain a cognitively diverse workforce. The expanding demand of law enforcement touches three critical areas:

1. Community policing requires increasing the number of functions as well as skill sets required to perform those functions.
2. Homeland Security requirements have added counterterrorism, intelligence gathering and analysis, threat assessment development, and new task forces, and
3. Globalization has increased complexity of criminal organizations.

These three areas require skill sets that most police departments have given little thought to and/or have not adequately addressed by incorporating these required skill sets into their current job descriptions. Skills such as effective communication, collaboration, advanced computer skills to include cyber security, forensics, intelligence gathering, analysis and dissemination, physical and industrial security analysis necessary to safeguard the public and targets of opportunity and the increasing complexity of crime throughout the country. Coincidentally, the aforementioned skill sets are requirements for secret and top-secret security clearances. Historically, these skill sets have not been part of law enforcement’s requirements and law enforcement has been slow to catch up with the changing profession and the new demands. As a result, our policies on hiring and positions descriptions have also not been changed to accommodate these newly identified necessary skill set. These new demands add to the law enforcement profession’s challenges to recruit talent. Law enforcement’s need for added skill sets puts it in direct competition with other businesses that can compensate at a much greater level, provide perks, flexible work schedules, continuing training and advancement, and inclusive cultures.

RECOMMENDATIONS:

To create a diverse and responsive agency, leaders must analyze their agency/department at every level of the organization. Much of that review is time consuming, but it does not

necessarily require expensive consultants. An agency with limited resources can often find expertise within their community through colleges, businesses, non-profit organizations and community groups/members. Allowing community members access and involvement in the process, to the extent possible, creates transparency and goes a long way in creating better relationships with community. Every leader should review the following:

- What is the internal climate of the agency/department?
- How are agency/department law enforcement personnel viewed the community?
- How do agency/department employees treat one another? How does the organization treat their non-sworn or administrative personnel? How do employees view leadership?
- What is the attrition rate and why do people leave? Is there a difference in attrition for sworn, non-sworn and support positions?
- How many sexual harassment or sex discrimination allegations have been filed against the agency in the last 5 years?
- How many internal affairs investigations are there and for what? How many anonymous allegations are there? Is there a disparity in the number of women, minority and male subjects of internal review compared to the percentage of each in the agency?
- How does the department prioritize and treat sexual assault cases, rape cases, hate crimes and the victims?

Every agency/department should review the demographics of their community in order to understand which groups are growing larger, who has newly arrived, moving out, as well as identification of religious communities, major employers, etc.

- How does the community view the police?
If sections of the community view police negatively create an action plan to address those perceptions and what groups can help you counter a negative image.
If sections of the community view the police positively, can that be duplicated in other communities?

Every agency/department should develop a diversity plan that is practical, obtainable, flexible, and likely to attract women and underrepresented minorities.

- Search out non-traditional college majors such as, social work, education, public administration and health/fitness, along with targeting college sports teams and outreach to other professions, such as teachers, attorneys, nurses, non-profit employees, etc.
- Work with the National and local affinity groups to partner in order to develop and maintain a diverse workforce (**Pillar 1 Action Item 1.8.2**)
- Engage community civil rights groups, businesses, religious and educational entities, communities organizations, and non-profit organizations to help you recruit diverse qualified candidates.

The following is a list of areas to address when conducting an organizational-wide review of your recruitment and hiring strategies: Recruitment Plan, Outreach/Targeted recruitment, Positions Descriptions, Web Site/Vacancy Announcement, Recruitment Board, Advisory Committee, Role of Executives, Managers, Recruitment Board, Recruiters, Hiring Process,

Interview Process, Background Process, Selection Process, and Education/Student Career Programs.

RECRUITMENT PLAN

Findings from independent audits show that “the culture” is so engrained, that most police departments or law enforcement agencies are unaware that conscious and unconscious bias “exists” in their organizations. This bias adversely affects the recruitment, hiring, and promotion processes of most police departments and law enforcement agencies – to include those departments and agencies whose leaders are actively trying to revamp or create robust programs to hire women and minorities. Written test, oral interviews, background investigations, psychological evaluations, physical and firearms testing, all, most likely, need adjustment to assess the skills and abilities required of today’s law enforcement professional. As a result, in order to create and maintain a robust comprehensive recruitment strategy, the strategy must become a living document requiring leadership to continually review and modify.

RECOMMENDATIONS:

All departments and agencies should evaluate the following policies and programs within their current Organizational/Agency-Wide Recruitment Strategy (OARS).

The OARS should include an evaluation of the following:

- *Recruitment Plan*
- *Outreach/Targeted Recruitment Plan*
- *Position Descriptions*
- *Brochures/Recruitment Materials*
- *Web Site/Vacancy Announcement*
- *Recruitment Board*
- *Advisory Committees – Women/Minorities*
- *Role of Executive Managers, Recruitment Board, Recruiters and Employees*
- *Hiring Process*
- *Interview Panel*
- *Background Process*
- *Selection Process*
- *Education/Student Career Programs*
- *Other Appointment Authorities*

These evaluations should also include a comprehensive review of the demographics of your community, coupled with statistically driven assessment of your agency’s/department’s sworn law enforcement personnel by race, ethnicity and gender. Every effort should also be made to ensure that agency/department recruitment plans; policies and every type of written correspondence contain gender-neutral language.

OUTREACH/TARGETED RECRUITMENT

Building partnerships and establishing individual relationships have a direct impact on a potential recruit's knowledge of and interest in an agency. According to research, effective recruitment sources are as follows: businesses owned and/or frequented by women/minorities, colleges and universities frequently attended by females/minorities, and female dominated occupations. In addition, distributing recruitment materials and vacancy announcements to the following targets are effective strategies: health clubs or sporting events with female/minority membership and community colleges and universities with predominately female/minority attendance, including sororities and fraternities. Advertising in publications, and on radio and television, that attract a female and minority audience and Web sites dedicated to women and minority issues are good recruitment sources. Community leadership outreach can also be an effective source of female and minority recruitment.

Agencies/Departments should also use its Public Affairs office, or appropriate office, to maximize media attention on its desire to recruit more women and minorities. The strategy could include a kickoff recruitment campaign with a press announcement, the profiles of women and minorities in publications/interviews, and a recruitment video that features women and minorities. Often local media will extend free services to departments/agencies with limited resources. In addition, local colleges may be willing to assist in the creation of a recruitment video.

According to current research, tuition reimbursement and continuous learning programs are strong incentives for college graduates. Agencies should re-evaluate academic requirements and consider creating or using already established student loan repayment program to attract and recruit highly qualified applicants, where feasible. In addition, agencies/departments should highlight its continual learning opportunities, internships programs, etc.

RECOMMENDATIONS

- *Develop a comprehensive recruitment plan adhering to the of the President's 21st Century Task Force Report, ensuring that the requirements reflect current and updated duties and skills sets*
- *Design and implement a targeted recruitment strategy, specifically aimed at women and under represented minorities*
- *Develop a consolidated and relevant list of academic- and profession-related leadership trainings/conferences and career fairs that target women and underrepresented minorities*
- *Develop and strengthen existing partnerships with women and minority organizations*
- *Target schools with large female and minority attendance and graduation rates*
- *Conduct research and/or utilize contractor to target recruitment locations*
- *Establish procedures to ensure follow-up with each interested applicant*
- *Create a policy for communicating with and guiding candidates through the entire hiring processes*
- *Consider establishment of a cadet, student and/or internship program*

POSITION DESCRIPTIONS

The position description is the basis for recruiting and evaluating applicants. A current, accurate position description, which clearly defines the duties and responsibilities of today's law enforcement officer, is essential to recruitment, hiring, and retention. Most position descriptions were written decades ago and remain in place today. These recruitment materials and position descriptions are heavily focused on the physical aspects and requirements of the position and not reflective of the actual duties and responsibilities of 21st Century law enforcement. All position descriptions, recruitment materials, and websites require updating to reflect a policing mission focused on collaboration, communication, partnerships, and community service. Although the need for physical readiness cannot and should not be underestimated, the message sent to potential recruits is that our response to crime fighting is through physical force and skills such as effective communication, conflict resolution, and de-escalation of conflict are not as valued. Position descriptions should emphasize effective skills such as problem solving, conflict resolution, and community commitment, testifying in court, interview techniques, recognition of the value of diversity, and proactive measures to reduce crime. Emphasis must also be placed on report writing, intelligence analysis, computer skills, mediation, presentation and organizational skills, and the ability to establish collaborative relationships. Further, job descriptions should incorporate integrity, dependability and cultural competence as job requirements. Subsequently, all agency/department recruitment practices and procedures, academy training/requirements, and long-term strategic plans must reflect these changes throughout. More accurate position descriptions depicting current duties and responsibilities of 21st century policing and the resulting change in the emphasis on skills required, will greatly assist in attracting a different candidate, including more women and minorities.

RECOMMENDATIONS:

- *Update position descriptions to reflect current duties and responsibilities and the shift to a contemporary approach to law enforcement*
- *Emphasize skill requirements focused on effective communication, problem solving, conflict resolution, critical thinking, de-escalation of conflict and community commitment*
- *Rewrite employee position descriptions to match new policies/procedures and requirements, that include all aspects of procedural justice*

RECRUITMENT BROCHURES AND MATERIALS

Recruitment brochures often depict women and minorities performing aspects of the officer/agent position and contain a good description of some of the skills required to be an effective officer/agent. However, the language still emphasizes physicality and portrays a culture of masculine appeal. Many recruitment brochures state that applicants must be tough—both physically and mentally. Among other “highlighted” requirements are rigorous training, personal risks, irregular hours, extensive travel, and random reassignment, creating an impression of hardship and deprivation that is less than appealing to many candidates. Although these are certainly aspects of the officer/agent position, they do not portray the day-to-day realities or the true description of today's service-related and community-oriented police work.

Recruitment materials require an accurate description of the position and give a positive overview of benefits that highlight family-oriented policies, including maternity and paternity benefits; training and mentoring programs; a physical fitness program that encourages a lifetime of fitness; and a realistic expectation of career advancement. Materials should state the mission and vision of the agency and accurately describe the duties and responsibilities of the position. In addition, brochures and materials should be inclusive of women and minorities and depict and emphasize policies and a culture that are reflective of the true nature of policing to include effective communication, interviewing skills, report writing, testifying, collaboration, partnerships, and community outreach, as well as a realistic view of the physical and tactical requirements. Finally, these materials should also highlight family-friendly policies and include policies that address the needs of employees to attract the newest generation.

RECOMMENDATIONS:

- *Update all recruitment materials emphasizing a more diverse and contemporary law enforcement agency*
- *Create materials that reflect the policing mission and vision and accurately describe the duties and responsibilities of an officer/agent, including effective communication, interviewing skills, report writing, collaboration and community involvement.*
- *Prepare recruitment materials that provide an accurate description of the position and highlight the benefits of family-oriented policies, including maternity and paternity benefits; training and mentoring programs; a physical fitness program that encourages a lifetime of fitness; and a realistic expectation of career advancement*
- *Design specific recruitment materials to target women and minorities*
- *Create materials that reflect the agency's/department's emphasis of an inviting culture for all*
- *Expand distribution of recruitment materials through all appropriate venues, including women and minority rich environments*

WEB SITE/VACANCY ANNOUNCEMENT

The Web site and other electronic media are critical to communication with the public, including advertising job opportunities. Once an individual's interest has been piqued, this becomes the main source of detailed information. Agencies/Departments should establish a specific section on its Web site to recruit women and underrepresented minorities by presenting the unique and challenging aspects of the job; advertising family-oriented policies; and providing updated information for individuals seeking positions. Increased use of twitter, instant messaging, Facebook, and other technologies are effective means of reaching out to a new generation of diverse candidates.

RECOMMENDATIONS

A streamlined process should also reflect the following principles:

- *Create a user-friendly application process that is not unduly burdensome or time consuming*
- *Draft clear and understandable job announcements and instructions for applying*

- *Utilize timely and informed responses to questions about the requirements and the process*
- *Promptly acknowledge that an application has been received*
- *Provide status updates on applications as significant milestones are reached*
- *Develop specific timeframes for each phase of the process and notification procedures for the applicant*
- *Update Web site to target women and minorities*
- *Maximize the use of technology, including interactive media and social media, to promote employment opportunities*
- *Create a priority list/list service to outreach to non-profit organizations, private industry, military recruitment sources, and academic institutions*
- *Create links to targeted academic institutions and non-profit organizations*
- *Distribute to, previously identified, educational institutions with a high percentage of women and minorities*
- *Advertise in publications with a high level of women and minority readership*
- *Advertise through recruiters, diversity coordinators and employees*
- *Utilize Public Affairs/local public information office or designated office to advertise and respond*

RECRUITMENT BOARD

In large and moderate sized agencies, increasing and sustaining a focus on recruiting and hiring women and minorities, may require creation of a formal Recruitment Board, reporting directly to the Chief and/or executive leader. This allows for executive-level guidance and increased accountability. The Recruitment Board should have the ability to schedule targeted recruitment activities and targeted examination locations, as well as hiring authority. The Board should consist of appropriate-level representatives that are responsible for devising and implementing a clearly defined comprehensive recruitment strategy, with clearly identified goals. From the initial point of contact with a recruit, to the training of a new hire, to the delivery of a trained employee, these representatives would ensure consistency and a coordinated approach in the delivery of a well-trained and highly qualified new law enforcement officer. In addition, the Board is responsible for providing training to educate recruiters and managers on the comprehensive recruitment strategy, hiring policies and practices, and effective recruitment strategies, and the role that each of them plays in the recruitment process and conveying the recruitment strategy to all employees.

RECOMMENDATIONS:

- *Establish oversight by the executive level, with accountability to Chief/Agency Head and/or executive leader to monitor and review each hiring phase in order to increase and sustain a focus on recruiting and hiring women and minorities and to keep abreast of the certification/hire list composition*
- *Establish a formal Recruitment Board, reporting to Chief/Agency Head*

ADVISORY COMMITTEE – WOMEN AND MINORITIES

In addition, a Women's Advisory Group should be created, where feasible. The establishment of a Women/Minority Advisory Committee would allow for consultation for recruitment, retention, and promotion issues, as well as for any significant policy changes, including the impact on women and underrepresented minorities of implementing those policies. A Women/Minority Advisory Committee, comprised of a diverse group of rank and file, management and executive level personnel should be created to provide candid feedback regarding significant issues facing women and underrepresented minorities in the organization. The advisory committee would be responsible for examining policies, procedures, and major agency changes to assess for adverse impact before implementation.

The advisory committee concept has proven to be successful in a number of law enforcement agencies, including the Charlotte-Mecklenburg Police Department. The Women's Advisory Committee's review of the solid 6-foot wall climb; a physical requirement for recruits to graduate was eliminating women at a disproportionate rate. Though the 6-foot wall climb was claimed to be job-relevant, research conducted by the Advisory Committee concluded that there were not any 6-foot walls in the jurisdiction, resulting in the elimination of the 6-foot wall climb. Additionally, a committee of this type can assist management in ensuring that they meet the diversity and equal employment opportunity requirements of their grants.

RECOMMENDATION:

- *Establish an advisory committee to offer expertise and advice on policy and its impact on women and underrepresented minorities (e.g., recruitment, retention and promotion issues, equipment decisions, physical programs, firearms-related issues, family-oriented policies, and any aspect of the officer/agent position that may adversely impact women) prior to implementation*
- *Utilize advisory committee to ensure that agency/department is meeting their diversity goals and equal employment opportunity requirements of their grants.*

ROLE OF EXECUTIVE MANAGERS, RECRUITMENT BOARD, RECRUITERS AND EMPLOYEES

RECOMMENDATIONS for Executive Managers, with accountability to Chief/Agency Head:

- *Provide leadership and oversight to the Recruitment Board to develop a comprehensive recruitment strategy, targeting women and underrepresented minorities, and one that reflects a clear commitment to culture change*
- *Allocate sufficient funds, personnel, and time for recruitment*
- *Monitor and review all steps of the recruitment and hiring process, the certification/hire list and final selections, to ensure women and underrepresented minorities are well represented*

RECOMMENDATIONS for Recruitment Board:

- *Devise and establish a clearly defined recruitment strategy to reflect a contemporary approach to policing*

- *Partner with the oversight office (above) to ensure that the recruitment message is consistent through the Web site, publications, recruitment materials, and recruitment video*
- *Update all policies, recruitment information in order to determine and implement appropriate changes to reflect a contemporary approach to policing*
- *Interview, select, and activate recruiters of diverse backgrounds*
- *Implement a formal training program for all recruiters*
- *Conduct an annual training and accountability for all recruiters, that includes scheduled updates*
- *Partner with the your agency/department Public Affairs Office (and/or appropriate office) to ensure that vacancy announcements and recruitment materials are appropriately advertised*
- *Create dedicated and part-time recruitment positions with job descriptions that reflect their recruitment duties and responsibilities*
- *Train all employees on the importance of diversity and the role of targeted recruitment as a means of building a diverse workforce*
- *Advertise in female and minority-oriented and local publications*

RECOMMENDATIONS FOR FIELD DIVISION/FIELD COMMANDER

- *Fully engage field divisions/field commanders and recruit coordinators to target identified locations and recruits*
- *Create accountability measures for locating female and minority recruits*

RECOMMENDATIONS FOR RECRUITMENT COORDINATORS (as part of the larger recruitment strategy):

- *Identify and target areas to recruit women and minorities*
- *Use methods such as targeted recruitment and referrals to increase diversity*
- *Conduct job seminars and job fairs at women's and minority colleges*
- *Post all job notices at targeted (largely female/minority attended) schools and universities*
- *Establish working relationships with key officials at colleges, universities, law enforcement organizations, to include partnering with women and minority organization, such as WIFLE, NAPOA, HAPCOA, NAPOA, NLPOA, NAWLEE, NOBLE, NCWP, etc.*
- *Maintain lists and contacts with qualified persons (women and minorities) of interest*
- *Ensure examinations include dates and locations for testing as well as hold examinations in locations that do not eliminate candidates from the process due to lack of transportation.*
- *Identify locations for testing or accepting applications that target women/minority colleges, trade fairs, sporting events, women/minority conferences, etc. (as part of the larger strategy)*
- *Recruit from within the organization, specifically targeting diversity*

RECOMMENDATIONS FOR EMPLOYEES:

- *Employees are the ambassadors of the organization and should be encouraged to mentor and recruit at every opportunity*

HIRING PROCESSES

Most hiring processes consists of an announcement, written examination or resume, education/work experience requirements, interview process, selection, background investigation, medical examination, polygraph, drug testing, and a reporting date.

In addition, the value of diverse educational experiences and achievement, socialization skills, and character traits that support fairness, compassion, empathy, and cultural sensitivity are essential to 21st century policing. Training can enhance some skills but cannot create character traits in individuals that they do not possess. (*Pillar 5 Training and Education*).

A comprehensive review of the hiring process must be conducted to ensure we are identifying those candidates who possess the right skills for today's policing. The entire process should be assessed to identify any potential "artificial" barriers for recruiting and hiring women and minorities. Information from each area of the application process should be reviewed, including total applications, total qualified, passed written examination, declined interview, failed drug policy at the time of interview, failed medical, failed polygraph, failed suitability determination, selected, selected with a reporting date, and declined offer/withdrew. An analysis of the data can indicate significant differences, and as research indicates, often includes non-job relevant artificial barriers that are unintentionally eliminating qualified candidates.

RECOMMENDATIONS:

- *Conduct an analysis of the written examination to determine if the examination is an accurate assessment of the skills needed in policing*
- *Conduct an analysis of the written examination to determine if it predicts successful future performance.*
- *Consider development of examinations that test skills for contemporary law enforcement, such as report writing, interviewing, time management, conflict resolution, problem solving, and relationship building*
- *Multi Agency Hiring: Research the feasibility of mutual aid agreements between agencies/departments to recruit for multiple agencies/departments or smaller departments to enter into agreements with a nearby larger municipality to be part of multi agency certification/hire lists*
- *Consider recruiting from diverse non-sworn personnel for positions: Administrative and Intelligence personnel, as well as Cadet, Explorer, Co-op, Internship and Educational Programs*

INTERVIEW PANEL

Interviews should be conducted in a highly structured and efficient manner designed to ensure that we are determining the applicant's knowledge, skills and abilities of today's policing model. Interviewers need training on acceptable and unacceptable questions/subjects as well as implicit bias.

RECOMMENDATIONS:

- *Members of interview panels represent diverse backgrounds, including women and minorities, and are carefully screened to eliminate possible bias*
- *Mandate interview EEO, sensitivity, and bias training for all those who will participate in the interview panel process*

BACKGROUND PROCESS

Analysis must be conducted to determine failure rates in specific suitability factors and possible reasons for this disparity. Research conducted at one major federal law enforcement agency determined that female applicants failed the suitability determination (background investigation) at significantly higher rates than male applicants did. Disparities could include a bias in the background investigative process and/or the vetting of background investigators.

According to research, the lack of gender diversity, among those conducting background investigations, affects an agency's ability to hire a diverse workforce. This may be attributable to the personal values of the investigator or a deviation from the established question-and-answer process of background investigations. In addition, agency/department background investigators are typically disproportionately men. The lack of a diverse representation of background investigators may adversely affect efforts to diversify our workforce.

The background investigation process is largely subjective; however, establishing a structured format ensures consistency in the application of the suitability factors. Conducting research to look for or determine if any hidden gender bias exists in the background investigation process is critical. Training should be provided to all background investigators to ensure that the line of questioning is relevant to determining suitability for the position only. Diversifying the background investigator pool and conducting a thorough assessment of the current process would ensure that gender bias does not exist and candidates eliminated based on artificial prejudices.

RECOMMENDATIONS:

- *Ensure that agency/department has a diverse group of background investigators*
- *Establish a structured format to ensure consistency in the application of the suitability factors*
- *Conduct research to determine any hidden bias in the background investigation process*
- *Conduct training for background investigators to ensure that the line of questioning is relevant to determining suitability for the position. If using contractors, ensure that the same requirements of performance, diversity, and training are included as performance requirements.*

SELECTION PROCESS

According to a summary of previous research conducted by psychology professors were asked to evaluate as series of résumés for a tenure position. Two different résumés were used, one of a “dream” candidate with extraordinary credentials, the other of a successful, but more average candidate. In each case, half the professors received a résumé with a woman’s name; the other half received a resume with a man’s name. When it came to the extraordinary candidate, there was no bias; everyone wanted to hire the person regardless of gender. However, when it came to the more ordinary candidate, the difference was significant. The professors rated the same teaching experience and research productivity dramatically lower when they thought the candidate was a woman. When asked whether they would hire the individual, 70 percent indicated that they would hire the man – but only 45 percent would hire the woman. Interestingly, the gender of the judges did not affect the finding.

In most selection processes, once candidates are vetted through the entire process, they are placed in a variety of categories, based on: a numeric score; pass/fail categories, such as: highly recommend, recommend or not recommended; “Rule of Three,” in which police administrators considered candidates in groups of three, and those not selected three times were out of contention; and/or placed in a consideration in according to a chronology of completion of interview or completion of the entire selection process, among others. According to research conducted at a major federal law enforcement agency, even after passing all of the selection requirements, women were selected with Entry on Duty (EOD) date (hire rate) at a significantly lower rate than men. Even when rated as highly qualified after passing all job requirements, women were still not hired.

RECOMMENDATIONS:

- *Re-evaluate the hiring practices to ensure that the process is not inadvertently or unfairly removing women and minorities*
- *Place women and underrepresented minority applicants, who pass all stages of the selection process, at the top of the certification list/hire for selection, if permissible*
- *Survey all applicants to identify how they were referred and/or heard about the vacancy for future targeted recruitment efforts*

EDUCATION AND STUDENT CAREER PROGRAMS

Agencies/Departments should evaluate alternatives to education requirements, including entry-level positions combined with the means to obtain higher education (*Pillar 5 Action item 5.11 & 5.11.1*). Through community relationships and contacts, agencies/departments should review local community higher education programs for reduced tuition arrangements. In addition, affinity groups, such as WIFLE, NOBLE, HAPCOA, etc., could present scholarship opportunities and/or reduced tuition for higher education opportunities for its student members and past scholarship recipients.

Student Programs also offer valuable work experience directly related to the student’s academic field of study. Student Programs provide a formal period of work and study, while students (potential recruits/hires) attend school. These types of programs require a commitment by the student, the student’s educational institution, and the agency/department. Depending upon the

program, students may meet the noncompetitive selection requirements, following the completion of their academic and career-related work experience requirements.

RECOMMENDATIONS:

- *Develop/Utilize Student and Cadet Programs*
- *Identify and target colleges/university with a high percent of female and/or minority registrants*
- *Conduct a background investigation prior to hiring under Student Career Programs*
- *Evaluate alternatives to education requirements for candidates (entry level positions combined with the means to obtain higher education) (Pillar 5 Action item 5.11 & 5.11.1)*
- *Consult with community leaders and community programs to identify potential recruits and local higher education programs for reduced tuition arrangements.*
- *Consult with affinity groups (WIFLE, NOBLE, HEPCOA, etc.) to identify higher education for reduced tuition for members*
- *Consult with affinity groups (WIFLE, NOBLE, HEPCOA, etc.) to identify potential recruits, including past scholarship recipients*

OTHER HIRING AUTHORITIES (Federal)

The federal system has many different hiring authorities that include Schedule A Hiring Authority that may be used for critical hiring needs or special jobs and situations for which it is impractical to use standard qualification requirements and to rate applicants using traditional competitive procedures. Schedule A is a faster method of hiring, as agencies are not required to use the qualification standard established by Office of Personnel Management (OPM), including making it mandatory for applicants to take the written exam, a medical exam, drug test, etc. Schedule A Authority can and should be sought for criminal investigator positions for special assignments and specialized expertise that is needed. These positions should be utilized to target specialized skills, and priority consideration should be given to women and underrepresented minorities. Personnel from other Federal agencies, special agents from State bureaus, and police officers assigned to investigative units or task forces, with specialized experience are often viewed as targeted recruitment areas for filling positions through Schedule A. While all are good recommendations, use of broader sources will be necessary to target women and many underrepresented minority group recruits. A comprehensive recruiting strategy, with clearly defined expectations, must be established and conveyed to all participants to ensure that we are increasing the number of women and minorities through Schedule A Hiring. Final selection authority should be placed at an executive level, directly accountable to the Agency Head, which according to federal guidelines is responsible for diversity of his/her organization.

Schedule B hiring authority should be considered for candidates that fit the qualification requirements for the position, but are not required to complete the regular application process, specifically to target women and underrepresented minorities. For example, students under the Student Career Programs (see below) and the Federal Career Intern Program are eligible for this appointment type.

According to the Office of Personnel Management, “By 2014, the last year for which government wide hiring data is available, agencies could potentially exercise as many as 105 hiring authorities. A hiring authority is the law or regulation that governs how an agency may hire a person into the federal civil service; it determines how or whether vacancies are announced and how applicants will be assessed. But despite widespread and longstanding dissatisfaction with competitive examining and dozens of hiring process alternatives, a new GAO study finds that competitive examining remains the single most used authority in federal hiring. Of the 105 hiring authorities available in 2014, agencies used only 20 authorities for 91 percent of new hires. Why? Neither the Office of Personnel Management nor agencies themselves know the answer. OPM officials said they do not know if agencies rely on a small number of authorities because agencies are unfamiliar with other authorities, or if they have found other authorities to be less effective.” GAO said. Most of the methods used to hire new employees in 2012 resulted in a greater proportion of males than females entering the Federal workforce. This disparity is most notable for the Veterans Employment Opportunities Act (VEOA) and Veterans’ Recruitment Appointment (VRA) authorities, which is not surprising given that the active duty military is over 80% male. Our research shows that as use of veterans hiring authorities increased, the percentage of female new hires decreased. In addition, we found over 35% of those hired under competitive examining were veterans. **An over-reliance on too few hiring authorities may not be healthy for an organization’s culture, as those authorities may not result in a workforce that is representative of society.** Agencies should take care when hiring the majority of their employees through just one or two authorities that limit eligibility to a particular segment of society. Our upcoming report on fair and open competition will discuss in depth the implications of appointing authorities for open competition and workforce diversity.”

RECOMMENDATIONS:

- *Re-institute Schedule A Hiring Authority with an emphasis on recruiting women and underrepresented minorities*
- *Continue use of Schedule B Authority*
- *Fully research and utilize all hiring authorities available*

PART THREE: ACADEMIES

The following is a list of areas to address when conducting a comprehensive assessment of agency/department Academies:

- Academy Culture
- Physical Fitness/Tactical Requirements
- Firearms Qualifications
- Issued Weapon and Equipment Selection

ACADEMY CULTURE

Agencies must review their training practices and ensure that they do not adversely affect women and minorities. Agencies must work to not just screen out candidates, but screen in candidates as

well. Agencies expend a significant percentage of their funds on recruiting and hiring, and often use training academies to “weed out” or eliminate candidates rather than focus on training for success. Any failure becomes proof the candidate is not as capable as the others, rather than a potential exposure of a flawed training system or teaching method. Training academies should review any/all potential pitfalls, and evaluate how adjustments, remediation, or additional tutoring can give individuals the best opportunity to succeed. For example, in 2011, a female officer from Nashville Police Department, a nine-year veteran, was recruited by a federal law enforcement agency and failed its’ firearms qualification. Instead of looking at the situation as a failure of the training program and/or trainer for failure, the result was the loss of an otherwise qualified and proven candidate. For smaller agencies the problem can be further hampered by a lack of training funds requiring they only hire certified officers or only those who can afford to pay for their training, which eliminates low income candidates, including many women who still earn, on an average, less on the dollar than men.

Most training academies adhere to a military “boot camp” style of training with some opting for a residential academy. Without question, in-residence training academies are expensive venues to support and maintain. In addition, there is no research to indicate that in-residence academies produce better law enforcement officers than non-residential. Traditionally, law enforcement has viewed this style of training beneficial to developing a sense of camaraderie. In reality, these academies often have an adverse impact on women and minorities; as the underrepresentation of each often results in the woman or minority candidate being the only one, or one of few in the class. Further, resident academies result in highly qualified parents, and most significantly single parents, individuals with significant family commitments, from applying or accepting law enforcement positions due to the financial burden or lack of a support system to fulfill their obligations, which still disproportionately affects women.

Additionally, academy training is developed to encourage individuals to follow orders, without question, and models a power dynamic where those without power must submit, without question, to those who have the power. It also becomes a primary way of supervising and managing people. Agencies/Departments have been steadily increasing their hiring requirements for law enforcement officers by requiring college degrees and focus on a wider variety of intellectual skill sets. These higher education standards foster a resolve to question authority and then, in our agencies/departments, we consider it insubordinate and discipline them when they question authority. Unfortunately, this philosophy has a long-term negative impact on the officer and, ultimately, is transferred to members of the community. As an example, in 2012, the Washington State Criminal Justice Training Commission (WSCJTC) changed its training model from a paramilitary boot camp to a training environment that stressed coaching, fitness, and building a sense of teamwork, without imposing fear and humiliation or reducing any needed standards.

After a rigorous and expensive recruitment process, agencies should make extraordinary efforts to give these recruits every opportunity to succeed, particularly when the types of failures can typically be resolved through increased or specific training measures. The loss of an otherwise highly qualified candidates is a tremendous cost to the agency in real dollars and loss of time, training, and employee replacement. The Academy should identify appropriate measures and intervene early with proven training strategies to improve training success for new recruits. In

addition, the agency/department needs to provide support and mentorship to all new recruits and should be enlisted early to work with the Academy on any significant issues that arise during this extensive training. An independent Review Board should also be established to render a final decision on any recommended Academy failure.

RECOMMENDATIONS:

- *Conduct comprehensive assessment of agency/department Academy, including: Physical Fitness/Tactical Requirements, Firearms Qualifications and Issued Weapon and Equipment Selection*
- *Change the culture of training academies from in-resident and/or boot camp environment to an environment that uses adult based learning models and scenario based training (Pillar 5 Recommendation 5.1) and improves social interaction as well as tactical skills (Pillar 5 Recommendation 5.7)*
- *Employ Academy training focused on the importance of communication skills, de-escalation of potentially dangerous/violent situations, cognitive ability and mental health evaluation*
- *Institute fitness training that is consistent with officer safety and wellness*
- *Implement procedures required for day-to-day operations, directly linked to the specific requirements of the position*
- *Update Academy fitness standards to incorporate the newest scientifically proven methods of training to ensure the individual succeeds and is not unnecessarily injured*
- *Eliminate any 6 ft. solid wall, and any other non job relevant “requirements” that are not directly linked to performance as an officer/agent and disproportionately eliminates female or minority candidates*
- *Employ fitness programs that are based on specific duties of the profession, including fitness programs that employees can duplicate to maintain optimal health and continue throughout their career (i.e. prolong sitting shortens and tightens hip flexors and hamstring muscles supporting the spine making it weaker and making it increasing more difficult to run) and minimize risk of injury*
- *All Academy activities should convey clear and explicit ethic of respect, integrity, service and empathy, and internal and external consistency of respect, open mindedness, inclusion*
- *Incorporate training that includes understanding the importance of cultural awareness and sensitivity, as well as identifying opportunities that strengthen cultural diversity to create communities of inclusion and increase understanding of cultural similarities and differences.*

PHYSICAL FITNESS/TACTICAL REQUIREMENTS

There is no logical or evidence based reasons that have been found to show that we should train law enforcement officers as we do soldiers (Rahr, 2015). A new training model focuses on giving officers additional tools so physical and/or deadly force is less likely to be used, with an increased emphasis on accurate threat assessment and additional practice on the use of force continuum - so that physical force and/or deadly force is less likely and used as a last resort.

The goal of physical fitness training at the Academy should be to increase the confidence of the students in their ability to perform their duties without injury. Physical fitness should be approached as a component of a healthy lifestyle. If recruits are given a solid foundation in developing a healthy lifestyle through exercise, stress reduction, and diet, they are more likely to stay fit and less prone to injury or disability. Tactical training must include defensive tactics training and the use of pepper spray, batons, and other less-than-lethal force weapons alternatives. However, the primary emphasis of physical training should be on the de-escalation of violence. Female and minority recruits should never be unduly singled out, and qualified female and minority instructors should be selected and available in physical training programs, to provide role models for other women and to reaffirm to male recruits that women can be effective agents. Because the research unequivocally demonstrates that women can perform the job of policing as successfully as men it is critical to eliminate the adverse impact of entry-level physical testing so it includes all successful candidates without, inadvertently, excluding qualified women.

There is currently no consensus regarding the physical requirements of policing, which makes it difficult to accept any police agency's claim that a particular test or component actually represents a necessity of the law enforcement officer's position.

One element of many physical/tactical requirements is climbing a solid 6-foot wall. As previously stated the Charlotte-Mecklenburg Police Department eliminated this physical requirement as it was disqualifying women at a disproportionate rate and there were actually no walls of that height in the area eliminating the job relevancy need. In another instance, Dr. Sheldon Greenberg, Johns Hopkins University, provided expert testimony regarding the Baltimore City Police Department's use of a solid 6-foot wall climb as a physical requirement. Dr. Greenberg's research showed the construction of 6-foot walls was prohibited in the city of Baltimore. Further, he suggested that many major metropolitan cities throughout the country have similar restrictions. Finally, nationwide research conducted by Dr. Kim Lonsway (2003) determined that the use of a solid 6-foot wall for law enforcement testing purposes originated after lawsuits in the early 1970s successfully challenged the height requirement. Further, she concludes that there is no job relevancy to support a 6-foot solid wall requirement, and it creates an artificial barrier for women. In addition, the concept of pursuing an armed individual over a 6-foot solid wall should raise additional tactical concerns.

The physical requirements will inevitably play a role in the recruits' basic training, and one would expect that by the end of that basic training, recruits would be both physically fit, receive tactical training, and be mentally prepared for the job. All agencies must conduct a thorough assessment of current Academy standards to determine the job relevancy of all of the tested areas. Research shows that physical strength does not predict either general police effectiveness or the ability to handle dangerous situations. There are no documented cases of negative outcomes due to lack of strength or aggression exhibited by female officers. A shift away from an overemphasis on physical force is likely to capitalize on the interpersonal skills that women possess and make the job more attractive to women. Any fitness requirement that does not directly link to job performance has no place in the process and solely remains as a discriminatory measure to eliminate candidates.

Fortunately, there are alternative strategies available to police administrators—options that can assist in both selecting successful candidates and reducing the discriminatory impact on women. Some research suggests that physical agility testing can be eliminated, as many agencies have done so without any apparent negative consequences, or replaced with health based screening to assess general physical fitness. In addition, physical fitness “requirements” tested at the Academy to qualify for the position, are no longer tested or enforced after leaving the Academy, opening questions up to the necessity of such “requirements”.

RECOMMENDATIONS:

- *Review of agency/department physical/tactical practical exercise for job relevancy*
- *Encourage a lifetime of healthy diet and physical fitness instead of using current method. that contribute to the overemphasis on the physical aspects of training*
- *Consider having candidates sign and acknowledge a letter outlining requirements to successfully complete physical training at the Academy*
- *Increase emphasis on effective communication, conflict resolution, analytical skills, report writing, computer acumen, financial acumen, and de-escalation of conflict for officers/agents, and de-escalation tactics making physical force the last resort*
- *Appoint/hire more female and minority instructors*
- *Closely monitor the progress of all recruits*
- *Establish a Review Board to render a final decision on failure, recycle, etc.*
- *Ensure that all candidates/recruits are familiar with all fitness requirements/expectations*
- *Consider using pre employment fitness camps to engage individuals early to teach proper techniques to physically prepare for and successfully complete the training*
- *Incorporate a multi-faceted Officer Safety and Wellness Program to include cumulative effects of stressors (Pillar 6 Recommendation 6.1 Action Item 6.1.2)*
- *Ensure all fitness requirements directly link to job performance.*

FIREARMS QUALIFICATION

New recruits join agencies with a wide variety of firearm experience, ranging from individuals who have never handled a firearm to those with prior law enforcement or military experience. It should also be noted that those with experience have sometimes received improper training and/or have trained with different weapon systems and on a variety of tactical and/or marksmanship courses.

Many recruits have never held or fired a gun before entering the Academy. This lack of familiarity may create a sense of insecurity and uncertainty when learning how to handle a firearm, creating a steeper learning curve and establishing an expectation of failure on both the part of the instructor and the recruit. Exacerbating this problem is the fact that agency/department firearm training is done almost exclusively in a group, with little individualized training until failure is imminent. The training philosophy should encourage partnership and teamwork to achieve the success of all students. According to a 2008 survey conducted at the Annual WIFLE Leadership Training, 22 percent of the female respondents indicated that firearms qualifications were the most challenging aspect of their training, and 25 percent reported receiving extra scrutiny/negative attention during their training.

Because firearms proficiency is a learned skill, firearms instructors should be equipped to train recruits who have no prior experience with firearms, as well as retrain those who received improper training. Each recruit, regardless of prior experience, should receive individual instruction to prevent stigmatizing those who lack prior experience and enable people with various experience levels to gain the experience they need to succeed.

RECOMMENDATIONS:

Do not fail any officer/agent recruits at the Academy until the following strategies are implemented:

- *Mandate one-on-one firearms training as necessary to improve the success rate of all candidates*
- *Increase the number of firearms instructors to provide individualized training, as necessary*
- *Establish a Review Board, independent of Academy staff, to render a final decision on failure, recycle, etc.*
- *Assign a mentor (an officer/agent from the receiving agency, barrack, field office) to each student with mandatory routine contact throughout the Academy*
- *Closely monitor all recruits for the successful completion of the Academy—in coordination with respective office of assignment, mentor, and a Review Board representative*
- *Provide individualized remediation training for any single-event failure*
- *In the event of multiple (more than three) unsuccessful remediation attempts, consider recycling student to the next available class, depending on assessment of likely success*
- *Increase the use of proven alternative training methods prior to qualification attempts, such as the use of dry-fire exercises, the Firearms Training System (FATS), Beam Hit and other technologies*
- *Provide additional training and practice time, as needed*
- *Establish detailed comprehensive lesson plans*
- *Carefully screen Academy instructors and curriculum to ensure that no bias exists*
- *Create a training atmosphere that encourages students to request assistance and provides individualized training, as needed*
- *Conduct exit interviews for all individuals leaving the Academy (interview should be done by a Review Board representative)*
- *Conduct research to identify effective training strategies and provide proven techniques to assist new recruits in successfully completing firearms qualifications*
- *Evaluate current course of fire to determine if it meets the needs of the agency.*
- *Ensure that selection of Academy instructors is diverse and inclusive*

ISSUED WEAPON SELECTION

Weapon selection and caliber determination is also problematic for women and men with smaller hands. A factor contributing to the rate of failure for women, and some minorities in weapons qualification may be the choice of weapons. The size and weight of the firearm can present

additional problems for individuals with smaller hands adversely affecting female recruits. Just as one size of a Kevlar vest does not fit every torso, one size weapon does not fit every hand.

Often agencies are utilizing the same issued firearms that they have been utilizing for years and/or decades. In the 1990s, there was a trend, however, in law enforcement to increase the stopping power of their issue duty firearm(s). The most popular choices of a duty side arm became the .40 caliber weapon. After September 11, 2001, many additional agencies/departments also switched from 9mm to .40 caliber weapons under the guise that law enforcement needed handguns that are more powerful because they offered greater stopping power to address a perceived threat. This was in spite of clear evidence that most of our communities were experiencing a reduction in violent firearms related crime, and historic lows in many communities and cities across the country. Agencies/Departments often conduct extensive testing before selecting an agency/department issued weapon and, periodically, reassess their issued firearm(s); however, many fail to employ a cross-sectional control group for such tests. According to other current research, shot placement is more important than caliber. In a 2014, a study conducted by the FBI Training Division (Vail 2016) found that officers miss their target 70-80% of the time in a shootout. While shot placement is critical to stopping a threat, it may be that weapons that offer personnel the best opportunity at shot placement is more important than higher caliber firearms. Depending on the specific ammunition used, the .9mm offered stopping power roughly equivalent to the common .38 special, with the added advantages of higher capacities and quicker reloading. Because many service pistols are of substantial size, the recoil of the 9mm weapon generally posed few problems with the majority of users. In contrast, an increase in caliber, most often, results in an elevated level of recoil. In addition, this change of weapons often results in increased difficulties for trainees to qualified with their issued firearm, resulting in termination from the hiring process and the Academy. In addition, according to research conducted at one major federal law enforcement agency, the firearm qualification failures were disproportionately women.

Prior Firearms Experience and Perceived Recoil

Because, in most police Departments, there are no pre-employment requirement or standard for firearms proficiency, individuals entering the law enforcement profession have varying levels of firearms experience, ranging from none to expert. Approaching a rigorous firearms-training program with no prior firearms experience can be intimidating for the recruit. In addition, the recoil and muzzle blast of a .40-caliber weapon can be unsettling for the novice. Identifying inexperienced shooters and providing a more intense level of individualized training at the earliest possible stage are critical to successfully completing firearms training. Because firearms proficiency is a learned skill, each range session should be treated as a learning experience. The increased use of proven alternative methods of training, such as FATS and Beam Hit and other sound alternatives to live fire, should be used early in training, and training opportunities should be made available to students who want/need additional practice. In addition, weapon size, grip size, can adversely affect an inexperienced recruit ability to qualify. When considering selecting appropriately sized weapons and maintain a supply alternative grips to accommodate smaller hands and short triggers to reduce distance from the back of the grip to the front of the trigger, both are relatively inexpensive and can be easily installed by an armorer. While these triggers do

not provide a significant change from the standard trigger, they are often easier to handle and shoot for some individuals

RECOMMENDATIONS:

- *Conduct extensive testing with a cross-sectional representation of officers/agents before selecting and issuing any new duty-carry weapons*
- *Selection of any new duty-issued firearm should take into consideration a variety of “short” triggers and a variety of grip sizes to accommodate different hand sizes and allow optimal use of custom fit to the individual*
- *Consider duty issued firearms that allows for more individualized compatibility*
- *Select female and underrepresented minorities as firearm instructors, to the extent possible*
- *All of the above-listed options should be readily available to all recruits at the Academy.*

ISSUED EQUIPMENT SELECTION

Protective equipment is an essential of every law enforcement officer. Every officer should have a fundamental right, when hired and through training, to properly fitting and to fully functional protective equipment. Of particular concern, is the issuance of improper fitting bulletproof vests to women. Due to budgetary concerns, some agencies/departments issue men’s bulletproof vests to women. Not only does an improperly fitting vest provide inadequate coverage and protection, it sends a message that the women’s lives are not as important or valued as much as their male counterparts. With a long history of stereotyping where women were traditionally assigned to positions more closely associated with the social work type duties, the issuance of a men’s vest to a woman only serves to reinforce the notion that women do not perform real police work and do not need the same level of protection. Failure to purchase appropriate protective equipment demonstrates a culture of insensitivity, reinforces that the wrong people are making and implementing purchasing decisions, and may leave an agency vulnerable to lawsuits.

RECOMMENDATIONS:

- *Conduct extensive testing with a cross-sectional representation of officers/agents before selecting and issuing any/all new equipment*
- *Selection of any new duty-issued equipment should take into consideration a variety of factors and accommodate different hand sizes, physiques and allow optimal use of custom fit to the individual*

PART FOUR – RECRUITMENT, RETENTION AND PROMOTION: ISSUES AND RECOMMENDATIONS

Law enforcement is more than a job; it is a lifetime of service. We must ensure that practices and policies are designed to support employees through life changes such as marriage, childcare, serious illness, divorce, and eldercare. A department’s family-friendly policies, or lack thereof,

will not only affect our ability to retain highly qualified law officers but will also continue to impact our ability to recruit. According to the book entitled “Mass Career Customization,” more and more men are involved in childcare issues and want to spend more time with their children. We will not achieve our full potential as departments and agencies until these cultural and transformational changes are made and female and minority officers/agents are fully integrated into all levels of the agency. Policing’s entrenched culture adversely impacts efforts to recruit, retain and promote women and underrepresented minorities. Specifically, departments/agencies need to review, re-evaluate and in many cases, make adjustments to their family-friendly policies; mobility policy; mentoring; and pregnancy/childcare issues, among others.

FAMILY-FRIENDLY POLICIES

Family-friendly policies need to support employees throughout their career, which typically spans 20-30 years. In that time, employees experience many challenges including marriage, pregnancy, adoption, childcare, serious illness, divorce, eldercare, and the death of loved ones. One of the interesting finding from research (Lonsway, 2003) is that women in law enforcement can bring about beneficial changes in policy for all employees

Susan Keverline’s (2003), study focusing solely on sworn women in “federal” law enforcement; found the single largest issue facing the retention of women in Federal law enforcement is the lack of family-oriented policies. Further, this research revealed that 44.2 percent of those surveyed indicated that if they were to leave Federal law enforcement, it would be because their agencies’ did not provide adequate family friendly policies. The lack of family-friendly policies adversely affects our ability to recruit, retain and promote highly qualified officers/agents of both genders. For example, due to the lack of established policies relating to pregnancy, departments/agencies do not treat pregnancy as a routine occurrence but as a negative event resulting in negative consequences in a female’s career. In a recent Fortune magazine survey, 84 percent of men said they would like more time outside of work, and more than half said they would be willing to sacrifice income to get it. Work-life balance is far more than just a “woman’s issue,” although it may have more impact on the initial recruitment of women, since women are still the primary caretakers. As a result, local, state and federal law enforcement must implement policies that support all of its employees through life’s changes in order to be competitive and attract a highly diverse group of educated, capable and qualified individuals.

In addition, many agencies/departments have both sworn and non-sworn employees married to each other and even children, brothers and sisters employed. When an agency makes important policies decisions, it often affects the spouse or other family members.

RECOMMENDATION:

- *Develop and Implement family-supportive policies designed to carry individuals through life changes and transitions throughout the course of their careers and that reflect law enforcement move to a more contemporary approach to Federal law enforcement*

MOBILITY POLICIES

Although a mobility policy is important and needs to remain a requirement of many state and Federal departments, particularly as it relates to management positions, a less stringent mobility policy will allow us to compete with other agencies and private industry and make a career in more attractive to potential female and underrepresented minorities. Under many agencies/departments, applicants are required to sign a geographic mobility agreement acknowledging that if selected, they may be assigned to other geographic areas, including various posts within the state, and in the case of federal employment, any office in the United States, U.S. territories or overseas and will be subjected to relocation at any time. In addition, payment of relocation expenses to the first appointment is usually not authorized for the applicant's first move. Recruitment materials and position descriptions often include: "works irregular hours, may travel extensively, and is subject to reassignment to other offices." Policies requiring recruits/new hires to move to take their first assignment, in many cases, creates a financial hardship for the individual and removes individuals from their existing support systems, often disproportionately, women recruits/new hires.

According to research conducted by Dr. Susan Keverline ("In the Face of Challenges, Women in Federal Law Enforcement Persist and Excel"), 41.5 percent of those surveyed indicated that if they were to leave law enforcement, it would be because of their agencies' mandatory move/transfer policy. It is difficult to assess the impact our mobility policy is having on recruitment efforts. However, because law enforcement is still considered a non-traditional career for women, the mobility policies of many departments/agencies seriously impacts our ability to attract and hire otherwise highly qualified female applicants. Because women remain the primary caretakers of their families, many require an extended support system, particularly in this nontraditional occupation. Research also indicates that future generations of applicants are less likely to endure a financial hardship to take a position. Research further indicates that law enforcement officers will be less likely to compromise their quality of life for their careers, including uprooting their families one or more times.

Although, we all recognize the necessity for mobility policies for the successful operation of law enforcement agencies, it is recommended that agencies/departments conduct a comprehensive review of their respective mobility policies that, inadvertently, discourage women, underrepresented minorities, and other highly qualified potential recruits/applicants from considering and/or pursuing a career in law enforcement.

RECOMMENDATIONS:

- *Change Mobility Policy to reflect a contemporary approach to law enforcement:*
- *Make every attempt to hire in place*
- *Eliminate any "requirement" for an initial move, particularly a self paid move*
- *If an initial move is necessary for the efficiency of the agency/department and circumstances present a hardship for an individual/family to relocate, consider gaining authorization to reconsider, based on agency/department need, and/or offer agency/department reimbursement and/or payment of expenses associated with relocation to the first duty appointment*
- *Advertise agency/department shift to a more family-friendly environment, citing supportive policies*

MENTORING

It is recommend that agencies/departments create and/or re-evaluate a Mentoring Program for all employees. Because law enforcement is still a non-traditional career choice for women and many minorities, it is particularly important, to create a mentoring program for applicants and new hires. The selection of mentors is critical and should be based on superior leadership and service, have a passion for mentoring and have an unbiased attitude about women and minorities in policing. All mentors and mentees should receive training. The program should contain a regular meeting schedule, administrative involvement, oversight, an evaluation system, and post academy mentoring. Consideration should also be given to increasing the visibility of high-ranking women and minorities.

The culture of law enforcement creates additional challenges and stressors for women and underrepresented minorities. **Women are underrepresented in every agency and are typically the only one or one of very few in the Academy class or their assigned field office, creating additional challenges. These individuals may eventually lose sight of the ability to succeed in the Academy and/or the law enforcement profession.** In addition, applicants have often given up their previous employment and livelihood to take a position with an agency/department. Research, on one major federal law enforcement agency, determined that female recruits were failing the Academy at disproportionately high rates, nearly five times the rate of their male counterparts. The loss of any highly qualified recruit/woman costs the agency in time, training, and employee replacement. WIFLE's research has shown that the lack of women/minorities at every level, particularly at the executive level, has also had an adverse impact on recruitment/hiring, retention and promotion of women in federal law enforcement. Therefore, a formalized mentoring program, particularly for women and minorities, is needed to increase the likelihood of success at the Academy and throughout their careers. Just one example of a potential model program, the Department of Justice, Office of Attorney Recruitment Management's mentoring program is mandatory for all attorneys and is very successful.

RECOMMENDATIONS:

- *Establish a formalized mentoring program for all, but specifically designed for women and underrepresented minorities, from recruitment through the hiring process and particularly through the Academy*
- *Assign a mentor to guide individual applicants through the entire process*
- *Once hired, mentor all applicants throughout their careers (selection of mentors is critical)*
- *Increase numbers/visibility of women and underrepresented minorities at training academies (and elsewhere)*
- *Provide training for all mentors*

- *Create a Women's Advisory Group to provide input on recruitment, training, family-oriented policies, and any issues significantly impacting women special agents before implementation*
- *Formalize roles/accountability for the mentor/mentee*
- *Create associated rewards/performance management*

PREGNANCY AND CHILDCARE

As we bring more women into law enforcement, it is imperative that, across the board, law enforcement embraces comprehensive and clearly defined pregnancy and childcare policies that emphasize fairness, flexibility, and safety. For agencies to justify their commitments to officer's wellness and safety, clear policies and procedures need to be implemented for the duration of one's entire career, including accommodating employees due to injury (on duty or off duty), illness, pregnancy, breast feeding, hardship, or other common challenging life situations. Reassignment to accommodate an officer that cannot perform 100% of the duties and responsibilities as contained in their job description should be a viable option. Conditions that limit an employee to a "Less than Full Duty" (injury, illness, pregnancy) assignment become part of an employee's development rather than a punishment or busy work. Temporary duty assignments that assist in accommodating an employee when they are "temporarily" not capable of performing 100% of their assigned duties should be viewed as important to attaining the goals and objectives of an agency and not seen as or used as punishment.

The International Association of Chiefs of Police (IACP) offers a model pregnancy policy. According to IACP, "the goal of this policy is to provide options that allow for an officer to remain working in a full-time capacity and performing full-duty assignments, in combination with alternative duty assignments, for as long as reasonably possible. This policy seeks to ensure a woman's right to work free from discrimination and to protect the property interest she has in her job, while guarding against the risks inherent in the performance of her duties. This agency recognizes that its diverse workforce is a valuable asset and that trained and experienced female police officers are a critical resource. Pregnancy is a temporary physical condition, unique to women, which may or may not affect an employee's ability to perform many of the usual duties of her job classification. This policy establishes procedures to modify full-duty assignments and policies that emphasize fairness, flexibility, and safety.

The Pregnancy Discrimination Act (PDA) states the following: Employers must treat "women affected by pregnancy, childbirth, or related conditions" the same "as other persons so affected but similar in their ability or inability to work." The PDA is intended to allow pregnant women to participate fully and equally in the workforce. According to Karen J. Kruger, in conjunction with the International Association of Chiefs of Police, this coverage has often been misinterpreted, and women are still often required to contend with unintended consequences of pregnancy on the job that may include exhaustion of leave time, loss of seniority, loss of leave earnings, impact on other benefits (i.e., health, pension), diminished respect from colleagues, and a perception of a decline in skills and potentially resulting in lower morale.

While the 1993 Family Medical Leave Act (FMLA) established minimum leave requirements for the Federal Government, it is insufficient and does not cover the full range of issues that women

in law enforcement face when they become pregnant. Federal agencies have relied heavily on the FMLA, while neglecting to provide women and managers with specific policies and information on such important issues as notification procedures, availability of flexible schedules, paid and unpaid leave benefits, and range qualification for pregnant employees. Pregnancy and childcare will affect many women at some point in their careers, and research consistently concludes that pregnancy and childcare issues are the leading cause of women leaving Federal law enforcement.

Most agencies do not have a pregnancy policy for female officers/special agents or any other job series. Agencies/Departments must create policies to support women, men, and families through foreseeable challenges such as pregnancy and childcare. Such policies should include alternative methods of firearms qualifications for pregnant officers/agents, as well as duties and assignments that allow them to maintain their full pay and their benefits with no loss of promotional opportunities. All policies should be created and designed to treat pregnancy issues as routine. The impact of child rearing continues to disproportionately affect women and their jobs. Policies should be designed to keep officers/agents fully employed with full benefits and minimize the exhaustion of sick/annual leave, unless otherwise indicated by the employee and/or her doctor. The presence of these policies, or lack thereof, will have a significant impact on the agency's/Department's ability to recruit (and retain) women.

RECOMMENDATIONS:

- *Develop a comprehensive policy regarding pregnancy and childcare to treat as routine occurrences with no adverse effect on women*
6 Automobile Workers v. Johnson Controls, Inc., 499 U.S. 187 (1991)
- *Develop and implement a maternity policy for female officers/agents that clearly spells out what the officer/agent can expect in regard to firearms qualification, hazardous assignments, travel, training, and salary and benefits*
- *Research other family-supportive options, taking the research into consideration when developing a comprehensive policy to ensure that the treatment of pregnancy in the agency is routine*
- *Develop a policy that implements the use of flexible workdays, job sharing, part-time employment, reduced hours, unpaid leave, adequate/additional paid leave, leave without pay, deferred retirement, onsite day care, different positions/reasonable accommodations, and flexible career arcs, as feasible/needed*
- *Create safeguards that allow women to continue to fulfill their weapons qualifications while pregnant to avoid unnecessary risk (see firearms training section)*
- *If requested, allow female officers/agents the option to discontinue overtime and/or LEAP/AUO (federal) during pregnancy and child-rearing years*
- *Develop a policy based on objective medical criteria*
- *Create, implement, and advertise pregnancy/maternity and all family-friendly policies*
- *Promote agency/department employment benefits, particularly family-oriented policies and programs, as a recruitment tool*
- *Implement International Association of Chiefs of Police (IACP) model pregnancy policy. Pregnancy Guideline for Federal Law Enforcement can be found on the WIFLE website*

- *Evaluate developmental work, such as: special projects, technical, legal, policy and procedural updates, training and/or training/lesson plan, grant applications, community programs, internal inspections, etc. that is needed by the department/agency and fully utilize employees in this category to complete or assist on these important projects*
- *Create flexible staffing models that allow employees to achieve better work-life balance and include scientifically supported shift durations (Pillar 1 Action Item 1.8.5 Pillar 6 Recommendation 6.3)*

Every consideration should be given to creating family friendly policies, including but not limited to: pregnancy, childcare, light duty, range qualification, uniforms and flexible and developmental work options

ASSIGNMENTS/AWARDS/RECOGNITION

Awards and performance recognition should include recognition for creating/supporting the internal goals of the agency (increasing diversity, community partnerships, innovations in law enforcement). Performance recognition is critical to transforming the organization. Agencies should recognize employees who volunteer to take on additional tasks creating a deeper relationship with the community, create new programs that foster a more collaborative agency, contribute to the vision of the agency, and take initiative in problem solving. Recognition must be tied to performance. Recognition does not always have to be internal. Many affinity groups and law enforcement organizations have recognition programs. Even when the odds of receiving the award are small, it is the fact that the supervisor/agency took the time to nominate the employee for recognition. Locally, agencies should work with community leaders to develop recognition programs for employees. In addition to hostile action and courage type awards, consider award categories that recognize: mentoring, increasing diversity, supporting diverse more place, community/police partnerships, and innovations in law enforcement among others. Recognition of non-sworn employee's contributions is as equally important. Non-sworn employees are just as critical to the operation of the agency as sworn. Failure to recognize their contribution helps create an, us vs. them attitude with in the agency. Non-sworn employees are a key resource for recruiting officers and these positions can be used as a stepping-stone for candidates. They know the agency and they are vested in the service. Agencies that have explorer, cadet or internship programs often have them work in many of these key support functions. Developing a career ladder that allows individuals the opportunity to move up rather than move out is key to maintaining a diverse workforce. In addition, officers can benefit from assignments in these key areas as part of leadership training. An assignment to work in budget, records, communications, etc. should never be seen as a punishment but as a chance for career development.

PERFORMANCE EVALUATIONS

Performance evaluations are often problematic for law enforcement agencies/departments. Many agencies are adopting and/or have adopted a "guardian" type policing model and community oriented policing, but have not updated their performance evaluation system to reflect these significant changes. As a result, officers/agents may be evaluated on behaviors that

differ from the desired behaviors and those supportive of the community oriented policing. Even when performance evaluations are updated to reflect these values, the potential exists for bias. The key elements of performance evaluations built under the tenants of Procedural Justice include focusing on interpersonal skills and initiative, verbal and written communications, professionalism, and respect for the community and fellow workers, customer service, and integrity. Initiative includes motivation to perform tasks, innovation in addressing issues, and the ability to solve problems. Employee evaluations must be fair and impartial. Evaluations must include the officer's move from reliance on arrests, tickets, etc. to their efforts to engage the community and partnerships they build (Pillar 2 Recommendation 2.9 and Pillar 4 Recommendation 4.2.1).

In a study conducted by Police Executive Research Forum (PERF) and the COPS office (2015) it was found that in most agencies the outcomes were not tied to the performance evaluations and those employees regarded evaluations as invalid and unreliable. Employees cited the following problems with performance evaluations:

- Measures do not match expectations to activities: Some of the general activities are the same but the performance expectations are different due to assignment.
- Quantitative focus of evaluations instead of a qualitative focus: Statistics such as number tickets issued and arrests made lack context and does not link the work or how it leads to change. Qualitative evaluations give a better picture of how an individual works, thinks and solves problems.
- Performance evaluations have little value: They are tied to no meaningful outcomes such as promotions, reassignments etc. Since they are seen to have little value supervisors and employees go through the motions. It is critical that the evaluation process is valued and provides constructive feedback.
- Supervisors are taught to fill out forms but little else: Supervisors are not taught how to observe, evaluate, report and communicate with employees on how to correct behavior or performance. They do not know how to coach and mentor.
- Employees have little input into the evaluation: Most employees are not allowed an employee opinion on their performance or the ability to respond to supervisor's comments.

There is probably nothing that seems more overwhelming than developing new performance evaluations that tie into the tenants of procedural justice. Even more challenging is developing a system that does not rely on the number of tickets, arrests, or case closings as measurements of performance. When faced with the prospect of reviewing and re-writing every position description in the department, the task can appear daunting, time consuming, and many agencies/departments may be concerned that they lack the expertise to efficiently and effectively directly link performance evaluations to job performance. Fortunately, there are departments that have already gone through the process and have agreed to make their performance evaluation systems available. Although consultants can provide much needed expertise, they can often be costly to the agency/department. In addition, local non-profit organizations, local colleges and universities, and local business, as well as community leaders, would be more than willing to assist in developing new position descriptions and performance evaluations.

According to research, women are also viewed as less aggressive in situations with the public. Women are often criticized as being afraid to go “hands on” or afraid to get into a fight. As a result, their performance is often viewed and evaluated as substandard by supervisors. It is also particularly troubling because supervisors with this attitude, unfortunately, encourage the use of unnecessary force not by what they say to their employees but through the actions of ineffective supervision. This perception has been well documented even in the face of voluminous research that indicates that women are effective communicators, women are more likely to diffuse conflict, women use appropriate force, and women are far less likely than their male counterparts to use excessive force. As explained by Miller (1999), “traditional gender role expectations play a part in how men’s and women’s job performance may be perceived and evaluated in many community situations”. Further Miller notes that men working with children’s activities were “highly praised” for their activities while women carrying out the same activities were “merely accepted without fanfare”. Further the research states that: “given traditional gender-role expectations, in many community policing situations, women do not get any or enough credit while men get too much”. As a result, unfair standards of evaluation are manifested in the assumptions about gender roles and about whom is “working” versus who is “doing what comes naturally.”

Law enforcement managers, supervisors and leaders must be responsible for ensuring that performance evaluation criteria fairly evaluate and are directly linked to the skill sets necessary for effective policing in today’s environment, thereby, fairly and equitably everyone, including women and minorities.

In research conducted on performance plans, Miller (2014) found that performance plans should be developed so that only 5-10% of the employees could receive the highest rating (outstanding, exceptional). Careful construction helps to ensure that supervisors keep focused on performance and not an individual’s personality traits. This type of plan ensures that supervisors cannot easily reward people they like even though they are not top performers. This 5-10% figure also means that agencies have to re-evaluate how they view and evaluate the remainder of their employees. This would mean that individuals who do not fall into outstanding category are still good dedicated employees. They are dependable, make good decisions and are key the agency’s success. These are the core of the agency and must be respected, mentored and coached, just as the outstanding employee. Under this concept of performance appraisals the outstanding employee should not expect to be evaluated as an outstanding employee all the time and failure to attain the rating each cycle does not mean they are under performing.

The Denver Police Department’s Performance Evaluation System Guide is highlighted in the PERF Executive Guidebook. Denver modeled their system around their strategic plan focusing on officer performance and growth. Their performance evaluation focuses on three primary components, Service Delivery, Interpersonal Skills, and Personal Development. The Denver Performance Evaluation System Guide is listed in the Appendix.

Since performance evaluations are the basis for making decisions on transfers, specialty assignments, and promotions, a fair and unbiased performance system is essential to a law enforcement agency.

PROMOTIONS

Agency/Departments should take all available assurances that promotions are fair and impartial. Research shows that gender bias is deeply entrenched in law enforcement culture. In reviewing research from the 1980's to the present, Marilyn Corsianos (2015) found that law enforcement could be described as “hegemonic masculinity” which establishes practices that promote the dominant social position of men and the subordinate social position of women. The research found that masculine characteristics (aggressiveness, bravery, rationality, objectivity, and brutality) are common sense and are assumed central to the role of police officers, despite the fact that most police work is social work. On the other hand, females are seen as lacking these traits and are viewed as better suited for the police roles that deal with social work.

Unfortunately, this leads to agencies placing a higher value on arrest rates and types of arrest. In addition, women were disproportionately assigned to community policing functions as well as units that focus on domestic violence, sexual assault, whereas males were disproportionately assigned to homicide and tactical units. Further, Miller and Hodge (2004) found that males perceive community policing to be one of the more feminized units, more like social work, and in conflict with the image of the police as crime fighters. This belief system results in women receiving lower scores on promotion boards not because they do not do a good job but because the promotion boards do not value their job assignments.

Because of these long-standing views and the culture of policing, promotion systems can be bias in many ways. For example, assignments to specialty units are highly sought after positions in law enforcement. Research indicates that women are typically assigned positions working with juveniles, child abuse, domestic violence and community oriented policing assignments, while their male counterparts are more often assigned to narcotics, SWAT, and gang units. (NCWP, 2003) Not only do these assignments provide new challenges and duties, they also broaden the officer/agents experience base, resulting in increased opportunity for promotion. In addition, due to the already low numbers of women in the military and policing, the use of prior military experience and law enforcement seniority, in regards to promotional opportunities, also often places women at a disadvantage. Clearly these opportunities, and/or the lack of, will have an adverse impact on performance appraisals and/or agency/department testing, which are key to promotion. These factors, among others, may inadvertently screen women out of the oral interview process due to a built in bias. The progress of women and underrepresented minorities to the higher ranks has been very slow. According to research, some of the lack of progress is attributable to the lack of access to appropriate training, varied assignments, the increased subjectivity of those processes, and the importance of a mentoring program become even more apparent at the higher ranks.

These beliefs and processes have a direct impact on fair and impartial promotions and show how the culture is engrained, and affect everything from recruitment to training, to retention and promotion.

RECOMMENDATIONS:

- *Promotion Boards need to be diverse in ethnicity, culture, gender, and include people from outside agencies.*

- *All participants need training in unconscious gender bias as well as other types of implicit bias*
- *When using a board for high-level positions the boards should also include community representation.*

INTERNAL AFFAIRS

The creation of a Disciplinary Review Board (DRB) removes the discipline process out of the hands of one individual and places it in the hands of a Board. Boards should be diverse, including individuals from different positions within the agency and varied experience. Leadership must also ensure that individuals selected for a position on the Board must have a clear understanding of updated policies and procedures and employee behavior and conduct as it pertains to policing in today's environment. The DRB should be consistent and transparent, to the extent possible.

RECOMMENDATIONS: A Disciplinary Review Board should include:

- *Clear policy and procedures governing the board are essential to maintaining a viable and unbiased procedures*
- *Board members should not have past issues of bias, sexual discrimination or harassment, use of force issues*
- *Requires an explanation for departures from board recommendations*
- *Apply discipline consistently for the same infractions. This requires the Board or a Human Resources (HR) employee to track past infractions to ensure consistency.*
- *An HR person assigned to the board as a non-voting member who provides guidance can be invaluable to the board maintaining consistency*
- *The DRB must diverse and fully inclusive*
- *The DRB should consist of an adequate number of diverse employees to allow a member to step down for conflict of interest issue.*

Research has shown that women and minorities become the victims of anonymous complaints of misconduct after they file a complaint of discrimination or sexual harassment. This is often done to retaliate and intimidate the employee. Research also shows that employees who file or present testimony against another officer also suffer from being disciplined more harshly for the same offense or receive performance evaluations that are lower than other officers. These tactics reinforce the perception that the department is biased and untrustworthy.

All employees should receive training in the agency's discipline system and process. Employees should understand how decisions are made, and the role mitigating and aggravating factors play in the discipline decisions. All Employees need to understand the difference between performance, which is corrected through a performance improvement plan and behavior, which is investigated and may result in some level of punishment. Every agency/department's internal affairs process and procedures should be fair, impartial and transparent.

RECOMMENDATIONS:

- *Agencies should have clear policies on how these investigations will be conducted*
- *Management should review these allegations to see if there is a connection between employees who file formal grievances or cooperate with an internal investigation and anonymous complaints*

Internal Affairs/Professional Responsibility Investigators

RECOMMENDATIONS:

- *Internal Affairs or Professional Responsibility units should be carefully selected.*
- *They should be screened for any potential bias, including bias against women and minorities as law enforcement officers.*
- *All individuals should be screened for participation in any discriminatory or harassing behavior. Consideration should be given to utilizing external investigators who are highly experienced in conducting such investigations.*
- *All efforts should be made to eliminate individuals from investigating the people in their chain of command or other conflicts of interest.*
- *All investigative staff should have highest integrity and be racially, ethnically and gender diverse.*
- *Once selected these individuals should sign a confidentiality agreement agreeing that they will not discuss investigations with other parties. This confidentiality agreement survives the individual's tenure in the unit.*
- *Once investigators are selected, they should receive training on labor law, discrimination law, equal opportunity, interviewing techniques and investigative techniques.*
- *Employees should be strongly encouraged to report misconduct.*
- *Agencies should have clear policies about misuse of the internal investigation system for retaliation against employees.*

Supervisors should be trained/instructed to differentiate appropriate internal affairs referrals versus performance and/or behavioral issues that should be handled by the first line supervisor. Agencies/Departments should monitor supervisor referrals to internal affairs for non-internal affairs matters, such as performance or behavioral issues. The number of referrals made on all employees and corrective action taken needs review to ensure that there is not disparate treatment. Supervisors, who make inappropriate use of the internal affairs system in lieu of effectively handling matters and providing leadership to their employees, should be evaluated accordingly with performance improvement instituted to correct their performance. This type of behavior is detectable through regular reviews of supervisor's performance and requires immediate attention.

RECOMMENDATION:

- *Allegations based on poor performance should be referred back to the second line supervisor to ensure that the employee's supervisor takes appropriate corrective action.*

PART FIVE: RESOURCES

IACP Resources:

- **IACP National Policy Summit on Community-Police Relations:** Advancing a Culture of Cohesion and Community Trust Report: The report is designed to serve as a roadmap for law enforcement, communities, and stakeholders to build meaningful, sustainable, trusting, and effective working relationships. Summit participants outlined three conceptual elements of building community-police relationships. The report defines those elements—communication, partnerships, and trust—and provides recommendations for improvement in each.
- **Protecting Civil Rights:** Comprehensive guide highlights the sanctity and importance for law enforcement to protect the civil rights of the citizens they serve. Guide addresses protecting civil rights, sustaining community outreach and engagement, early intervention, managing complaints, managing use of force, addressing racial profiling, including personnel and data-management issues.
- **IACP Publication: A Symbol Of Fairness And Neutrality, Policing Diverse Communities in the 21st Century**
- **Crowd Management and Control Model Policy:** Assists agencies in establishing guidelines for managing crowds and preserving the peace during demonstrations and civil disturbances.
- **Crowd Management and Control Concepts and Issues Paper:** Accompanies the Model Policy on Crowd Management and Control (formerly titled Civil Disturbances). Paper provides essential background material and supporting documentation to provide greater understanding of the developmental philosophy and implementation requirements for the model policy. Assists law enforcement executives in their efforts to tailor the model to the requirements and circumstances of their communities and their law enforcement agencies.
- **Emerging Use of Force Issues: Balancing Public and Officer Safety:** Relations with the community are often strained due to incidents of use of force. Document examines the core use of force issues, and identifies strategies to address these issues and build community trust.
- **Officer-Involved Shootings Investigative Protocols:** This guide stresses the importance to have in place protocols to investigate an officer-involved shooting without prejudice and to be transparent with the community.
- **Building Communities of Trust: A Guidance for Community Leaders:** Community leaders and local law enforcement share responsibility for addressing the prevention of crime and terrorism in their neighborhoods. This Guidance aids in the development of trusting relationships by bringing together local law enforcement leaders, U.S. Attorney's Offices, fusion centers, and community representatives. This document provides recommendations, resources, and tips on how community leaders can be more proactive in working with law enforcement agencies to help keep neighborhoods safe.
- **Building Safer Communities: Improving Police Response to Persons with Mental Illness:** Recommendations for local, state, federal, and tribal organizations that improves the safety of community members and law enforcement officers when responding to crisis calls involving a person with mental illness.

- **Building Trust Between the Police and the Citizens They Serve: An Internal Affairs Promising Practices Guide:** This guide presents information on how local law enforcement agencies can be accountable to their citizens by engaging them in any number of trust-building initiatives, including citizen input for Internal Affairs determinations and discipline. Citizen involvement models range from very informal mechanisms to formalized (sometimes mandated) citizen Internal Affairs review boards. Departments are urged to create connections with their citizens in a proactive fashion to prevent the development of tenuous relationships following high-profile misconduct. The final section of the document addresses the critical relationship of the law enforcement leader and the governing body of the jurisdiction in trust-building and effective Internal Affairs practices.
- **Law Enforcement Recruitment Toolkit**

Other Resources:

- **Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement:** This step by step guide assists agencies examine their policies and procedures and to identify and remove obstacles to hiring and retaining sworn and civilian women employees at all levels of an organization.
- **Police Recruitment Retention for the New Millennium and Beyond The State of Knowledge;** Jeremy M. Wilson, Erin Dalton, Charles Scheer, Clifford Grammich, COPS Cooperative Agreement 2007CKWXK005 Rand Corporation 2010 Santa Monica, CA
- **Recruiting and Retaining America's Finest: Evidence Based Lessons for Police Workforce Planning,** Jeremy Wilson, Bernard Rostker, ChaChi Fan. NIJ grant 2006-DD-BX-0025 Rand Corporation 2010 Santa Monica, CA
- **Today's Police and Sheriff Recruits Insights From the Newest Members of America's Law Enforcement Community,** Laura Werber Castaneda, Gregory Ridgeway, COPS Cooperative Agreement 2007CKWXK005 Rand Corporation 2010 Santa Monica, CA
- **Implementing a Comprehensive Performance Management Approach in Community Policing Organizations; An Executive Guidebook,** Police Executive Research Forum, Shannon Branly, Andrea Luna, Sarah Mostyn et al. 2015

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PART SEVEN: APPENDIX

The following Checklist is based on the Recruiting & Retaining Women –A Self Assessment Guide for Law Enforcement: National Center for Women & Policing 2000 BJA Grant#99-LD-VX-003. The checklists provided in this guide cover topics that should be addressed when creating or updating a program focusing on the recruitment, retention and promotion of women and minorities. These checklists are easily modified to meet an individual agency or department's needs.

Creating new Police Officer Job Descriptions – Checklist		
All law enforcement job or position descriptions must accurately reflect the duties that employees are expected to perform		
The local Community has had input in the development of the position description.	Y	N
Local Bargaining unit or professional organization has had input into the development	Y	N
Human Resources has been reviewed the new position description.	Y	N
Legal expert has reviewed the new position description.	Y	N
The position description describes and emphasizes community policing activities and incorporates elements of procedural justice	Y	N
The position description emphasizes the both community policing and traditional law enforcement duties: • Knowledge Skills and Abilities (KSAs): • Ability to communicate with members of diverse communities • Knowledge of the value of cultural diversity • Ability to de-escalate violent or potentially violent confrontations • Ability to mediate disputes • Ability to organize and work cooperatively with community groups as well as internal teams • Ability to develop and prioritize solutions for crime and community livability problems • Ability to empathize with those holding different values • Ability to listen to and respect the people • Ability to work with other governmental and social service agencies • Ability to identify proactive measures to prevent problems and enhance community livability • Ability to handle conflicting priorities • Ability to drive in hazardous situations • Ability to communicate orally and in writing •	Y	N

EXAMPLE OF A POLICE OFFICER POSITION DESCRIPTION

The following example is from: Implementing a Comprehensive Performance Management Approach in Community Policing Organizations: An Executive Guidebook.

Police Officer

: Duties and Responsibilities

A patrol officer is responsible for carrying out the functions of the department with paramount focus on the protection of life and property from criminal depredation, the prevention of crime, the apprehension and arrest of violators of criminal and traffic laws, recovery of stolen property and the regulation of non-criminal conduct. They shall constantly direct their best efforts to accomplish that end intelligently and efficiently, and shall hold themselves in readiness at all times to answer the calls and obey the orders of their superior officers.

Officers will uphold the Constitution of the United States of America and enforce applicable ordinances and regulations of the City and County of Denver and the laws of the State of Colorado in a fair and impartial manner.

Officers shall serve the public by direction, counsel, and in other ways that do not interfere with the discharge of their police responsibilities. They shall respect and protect the rights of individuals and perform their services with honesty, zeal, courage, discretion, fidelity and sound judgment. In carrying out the functions of the department, all members thereof shall direct and coordinate their efforts in such a manner as will establish and maintain the highest standard of efficiency and safety.

EXAMPLE OF POLICE OFFICER OVERALL PERFORMANCE RATINGS

Exemplary: The performance exhibited is exceptional and rarely equaled; work is consistently excellent in terms of quality, thoroughness, accuracy, efficiency, tactical and technical expertise; officer is proactive in thought, demonstrates innovation and without exception, initiates and completes responsibilities while always adhering to policy and procedure; the officer has an exceptional understanding of what job tasks are needed to be accomplished; there is no doubt in the application of sound judgment; the officer is desirous of seeking additional work and responsibility upon the completion of normal duties and often does not need prompting; the performance is far above the department's expectations specific to rank/position.

Satisfactory: The performance exhibited is acceptable; the officer performs work in a steady manner; there is an effective application of skills and tactics to various responsibilities; in most instances uses sound judgment; is usually desirous and willing to do the job; is able to perform tasks with minimal instruction and direction; performance is considered to be consistent, effective, efficient and generally meets the expectations set forth by the specific rank/position.

Unsatisfactory: The performance exhibited is marginal to poor; there is a limited or complete lack of ability to perform the basic responsibilities; is unwilling to work, shows no desire to work; performance is not sufficient, requires repeated or extensive direction; does not exercise sound judgment; the officer frequently or consistently disregards responsibilities or adherence to policy and procedure or tactics.

EXAMPLE OF SPECIFIC PERFORMANCE CRITERIA

Example From: Implementing a Comprehensive Performance Management Approach in Community Policing Organizations: An Executive Guidebook

(1) COMMUNICATION – WRITTEN

The ability to express information or ideas to other people in written form

MODELS

EXEMPLARY: When writing, spelling and grammar usage are flawless. Reports and correspondence are concise and include all necessary and relevant facts. Content is detailed and appropriately cited. All information is clearly understood. The execution is appropriate to the content and provides the recipient with a clear statement of position or an identifiable call to action.

SATISFACTORY: Reports and correspondence are accurate, concise and understandable. Although there may be minimal errors in spelling or grammar, they do not affect the meaning or factual content. Handwritten reports are neat and legible. Written communication is delivered in the format appropriate to the subject.

UNSATISFACTORY: Reports and correspondence are inaccurate because they either include unnecessary and/or contradictory information or are generally lacking necessary information. The content is confusing and the uses of language, spelling and grammar are frequently incorrect or misleading. Handwritten reports are illegible. Written communication is delivered in the format inappropriate to the subject.

(2) COMMUNICATION – VERBAL

The ability to express information or ideas to other people verbally

MODELS

EXEMPLARY: When speaking or answering questions, the ability to communicate information or ideas is exceptional and commands the attention of all listeners. Statements are concise and deal directly with the subject matter. Speaks with forcefulness and has near perfect enunciation. Actively listens and participates in the conversation; utilizing focused questions that demonstrate genuine interest. Responds appropriately to questions; demonstrating professionalism, compassion and/or expertise. Has an excellent awareness of body language.

SATISFACTORY: Able to speak and be understood with little explanation or distortion. Main ideas are conveyed, although some clarification may be needed. Has a general awareness of inflection, enunciation and tone, and understands the impact they have on the message. Compassionate to different communication styles and makes adjustments as required. Speaks calmly and clearly, using appropriate language. Has a general awareness of body language.

UNSATISFACTORY: Attempts to communicate result in confusion, misunderstanding or confrontation. Continually brings up irrelevant issues, is unclear and/or directs the discussion to become obscure. Enunciation is poor and language usage is often inappropriate. Has a limited awareness of body language and has a tendency to convey disinterest, indifference or dissension.

Not Applicable: Some entries on the evaluation will be informational only, for example the documentation of training attended. Entries that are not performance based should have no bearing on the evaluation and therefore the 'not applicable' standard should be applied. Additionally, this rating would be appropriate if for reasons beyond the control of the officer, an action plan was delayed or abandoned and no measureable performance metrics had been accomplished.