

WOMEN IN POLICING A MANUAL

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**DEDICATED
TO ALL
WOMEN ON PATROL**



PREFACE

One of the objectives of the Police Foundation is to sponsor research which will assist police departments in improving the quality of their personnel. The Foundation believes that a police department's services are only as good as the people providing them. In 1972, the Foundation sponsored a survey on the use of women in policing to determine whether a new, untapped resource would, in fact, help improve the quality of policing. Since that time, the Foundation has been actively in the forefront of research on the subject of women in policing. The most extensive and conclusive research was an evaluation of the performance of women on patrol in Washington, D.C. The Foundation published results of the evaluation in *Policewomen On Patrol: Final Report*.

To disseminate information from this important experiment, the Foundation in the spring of 1974 sponsored a national Symposium About Women in Policing. This manual was originally prepared for participants at the symposium.

Besides dissemination, the symposium had several other purposes—namely to draw attention to critical legal, policy, administrative and operational issues and to elucidate the problems and benefits resulting from the expansion of the role of women in policing. The conference served as a forum for active discussion of recent experimental findings and as a means of gathering new information and insights from participants.

Attending the symposium were more than 100 persons, including researchers with experience in the subject of women in policing, female officers and their male partners, chiefs of police and other police administrators, mayors, city managers, municipal personnel and budget directors and representatives from federal, state and local public and private interest organizations. The symposium thus benefitted from the wide range of experience of participants with various ranks and points of view.

Now revised to incorporate new information and the suggestions of symposium participants, the manual is published as a survey and guide to police agencies and municipal governments in the successful recruitment, training, and use of women in policing.

Many persons contributed to the manual's preparation. Some of them are noted in the Acknowledgements; others helped to develop the manual by attending the symposium and offering suggestions. The Foundation is indebted for this wide range of assistance and thanks each contributor.

In many departments, the use of women in a wide range of police activities remains a controversial issue. The Foundation believes the manual will further intelligent use of women as an integral part of policing.

Patrick V. Murphy
President
Police Foundation

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The preparation of this manual was a group effort. Overall responsibility belonged to CATHERINE HIGGS MILTON, an Assistant Director of the Police Foundation, a nationwide lecturer on women in policing and the author of *Women in Policing*, *Team Policing: Seven Case Studies*, and *Demonstration Projects as a Strategy for Change*. The principal authors were AVA ABRAMOWITZ, former Director of Evaluation, Office of Criminal Justice Plans and Analysis, District of Columbia, who did research for the Police Foundation's original book *Women in Policing*; LAURA CRITES, editor of *Target*, a newsletter published by the International City Management Association about innovative criminal justice projects, and author of *Women in Law Enforcement*; MARGARET GATES, J. D., Co-Director of the Center for Women Policy Studies and Assistant Professorial Lecturer at the National Law Center, George Washington University; ELLEN MINTZ, Ph.D., Assistant Professor of Psychology at York College and a former full-time consultant to the New York City Police Department, who has written and lectured widely about women in law enforcement; and GEORGETTE SANDLER, Ph.D., affiliated with York College, former coordinator of training and evaluation for the New York City Police Department and also an author and lecturer on women in policing.

Valuable assistance in the preparation of the manual was given by SEYMOUR BERNSTEIN, former Director of Police Personnel, New York City Police Department; JEANNE HALLECK, a full-time consultant to the Police Foundation; PHILIP SAWICKI, editorial consultant to the Police Foundation; and RICHARD STAUFENBERGER, Ph.D., an Assistant Director of the Police Foundation. Several other people contributed to the production of the manual, including SHARON WINKLER, Public Information Officer of the Police Foundation; HATTIE CARRINGTON, Secretary to Ms. Milton; TOM BRADY, Director of Communications; JOSEPH LEWIS, Police Foundation Director of Evaluation; and JANE PICKER of the Women's Law Fund, Inc., who reviewed and commented substantially on the content. Additional assistance was provided by BRENDA WASHINGTON, IACP Policewomen Information Center Coordinator.

INTRODUCTION

In 1971 there were fewer than a dozen policewomen on patrol in the United States; in 1974 there were close to 1,000. In 1971 there were only a few women in police supervisory positions; in 1974 there were several hundred women sergeants, lieutenants and captains supervising male and female patrol officers and detectives.

These changes did not happen by chance. Some were required by the courts. Others came about because police administrators wanted to modify their hiring and assignment practices before the courts did it for them, or because administrators saw potential benefits for their departments and communities in having a work force more representative of the general population.

The expanded role of women in policing must be seen in the context of the past ten years. Urban riots, campus demonstrations and higher crime rates raised many questions about the police mission and about departmental policies and procedures. Were the police isolated from the community? Was policing in fact simply a game of "cops and robbers?" When should a department use "force?" What were the alternatives to the use of force? Did the non-criminal aspects of police work have any utility in fulfilling the primary mission of law enforcement? How important was it to have community representation in police agencies? What effect did the organizational structure of a police agency have on officer performance? What kinds of people should be recruited as police officers?

The Police Foundation became interested in the issue of women in policing through its investigations of ways to improve police personnel. The Foundation asked whether women could perform effectively as police officers and, more importantly, whether overall departmental effectiveness would improve if the recruitment and selection pools were expanded to include women.

Opinions varied. On the one hand it was said that women were too weak or too emotional to handle the tasks of patrol officers. They could not command citizen respect, and their presence would place fellow male officers in positions of danger. On the other hand it was said that women could handle conflict situations better than men. They would diffuse violence and be less threatening than men. Their presence would reassure citizens and improve police-community relations. They would change the police stereotype from one of roughness and insensitivity to one of responsiveness and understanding.

But while opinions were many, facts were few. In 1971 the Police Foundation conducted a national survey to determine how women were being utilized in police departments: The findings, published in *Women in Policing*, showed that policewomen were few in number and deployed in very limited tasks. No conclusions could be drawn about women's capability to perform patrol. Consequently, when the Metropolitan Police Department, Washington, D. C., decided to assign women to patrol, the Foundation funded an evaluation study to compare the effectiveness of women and men on patrol and to determine what impact, if any, the hiring of larger numbers of women would have on the quality of policing. The Foundation also funded an evaluation, though smaller in scope, of the New York City Police Department when it decided to utilize women on patrol.

Two major conclusions can be drawn from these studies:

While there are some measurable differences in the way women and men perform, women clearly can perform the job of patrol.

There is a significant amount of prejudice against women within police departments.

The most detailed results are available from the Washington evaluation as published in *Policewomen on Patrol: Final Report*.

During the last two years police administrators around the country who were trying to decide how best to plan a women-in-policing program have contacted the Police Foundation. Because integrating women into policing means elimination of the special treatment women have traditionally received, these administrators have been faced with a complex and, at times, emotion-ridden task. They have been required to review their departmental policies and procedures and to modify them in order to comply with equal opportunity laws and good personnel management practices.

It should be emphasized, however, that the issues confronting police administrators are not issues pertaining only to women. Quite the contrary. The need to re-think policies and procedures and to improve organizational supports, such as methods of evaluating performance, has existed for years. The inclusion of women in patrol work has provided police executives with the opportunity to question things that have long needed questioning, and to improve things that always required improvement.

This manual is a brief survey of information gathered in recent years about women in policing. Particular emphasis has been placed on the obstacles that can keep women from participating fully and effectively in the delivery of the entire range of police services and the methods by which these obstacles can be successfully overcome.

The admission of women to the performance of all police duties is not a panacea for all the difficulties facing police departments in contemporary society. But with careful planning and supervision, a program developed for the integration of women can provide the impetus required for successful reassessment of current policies and allow for constructive change.

Catherine Higgs Milton
Assistant Director
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I. OVERVIEW AND CASE STUDIES

To me policy is a process which a person, a group of persons or a structure of persons goes through in order to determine what shall be done in specific instances. How it shall be done. . . is an administrative determination. To me the policy of women in policing, that is, what shall be done, has already been determined. It has been determined by federal legislation, and it is being determined and enforced by the judicial arms of our government, that there shall be no sex discrimination in job hiring or job employment. We can argue it, we can debate it, we can curse it, we can try to impede its implementation, but sooner or later every hiring agency, private or public, will have to comply. Since the policy decision regarding women in policing has already been made, address yourself and your staff to the administrative problem as to how the policy can best be implemented in your area of jurisdiction. There is an old saying, don't fight the inevitable, sit back, relax. Who knows, you might even enjoy it.

James Alloway, City Manager, Dayton, Ohio

Every police agency has made some kind of policy decision about how to utilize women in policing. Most police agencies, however, have only recently begun to examine their policies carefully in light of legislative changes, court rulings and the publicized experiences which a few departments have had with women on patrol. The latter part of this chapter describes how six jurisdictions decided what their policies would be. Several general observations can be drawn from the experience in the six jurisdictions.

The first is that when a police department fails to hire and assign women on an equal basis with men, a decision to amend the department's policy is likely to be made by a higher governmental authority. This happened in three of the six jurisdictions whose case studies are given later in this chapter.

In Arlington County, Virginia, a decision to place women on patrol was made by the county manager after the county's former police chief declined to change a policy of assigning female officers to investigative activities upon completion of basic training. The county police association contended that this was preferential treatment for women officers, since men were customarily assigned to patrol when they completed basic training. When the chief turned a deaf ear to this contention, the association turned to the county manager. The manager agreed with the association and, acting within his authority as chief administrative officer of the county, ordered the chief to alter the policy.

A similar situation occurred in Cleveland, Ohio, except that the decision to change police department policy was made not by an appointed manager but by an elected mayor. The issue at hand was whether to increase the number of women in the Cleveland Police Department. The department contended that the 38 women already on the force (all of them assigned to the Women's Bureau) were all that it could accommodate, even though a city ordinance set a limit of 50 women on the force. The mayor, however, responding to the protests of civilian women eager to join the force and willing to work as patrol officers, directed the department to hire additional women and assign them to patrol.

In Los Angeles, California, police department policies which discriminated against female officers were overturned at the behest of the city council. Until recently, female officers were barred from patrol in Los Angeles and could not be promoted to a grade above sergeant. When the city council learned that a group of women within the department was about to file suit over the restrictive promotion policy, the council directed the department to re-evaluate all its policies in regard to women. Under pressure from the council and the policewomen, the police chief

proposed a plan for a non-discriminatory policy in the hiring, assignment and promotion of police officers of both sexes, a plan subsequently ratified by the council.

The second general observation that can be drawn from the experience in the six jurisdictions is that when a police department is compelled by another authority to adopt a non-discriminatory policy, the department is not as free to design and implement the new program as it would have been if the department had made the decision on its own initiative.

In Cleveland, for instance, once the mayor determined that women were under-represented in the department and that policy should be changed, he also stipulated the number of new female officers to be hired (45), the method of hiring (three groups of 15 women each) and the funding to be used (LEAA's Major Impact Cities funds). In Los Angeles, once the city council focused its attention upon police personnel policies in regard to women, the council decreed a change in height requirements as well as the other changes already mentioned. Whereas the previous requirement had been five feet eight inches for men and five feet four inches for women, the council set a new height requirement of five feet seven inches for both men and women. As these examples indicate, a binding external decision may include policies or regulations affecting more than simply the inclusion or expanded use of women.

The third general observation to be drawn from the experience of the six jurisdictions is that when a department itself determines to change a discriminatory policy in regard to women, resistance to women within the department is minimized and the department can plan and implement the new policy as it sees fit.

The department in Dallas, Texas, for instance, had several months to study programs in other cities and to establish a task force which decided the size of the first group of policewomen to be hired and developed operational guidelines for successful integration of women into the force. In Madison, Wisconsin, the situation was similar. The chief of police, having made the decision to place policewomen on patrol, retained the responsibility for arranging the program. This gave him time to prepare departmental personnel for the new policy, to determine the number of women officers to be hired initially and to develop a special training curriculum for them.

CASE STUDIES

Arlington County, Virginia

Arlington County is a suburban residential and business community with a population of 163,800 located directly across the Potomac River from Washington, D.C., in a metropolitan area with slightly more than two million people. The county is governed by an elected five-member county board and administered by a county manager appointed by the board. The county manager has the authority to hire and, if necessary, dismiss the police chief. The manager also has the power to over-ride policy decisions of the police department, and therefore the manager's recommendations in regard to policy and hiring carry great weight within the department.

In the mid-sixties the department took some notable steps in police administration, including the adoption of incentive pay for officers who took college courses, a higher pay scale for officers with college or advanced degrees and the adoption of a new selection process to identify the highest quality recruits. More recently, the department initiated a policy requiring new applicants to have at least two years of college education.

As a result of these changes, almost forty percent of the current total of 297 sworn officers have college degrees. In October, 1974, however, the policy of linking pay to education was challenged in a suit filed in federal court by 111 Arlington police officers claiming that the policy is discriminatory because all officers, regardless of education, do the same work. This suit is still pending.

Until 1971 the Arlington police department had only one female officer, who had worked for a number of years in the juvenile division as a detective. In that year a decision was made to begin active recruitment of women. For the next two years the women recruited under this new policy were assigned to the investigations division upon completion of basic training; some, after serving as undercover agents for six months, then moved into detective positions. Meanwhile, rookie male officers (unless they had special qualifications) were routinely placed on patrol following basic training. The chief at that time, since retired, said that women were being assigned to detective work instead of patrol to protect them from physical harm.

In 1972, the policy was criticized as discriminatory by the Arlington Police Beneficiary Association and individual male officers. They held that women had achieved unfair pay and promotional advantages solely because of their sex. This contention was rejected by the former police chief but was received sympathetically by the county manager, who in turn directed the police chief to adopt a policy assigning all new officers, regardless of sex, to patrol. Promotion to the position of detective or investigator was to be on the basis of merit and in competition with other sworn officers.

The attitude of the police administration appears to have been simply a reluctance to make an inevitable decision. Once the decision was made, however, the chief's office took responsibility for its implementation. A new chief who joined the department in mid-1973 is similarly committed to the use of women on patrol.

The first two women reassigned to patrol in 1973, both with college degrees, were reported to have accepted their new assignment enthusiastically. In addition, their backgrounds in vice and narcotics investigation gave their patrol work an extra dimension.

The department anticipated no problems with male officers, since the program had been implemented at their insistence. However, as a result of the unisex policy, between March of 1973 and July of 1974, the seven women officers who were doing detective work were reassigned to patrol. Reassignment for four of the seven resulted in a change in rank from Police Officer II to Police Officer I and salary losses of between \$1,000 and \$1,700 a year. These women subsequently filed suit seeking back pay and a return to their previous pay scale, but no reinstatement as detectives. The department contends paying women on the detective pay scale while they work as patrol officers would violate the concept of equal pay for equal work.

The issue at hand, in other words, appears to be pay rather than assignment to patrol. So far, both the original two female patrol officers and subsequent women hired for patrol have been extremely successful, according to departmental personnel.

Cleveland, Ohio

Cleveland is primarily an industrial city with a population of approximately 740,000 in a metropolitan area of somewhat more than 2 million people. The city government is run by an elected mayor and a 33-member elected city council.

The mayor has the authority both to hire and to dismiss the police chief, who leads a department of about 2,300 officers, 8.86 percent of them from racial minority groups. Because of a suit which charged the department with discriminating on the basis of race in selecting officers, the department has been under court order to raise the number of officers from racial minorities to 18 percent as soon as funds permit.

In recent years the Cleveland Police Department has also come under considerable criticism for its policies regarding the hiring, deployment and promotion of women. Some of this criticism arose within the department itself in 1972 when a number of black policewomen complained that they were systematically denied promotion and job assignments outside the Women's Bureau. The chief attributed their lack of promotion to a city ordinance which restricted the number of women on the force to a maximum of 50 officers and further limited the number of supervisory positions they could hold. (Traditionally, the women were restricted to service in the Women's Bureau which at that time, had only 38 women; the department contended that it could accommodate no more than that.) The group of black female officers contacted the Women's Law Fund, Inc., of Cleveland for help. The Women's Law Fund sought repeal of the ordinance by the city council, which subsequently did take that action. Despite repeal of the law, however, no female officers have been able to gain transfer out of the Women's Bureau to other divisions of the department. They have, as a result, filed suit against the city and the department asserting continued discriminatory treatment in job assignments and promotional opportunities.

Joining the original female police officers who sought help from the Women's Law fund, were a group of women from outside the department who had applied for jobs as police officers; several of them expressed a specific interest in performing patrol work. When the department did not act on the applications of these outside women, the Women's Law Fund approached the mayor for help. Out of negotiations among the Fund, the mayor and the director of the Major Impact Cities program came the mayor's decision to hire 45 additional women, in three groups of fifteen. The salaries of the first fifteen were to be provided out of Major Impact Cities funds. The decision was communicated to the chief with instructions to begin its implementation as soon as possible.

So far, fifteen women have been hired under the same requirements governing the admission of men and, as in the past, given the department's standard police training. Instead of being assigned to regular patrol, however, these new female officers have been assigned to "evidence technician" cars.

In addition to the original law suits concerning promotion and job assignments, several additional suits have been filed against the city and the department over such matters as women's exclusion from the cadet program, seniority practices, maternity policies, hiring practices and dress code.

Los Angeles, California

Los Angeles is a city with a population of approximately 2.8 million in a metropolitan area with a population of approximately 7 million. The city is governed jointly by a mayor and a 15-member council, both of which have responsibilities and authority related to the police department of 7,329 sworn officers.

The mayor (with the consent of the city council) appoints the five-member police commission, which in turn has the authority to hire the chief of police. The commission, which in effect functions as a board of directors, plays a substantial role in setting policy for the police department. Hiring for the police department is done by the city personnel department.

The Los Angeles city council also exerts considerable authority in police department matters through budget review, through the part it plays in the selection of police commission members and through the enactment of local legislation affecting the department. It was largely because of city council interest and pressure that Los Angeles recently opened patrol to women as well as men, allowed women to take promotional examinations for all positions in the department and set a height requirement of five feet seven inches for both men and women.

The original impetus for these changes was a suit threatened by women in the department against a previous policy which denied women the right to be promoted higher than sergeant. Earlier policies also restricted the 150 women in the department to work as detectives, undercover officers, investigators and community relations officers. When the city council learned about the impending suit, it directed both the department and the city's personnel department to review their policies in regard to women and report back to the council.

Ultimately, after many months of discussion among the policewomen's association, the city personnel office and the police department, the chief of police submitted to the council a proposal for a completely non-discriminatory policy in regard to women. This new policy permitted women to be assigned to patrol on an equal basis with men, eliminated restrictive promotional policies and established equal entrance and training requirements for both sexes. The department has also established a position of "Women's Coordinator," whose occupant has twin responsibilities for recruiting qualified women and monitoring their treatment within the department. So far, five women have completed training and been assigned to patrol, and five others will graduate with the next class of recruits.

It is premature to discuss the performance of the new women police officers or the degree to which they have been accepted by male officers in the department.

Madison, Wisconsin

Madison is a comparatively small city with predominantly white-collar population of approximately 180,000. The city is governed by a mayor, who appoints the five-member police and fire commission. This commission appoints both the police and fire chiefs and directs personnel matters in both departments as well. The police chief reports to the mayor on operational matters and to the commission on personnel matters.

In 1973 the commission appointed a new chief, who soon afterwards initiated a more active program to recruit women into the force and who decided it was time to place Madison policewomen on patrol. Aware that court decisions indicated that assignment of women to patrol on an equal basis with men was inevitable, the new chief also saw women patrol officers as a possible answer to a continuing problem in the city. In Madison, the site of the University of Wisconsin, a pattern of continual confrontation between students and police had developed over the years. The new chief believes that female officers, with a less authoritarian or "tough" image, may be able to improve police relations with the students.

The policy of assigning women to patrol was carefully planned. First, veteran officers were asked (at in-service training classes conducted by a male captain and female detective) to identify potential problems and their solutions. Several Madison police officers inspected the women-on-patrol programs in New York City and Washington, D.C., and all the department's patrol captains attended a workshop on female patrol officers conducted by the Northwestern Traffic Institute in Chicago.

The next thing was to design a training program that was realistic for both male and female recruits. Among other things the Madison training program now includes karate training for women, based on the opinion of male officers that such training improves the ability of women to handle situations they may encounter on patrol.

The third thing considered necessary was the recruitment of a sufficiently large group of women so that they would not feel isolated, because of their sex, within the department. The initial recruiting program resulted in the acceptance of six women into training, most of them with college degrees. (Female officers already with the department had the option of transferring to patrol, but none have done so because such a transfer would have been, in effect, a demotion.)

The success of the female patrol officer program in Madison remains to be seen. Few attitudinal problems are anticipated, however, since department personnel participated in developing the program and have been kept thoroughly informed of its progress. The department expects to have policewomen as a permanent part of the patrol division. As of October, 1974, the department had four female police officers assigned to patrol and six women in the Youth Aid Section.

Dallas, Texas

Dallas, a city with a population of approximately 840,000 in a metropolitan area with about 1.5 million people, is governed by a city manager and a ten-member city council. Selection of a police chief is made by the city manager, and the police department budget is reviewed by the county manager and his aides. The police department consists of 1,900 sworn officers, including 119 minority group members and 65 women.

Up until 1970, women on the Dallas police force were assigned almost exclusively to the youth division and were ineligible for promotion. A change occurred that year, however, when ten additional women were hired and assigned (upon completion of training) to all department divisions except patrol. The successful performance of these women led to further re-evaluation of policies in the assignment of women and a decision to place women on patrol. At approximately the same time, the Police Foundation began working with and providing financial support to the department. The Foundation encouraged the chief to consider assigning women to patrol in the spring of 1973 on an experimental basis.

Planning for the new program was assigned to a departmental task force of eight officers, only one of them female. This woman officer, however, along with one male member of the task force and a policewoman from the youth division made trips to inspect several other departments and gather information for us in planning the assignment of women in Dallas to patrol.

The task force was also responsible for training the new women to be assigned to patrol. Of the task force's eight members, two were patrol lieutenants and two were patrol sergeants. The concept behind the use of these patrol officials as training officers was that the new women to be placed on patrol would at that time be placed under the command of these patrol officials, thus eliminating the necessity of special orientation for the women's commanding officers.

Only two women officers were initially assigned to patrol. Unlike some of the other departments discussed in this chapter, no orientation program was held for male patrol officers in the Dallas Department, nor was any notice given to the male officers of the imminent entrance of women into patrol work. This would probably not have been feasible if a larger number of women had been initially assigned to patrol.

It was the task force's opinion that this "low-profile" implementation was wiser than a department-wide announcement that women were going on patrol. The task force felt that it was better not to call undue attention to the women, and that the new policy would quickly become known throughout the department even without an announcement. Reliance on the news getting around through conversations among male officers was not totally successful, however. For example, one district captain asked his superiors what was going on after he saw a woman riding with male officers during training.

While the introduction of women into patrol in Dallas appears to be working successfully, it is evident that some male members of the force have resisted the change in policy. The policy appears also to have lessened the number of women applying for police work, but some Dallas police officials think it may improve the quality of those women who do apply. They theorize that only women with the desire and the self-confidence necessary to deal with the diversity of patrol work will be future applicants.

Dayton, Ohio

Dayton, predominantly an industrial and manufacturing city with a population of approximately 250,000 is the center of a metropolitan complex with a population of some 900,000. The city is governed by an elected mayor and four elected city council members who together comprise a city commission. The chief administrator is a city manager, who appoints (or removes) the police chief with the approval of the council. Police department personnel matters are handled jointly by the police and the city's personnel departments.

Dayton has a police force of 377 sworn officers, 364 men and 13 women. It is worth noting here that recruits who join the department serve their initial period of six months as Community Service Officers. During this period, they do not have any sworn officer responsibilities; instead, their chief duty is to undergo varied and comprehensive training at the police academy and to observe the functioning of veteran officers. At the end of the six months they become sworn officers, but they are on a probationary status for the next six months and are largely under the supervision of field training officers.

Planning for the integration of women in larger numbers into the force and their assignment to patrol began as early as 1970 when Dayton's former police chief saw the handwriting on the wall. The reason was that the few women members on the force in 1970 demanded the opportunity to take the promotional examination for sergeant. The city personnel department's refusal to allow this was overridden by the Civil Service Board. Most, if not all, of the women were members of the Fraternal Order of Police chapter, to which their demands were presented. Use of this particular channel helped to accustom male officers to the idea that women had been discriminated against in the past.

In August 1973, a change occurred in the police department administration. The new police chief set his policy planning unit to examining Federal law and closely watching the progress of court suits filed over issues involving women in policing. Having concurred with his predecessor's position of positive cooperation, the chief maintained that position by directing the planning for an increased number of women in the department and by taking several actions to minimize resistance on the part of male officers. The chief made a particular point of making his own rationale for the change known to the rest of the department; reprints of articles both for and against women in policing were distributed to all officers.

By the fall of 1973 planning for the integration of women into all aspects of the department's activities had been completed. Job titles were merged, the physical examination was modified and all height and weight requirements were eliminated. Dayton has never had a physical agility test as an entrance requirement; instead, there is a strenuous physical training program at the police academy for new recruits.

In the fall of 1973, Dayton accepted 13 women among the 43 recruits who joined the force. While some of the women have since resigned, the integration of women into the department has proceeded smoothly and without rancor since the dispute over promotional policy in 1970. A department spokesman considers the program to be particularly noteworthy since there is absolutely no discrimination in police assignment. Dispatcher calls are not screened to determine sex. In short, Dayton's women police officers are expected to fulfill a police officer's role in society.

II. RECRUITMENT

We've got a spigot there. . .in Massachusetts. . .that is pouring out white male applicants. You can't turn it off. . .and you do not want to tell them not to come into the department. At the same time, we're getting relatively few blacks. . .and practically no women (applicants). . .we have to do very strong target recruiting and focus on women and blacks and Spanish-speaking minority groups.

Nancy B. Beecher, Chairman, Massachusetts Civil Service Commission

Recruitment refers to the process used to locate and attract candidates with the potential of becoming successful police officers. It is one important means by which a police department can insure that it is operating in both a responsible and a responsive manner—responsible in that recruitment is the first step in a personnel process leading to an effective department, and responsive in that recruitment should create an organization which measurably reflects the composition of the community it serves.

The recently published *Police Personnel Practices in State and Local Governments* states that “without exception, the use of all recruiting practices was less frequent for females than for males.”¹ Accordingly, to help police departments become more responsible and responsive, methods for recruiting women are discussed in this chapter.

PLANNING THE RECRUITMENT STRATEGY

Departments should plan carefully their initial campaign to recruit women. While recruitment in most police departments is an on-going process, so-called “crash” recruiting to attract a specific class of persons is often of short duration and should be prepared carefully for maximum effectiveness. Objections that the planning process is time-consuming fail to take into account the time wasted by an unplanned and uncoordinated effort.

Planning time should be used to schedule the various parts of the campaign and to set up a budget for it. The next section of this chapter briefly outlines the manner in which a six-month recruiting campaign might be conducted. Actual campaigns, of course, may well be different from this suggested outline, depending upon the particular situation in a department and in the city served by that department. Whatever kind of campaign is planned, however, it is important that it be budgeted for carefully. In the past, recruitment efforts have floundered because the financial effort required was underestimated. Recruiting, particularly from groups under-represented in the department in the past, cannot be done cheaply. Just how expensive it can be was illustrated by a 1971 study of the costs of a recruiting campaign conducted by the Oakland, California, police department to enroll minority males. The study showed that the cost for each man who entered the police academy was \$14,000. Nonetheless, the report suggested that this expenditure was worthwhile, given the fact that the department would spend a minimum of \$500,000 per officer over a 25-year career period.

¹Terry Eisenberg, Deborah Ann Kent and Charles R. Wall, *Police Personnel Practices in State and Local Governments* (Washington, D.C.: International Association of Chiefs of Police and Police Foundation in cooperation with Educational Testing Service, 1973), p. 17.

Recruitment of women may prove to be more difficult and more expensive than recruitment of minority men. The Los Angeles department has found that because of its physical selection standards, more female than male candidates must be processed for each recruit who enters the academy. If the Los Angeles experience is typical, other departments will encounter similar problems. Such problems should be considered in setting up a recruitment budget. Where internal police funding is insufficient, other sources may be available; for instance, the city's personnel department.

OUTLINE FOR A SIX-MONTH RECRUITMENT CAMPAIGN

As mentioned previously, the following chart and explanatory material simply suggest how a six-month recruitment campaign *might* be conducted. Some departments may have already carried out some of the steps listed (for instance, redesigning brochures to appeal to women as well as men) but not others. Still other departments may have steps in their recruiting program not mentioned here. Departments may want to carry out certain steps according to a different schedule than the one outlined. But the following will provide departments with a basic plan which can be tailored to their own circumstances.

OUTLINE FOR A SIX-MONTH RECRUITMENT CAMPAIGN						
Task	Month					
	1	2	3	4	5	6
Clarify Hiring, Deployment and Promotion Policies	X					
Define the Target Groups		X				
Formulate the Message		X				
Identify Community Champions		X				
Train Recruiters			X			
Hold Press Conference			X			
Begin Advertising			X			
Contact Community Champions			X			
Send Recruitment Teams to Target Groups				X	X	
Make Facility Available for Agility Pre-testing				X	X	
Conduct Entry Tests						X

Clarify Hiring, Deployment and Promotion Policies (First Month)

If not done already, departmental policies in regard to the hiring, deployment and promotion of women officers should be clarified. Since most, if not all, cities have clearly stated written policies, such policies should be revised and notice of these revisions communicated to all officers and other personnel. Assuming that a department intends to provide equal opportunity for both men and women in all phases of its operations, such intent should be clearly stated in the revised policies. Furthermore, sex-tied job titles should be changed: policeman to police-officer.

Define the Target Groups (Second Month)

Once a department determines the number and types of jobs to be filled, it should concentrate on attracting those women who can best handle the tasks required. Not all women want to be police officers; not all women can be effective police officers. A department must decide what kind of women will contribute most to fulfilling the police function and direct its recruitment effort toward them.

To recruit the best candidates and to have the option of selectivity, a department should survey its area to locate institutions or organizations in contact with women who have the potential talent to be trained as effective officers. Such institutions or organizations may include YWCA's, colleges and universities (particularly physical education departments), nursing schools, schools of social work, and corrections and parole institutions. Women's organizations, particularly those concerned with equal rights and advancement for women, are also likely to be a source of

new recruits. Other organizations that might be contacted include unions, the various branches of the military services and Action.

The organizations to be contacted will vary with the jurisdiction. What is important is that a department realize that passive recruitment, such as a poster in the local post office, will not be sufficient. Aggressive action is necessary.

Formulate the Message (Second Month)

Most departments will find that the recruiting materials they have used in the past, such as brochures, posters and advertisements, will have to be revised in order to appeal equally to men and women. Since the purpose of these various recruiting aids is to convince prospective applicants that a job exists and is within their reach, it is important that departments eliminate anything that might, even unconsciously, deter women from submitting applications. (An example of this deterrence is the brochure used in one police department. Although stating an equal opportunity policy, the brochure reveals the opposite attitude in the large type on its cover: "If you want a real career for a real man. . .")

Equally important is that brochures, posters, advertising and any other material used for recruiting accurately reflect the activities that women will be expected to perform in the department. If a department, for instance, intends to assign women to patrol, illustrations of women for its printed recruiting material should not be limited to photographs showing female police officers working with children. The appropriate kind of illustration can be found in the Washington, D.C. neighborhood scout car meeting announcements which invariably picture a policeman and a policewoman, clearly conveying the Washington department's commitment to deploying women in all phases of its work.

Recruiting materials should state not only a department's entrance qualifications and expectations of its officers, but also the rewards and benefits offered police officers. No research has been done on what specifically attracts women to policing, but it seems apparent that material which stresses the opportunity to provide a much-needed service to the community while earning a decent salary and other benefits will be useful in recruiting women. (See Appendix A for good examples of recruiting material.)

Identify Community Champions (Second Month)

Every department will find that many citizens and organizations in the community vigorously support equal opportunities for women in police work and elsewhere. Some of these individuals and organizations will be well-known in the community through their public advocacy of the rights of women. Who these people and groups are and how they can be contacted should be determined fairly early in the campaign so that they can be called upon for support when needed in the near future.

Individuals will include generally acknowledged community leaders and political figures of both sexes. Organizations will include those which have been particularly active in working for women's rights, such as the National Organization of Women (NOW) which has chapters in many cities, and organizations which have been active in working generally for civil rights.

Train Recruiters (Third Month)

In addition to up-graded printed recruiting material, police departments should train personnel who will be assigned to active recruiting of women into the department. These should be police officers, whose actual experience on the job will be of great help in answering the questions that prospective recruits will ask about the duties, dangers and rewards of police work. It is preferable, of course, that recruiters work in teams composed of at least one woman and one man.

The training given to the recruiters should be designed to inform them about every aspect of a department's operations, from the training period in the police academy to what a retired officer can expect in the way of pensions. Recruiters should be made particularly aware of such basic items as entrance requirements, beginning and subsequent pay scales, duties and deployment of new officers and promotional policies. Recruiters should have the skills necessary to present this information in a factual and objective manner.

Hold Press Conference (Third Month)

The various news media in any city are likely to be interested in the campaign to recruit women. A press conference held by the chief or some other department official should prove highly useful in informing the public and potential recruits of the department's goal. Most, if not all, departments already have personnel familiar with the protocol of holding a press conference, and there is no need to elaborate on the procedure here. What is important is that the department official should be prepared to answer the questions that will arise about the new role of women in the department. At least some of these will have already been answered if that person goes into the press conference with a formal written statement which comprehensively describes the department's plans for the recruitment, training and deployment of female officers.

The press should be kept informed of the department's progress as the recruiting campaign proceeds. Follow-up stories can help sustain interest in the campaign and may spark additional support and recruits.

Begin Advertising (Third Month)

Advertising campaigns to attract women, particularly in the larger cities, will probably be helpful in enlarging the pool of potential women recruits for the department. Some departments have already conducted advertising campaigns directed toward potential applicants in general or members of minority groups in particular, and these departments will have personnel familiar with the mechanics of advertising in the various media. Departments which have not advertised can contact advertising agencies or the media directly on such matters as costs, preparation of the advertisement and so forth. Some free time or space may be available too, through broadcast media's public service departments.

Potential women applicants can also be notified of the recruiting campaign through notices or posters. Appropriate places to display such materials would include the bulletin boards of YWCA's, high schools, libraries, local colleges and universities, government buildings, community and civil rights organizations, nursing schools and schools of social work, post offices and possibly even some commercial establishments, including stores, laundromats and offices.

Contact Community Champions (Third Month)

After a list of individuals and organizations likely to be of the greatest assistance to the recruiting campaign is drawn up, the persons and organizations on the list should be contacted, given particulars about the program and asked for whatever assistance they can give. Individuals can be contacted by letter or telephone; in the case of organizations the best approach is for the department to ask the organization to permit a spokesman or recruiter to speak at the next meeting of the group, or alternatively to insert a message in the organization's newsletter, if it has one.

Send Recruitment Teams to Target Groups (Fourth and Fifth Months)

Colleges and universities, high schools, community and civil rights organizations, and military posts are among the units that will for the most part have little hesitancy in giving police department recruiting teams a forum for recruiting. It is important that women officers already on the force be among the recruiters, since the women's experience and message will be particularly relevant to prospective female recruits. As mentioned previously, it is important that all members of the recruiting team be familiar with police department entrance requirements, policies and procedures and be able to articulate them with ease. Occasionally there may be questions which members of the team cannot answer immediately; if so, efforts should be made to note the questions, determine the answers and relay the information sought to the persons who made the inquiries.

In cases where police departments have utilized "ride-along" programs to give prospective recruits a first-hand idea of what police work is like, it will prove helpful if the recruiters extend invitations to prospective female recruits to participate in such rides. While the written or spoken word can often be effective, there is perhaps no substitute for letting prospective recruits observe police work at close range.

Make Facility Available for Agility Pre-testing (Fourth and Fifth Months)

Experience at some police departments which have already begun recruiting women has shown that female applicants often well-qualified in other respects have difficulty in meeting physical agility or strength requirements. Such requirements are under scrutiny in many quarters to determine how relevant they are to police work, and in a few departments have been revised.

In any case it appears that female applicants can often perform better on physical entrance tests if they are given an opportunity to practice beforehand. Any objections that this is treatment favoring women would not appear to be particularly germane here, since only women strongly motivated to be police officers are likely to make use of the physical test facilities, and those obviously unable to cope with the test will probably remove themselves as prospective candidates. It is also evident that many veteran male officers would be unable to pass current physical tests for entrance.

Conduct Entry Tests (Sixth Month)

If a department has carried on a vigorous and comprehensive campaign to recruit women, it should find that a substantial number of female applicants will take the tests.

MONITORING THE RECRUITMENT EFFORT

Police Departments should maintain accurate records of the number of women attracted to the department through the recruitment campaign. If there is a significant difference between the number of those attracted and the number of those finally selected, it may be that there are reasons for this which require revision of recruitment or selection procedures.

Interviews with female officers who resign from the department, for instance, may reveal that the recruitment process dealt poorly with or neglected certain aspects of police work which should have been clearly explained before candidates made formal application to enter. If exit interviews, for example, reveal that most women who leave the force do so because of a dislike for shift work, the department should tell recruiters to make certain they notify prospective recruits that they will have to work shifts which may be incompatible with family life or personal preference.

Information relevant to the recruitment period obtained through exit interviews should be provided to recruiters in "check-list" form. This form should help to insure that all aspects of police work, both positive and negative, are discussed by recruiters. In this way potential recruits will be better able to screen themselves.

Departments might also want to consider interviewing prospective candidates who change their minds about police work during the recruitment process. Such interviews might enable departments to determine whether its recruiters are conveying information correctly and whether they are targeting their efforts effectively.

CONCLUSION

Police departments may find the initial recruiting of women to be difficult. Convincing women that there is a significant role for them in the delivery of police services will require creativity, ingenuity and, most importantly, sincerity. But as prospective female candidates see other women functioning successfully as police officers providing services to citizens and fighting crime, the problem should diminish significantly.

III. SELECTION

Undoubtedly, the nation-wide movement for job equality without sex discrimination has sparked the growing interest in the subject of women in police work and particularly in their assignment to the patrol function. The sole test for such duty must be individual capability to meet valid performance standards. Judgments about ability must be based on objective data, not on preconceived notions. In New York City . . . all police officers will be hired, trained, assigned and expected to perform on an equal basis without regard to sex . . . The only fair approach is to keep an open mind and judge each officer as an individual.

Police Commissioner Michael Codd, New York City

Police selection standards have been harshly criticized during the past decade, largely by minority groups contending that traditional standards discriminated against them. Now, as increasing numbers of women seek to enter policing, departments are again finding their selection standards being questioned. Entry standards which by their very nature tend to exclude women from policing (such as a minimum candidate height of five feet seven inches), are being challenged, as are standards which differ depending on whether the candidate is male or female.

Few would argue with the concept that police officers should be selected by standards which are job-related. While the task of determining appropriate entry standards is complex, the rationale for having such standards is not. The goal of the selection process is to choose those people, regardless of sex or race, who have the greatest potential ability to become effective police officers.

SELECTION STANDARDS WHICH MAY NEED SCRUTINY

Assuming that male and female candidates are competing for the same position, that of patrol officer, qualifying criteria should be the same unless substantial evidence demonstrates that different entry standards for male and female applicants will yield similar performance on patrol. In order to comply both with the law and sound personnel practice, these standards must be validated; that is, they must correlate positively with future field performance. (Validation is discussed at length later in this chapter.)

Commonly used entrance standards relate to height, weight, vision, veteran's preference, driving license, voter registration, residency, age, education and citizenship. Commonly used entrance procedures include written tests, physical agility tests, personal interviews, medical and psychological examinations, background investigations and polygraph tests. While each of these should be periodically subject to re-examination, only a few are of specific concern here because their use tends to limit significantly the number of women accepted into police departments.

²Terry Eisenberg, Deborah Ann Kent and Charles R. Wall, *Police Personnel Practices in State and Local Governments* (Washington, D.C.: International Association of Chiefs of Police and Police Foundation in cooperation with Educational Testing Service, 1973).

Height

According to the International Association of Chiefs of Police, 97 percent of the police departments which responded to a 1973 survey of personnel practices² have height requirements for men. The average minimum is five feet eight inches and averages maximum six feet five inches. A majority (54 percent) of the departments which employ women have height requirements for them also, the average minimum being five feet five inches and the average maximum six feet one inch.³

The rationale for these height requirements is the commonly assumed relationship between height and performance of various human activities. In the case of policing, the rationale is that a tall person is a strong person who automatically commands respect, and because of both this strength and respect is less likely to be injured or assaulted. Empirical evidence, however, fails to substantiate this belief.

In 1973, for instance, the Police Foundation sponsored a survey of available research on height standards and their relationship to field performance of police officers. The survey found, contrary to common opinion, that there was no conclusive relationship between height and job performance. Nor did the data show a consistent relationship between the height of officers and assaults upon them, or between height and allegations by citizens of police brutality. While none of the research studies included samples of officers below five feet seven inches, the findings of the survey suggest that minimum height requirements should be subjected to close scrutiny.

A height requirement of five feet seven inches excludes nearly 95 percent of American women and 45 percent of American men from being considered for police work. If, as current data suggest, police departments are having difficulty in attracting and retaining qualified personnel, such a height standard is a luxury which few departments can afford unless there is evidence of a direct relationship between performance and height.

Since the Law Enforcement Assistance Administration (LEAA) published its regulations regarding utilization of minimum height for employment of law enforcement officers in the Federal Register (March 9, 1973), a number of police departments have changed their requirement. In the District of Columbia the requirement has been changed to five feet as a minimum for both men and women, on grounds that any person must be that tall in order to drive a car safely. In the New York City department height requirements have been dropped completely.⁴

Veteran's Preference

While few would question the social obligation to give preference to veterans in the selection of candidates for jobs, the use of veteran's preference points by police departments would appear to be a questionable practice. Cohen and Chaiken⁵ have pointed out that military service is in no way predictive of effective police field performance. Furthermore, such preference to veterans obviously discriminates against women, few of whom have served in the armed forces. The practice of giving additional preference to disabled veterans discriminates doubly against women, who are prohibited from participating in combat.

The seriousness of the effect of veteran's preference on the hiring of women was noted by several speakers at the Police Foundation's symposium on women in policing. In New York City, for instance, approximately 25 percent of those who took a recent entrance examination were women, but only 11 percent of the first 6,000 qualifiers were women, leading Commissioner Codd to suggest that women's under-representation in the final standings was due to the veteran's preference granted to a certain percentage of the men. Also cited was the case of a female applicant in Cleveland who ranked between numbers 580 and 586 on the list of 1,500 eligible applicants. If this woman had also had the five-point preference granted to veterans who had left the service within the previous five years she would have been number 230; if she had had the ten-point preference given to veterans out of the service longer than five years she would have ranked number 19 on the list.

Solutions that have been suggested include placing all veterans on a separate eligibility list, or allowing veteran's preference points to be a factor only among male applicants. The legal argument for the latter solution is that because of statutory restrictions and higher entrance qualifications women have not been able to gain the same military experience and subsequent veteran's preference.

Education

According to the previously mentioned survey of personnel practices, there is a slight tendency for police departments to have higher educational requirements for women than for men. If a department believes that a college degree

³Ibid, p. 18. The figures from the police personnel practices study represent the best information currently available on the state of women in policing. All of the statistics are developed from the total number of departments responding (493) and not just from the subsample of responding departments which employ women and have requirements for them. This caveat applies to all statistics quoted in this chapter from the study.

⁴The International Association of Chiefs of Police, the Urban Institute and the Police Foundation are currently conducting a comprehensive study of police officer height and its relationship to performance in six jurisdictions. This study should be completed and available in 1975.

⁵Bernard Cohen and Jan M. Chaiken, *Police Background Characteristics and Performance* (New York: The New York City Rand Institute, 1972), p. 108.

is necessary to insure quality performance by women on patrol, then clearly it should require a degree of men on patrol as well. If it does not believe a degree to be essential to effective patrol performance, it should require a degree of neither sex. Different educational qualifications should be used only when a department can demonstrate that the duties to be performed are sufficiently dissimilar to warrant different titles and pay scales.

Physical Agility Tests

Over 50 percent of the departments responding to the personnel practices survey said they used physical agility tests in selecting men; 31 percent said they used such tests in selecting women. While no comprehensive description of these tests or their relationship to selection or field performance exists, it appears that the tests vary significantly. Some emphasize brute strength, while others require successful completion (i.e., within a specific period of time) of a complex obstacle course.

Many departments which employ physical agility tests as selection criteria report that such tests screen out proportionately more female than male candidates.⁶ The Los Angeles department, for instance, found that while a higher percentage of women passed the written examination, psychological examination and background check, and that while approximately the same percentage of men and women passed the oral examination and medical examination, a significantly smaller percentage of women passed the physical agility test. In its survey the department found that only 23.5 percent of women passed the agility test compared to 96.4 percent of the men.

A department faced with this result should reassess its test to insure that it is job-related. One method used to devise the test is to make it reflect the various physical tasks carried out by police officers over a period of time. Although this approach might seem acceptable, it is questionable from a female perspective. The test is based on the physical feats male officers perform in the course of duty, and it assumes that the ability to perform such feats is required of all officers.

The problem of developing valid physical agility tests is further complicated by evidence from various departmental studies, such as those done in Kansas City and Miami, which show that police officers are infrequently involved in strenuous physical activity. The absence of required physical agility maintenance programs poses another challenge to the use of such tests as entry standards since officers, once hired, are usually not required to maintain the same level of physical fitness demanded at entry. Moreover, most departments currently have officers who are apparently performing satisfactorily but who would probably fail if required to take the test again.

If a department finds that its physical agility test is job-related, and if it finds that the test screens out many persons otherwise qualified, it might consider requiring candidates to pass the test at the completion of recruit training rather than at the start of training. In this way, qualified but less agile candidates would have the benefit of departmental training, and the department would have the benefit of a larger pool of qualified candidates to select from. This is the technique used in Washington, D.C., and research indicates that women are passing the test and serving as effective police officers.⁷ Examples of several tests are offered in the appendix.

Background Investigation

Most police departments investigate the backgrounds of their applicants to insure departmental integrity. But except for prior conviction, an almost automatic cause for rejection, little is known about what information is sought about applicants, how it is used in determining acceptance or rejection, and how it is obtained. What is important is that a department guard against using irrelevant conduct on the part of women (e.g., ability as a housekeeper or number of men dated) as a basis for determining whether they will function effectively as police officers.

VALIDATION

The effect of qualifications standards upon selection should be carefully monitored to uncover any artificial barriers to entry. If any standard rejects more women than men it should be reviewed to determine the degree to which it actually relates to the job.

The gathering of evidence that demonstrates a direct relationship between selection standards or tests and job performance has historically been understood to be an essential ingredient of sound personnel administration. Unfortunately, employers, both public and private, have generally failed to validate their tests and standards.

In essence, validation means determining that a test or criterion for entry has a demonstrable relationship to performance. Current Federal guidelines,⁸ however, are fairly explicit in defining the validation standards that are

⁶Terry Eisenberg, Deborah Ann Kent and Charles R. Wall, *Police Personnel Practices in State and Local Governments* (Washington, D.C.: International Association of Chiefs of Police and Police Foundation in cooperation with Educational Testing Service, 1973), p. 17.

⁷Bloch, Peter and Deborah Anderson, *Policewomen on Patrol: Final Report* (Washington, D.C.: Police Foundation, 1974).

⁸See C.F.R., Title 29, Chapter XIV, Section 1007, as well as Appendix C for a Summary of Uniform Guidelines on Employees Selection Procedures; Discussion Draft, prepared by Equal Employment Opportunity Coordinating Council.

acceptable for tests that adversely affect the selection, promotion or transfer of protected classes. (It should be pointed out that under these guidelines the word "test" includes any written or performance measure or selection standard which is used as the basis for an employment decision.)

The most important requirement in the guidelines is that there be "empirical data demonstrating that the test is predictive of or significantly correlated with *important* elements of work behavior which comprise or *are relevant to the job or jobs for which candidates are being evaluated.*"⁹ This requirement presents a particularly difficult problem in relationship to women and patrol. Most people would agree that the average woman is strong enough and agile enough to handle 90 to 99 percent of patrol activities, but that the small percentage of activities which may require a greater level of strength or agility (or both) may be more important than the rest. In terms of the procedures utilized for determining criterion validity, the guidelines recommend those listed in *Standards for Educational and Psychological Tests and Manuals*, a publication of the American Psychological Association.

Generally, the guidelines prefer predictive studies (the administering of tests to a group of applicants and then comparing test results with subsequent performance) in contrast to concurrent validation studies (the comparing of test results with the performance of current employees). In either case, however, it is essential if at all feasible that minority group members and women be represented in the studies in sufficient numbers so as to insure significance and to generate data that can be separately reported for minorities or women and non-minority group members (differential validity). Further, the relationship between the test and at least one relevant criterion should be high enough so as not to have a mere 1-to-20 probability of occurring by chance.

Finally, even if the tests are validated using professional methods, the employer may be called upon to demonstrate that alternative selection procedures are unavailable if the tests still have an adverse effect on the hiring of women or minorities.

ALTERNATIVE APPROACHES

Police departments which define the selection process as beginning after recruitment and ending upon entry into the academy are relying too heavily on a fairly fragile process; the validity of selection standards currently in use by departments simply has not been demonstrated. The fact that standards vary extensively from department to department, even when field situations are similar, is evidence of the confusion over standards.

In the beginning of this chapter it was noted that entry standards are only one means available to insure a qualified personnel pool and ultimately an effective department. There are other means, but for the most part they have been under-utilized.

For example, since the goal of selection is to hire only those persons who can perform effectively in the field, it stands to reason that departments should expand the selection process to include both training in the academy and performance on the street in the probationary period. The usefulness of the probationary period as a part of the selection process should not be ignored.

Personnel experts are increasingly suggesting the use of a total assessment system. In such a system an applicant would go through all the stages in selection and then receive an overall rating. Unlike the current selection systems of most police departments, where failure in any part of the selection process precludes entry altogether, such a total review would enable an individual to compensate for deficiencies in one area with strengths in another. It is very likely that such a system would select better qualified persons than the current system does.

CONCLUSION

Proper selection is a time-consuming and expensive process, but it is also a good investment. The integration of women into policing has required many departments to review the entrance standards traditionally used. Such review, though forced on many, should be a common practice for all. It is the best method available to insure modern police personnel practices.

Expanding the selection process to include the training and probation periods has been suggested as the most viable means of insuring qualified officers, regardless of sex, and effective policing, regardless of jurisdiction. Evaluating individuals totally rather than rejecting applicants on the basis of a specific shortcoming is also an approach worthy of consideration. Further, departments should assess current qualifications to identify those which are truly minimum qualifications for entry, those which should be required only after academy training and those which can be compensated for with special skills.

⁹"Achieving Job-Related Selection for Entry-Level Police Officers and Firefighters," U.S. Civil Service Commission, (manuscript) November, 1973, contains a guide for job analysis and a brief annotated bibliography on recent selection standards research and development projects.

IV. TRAINING

For most recruits training is the first exposure to a department's policies, procedures and overall goals. The training experience, however, can only serve to prepare the recruit for the job if it conveys the knowledge and skills required of the police officer on the job.

One failing of many police training programs is that they are related only to a small part of the job. The question for trainers of both men and women police officers should be: *What are the tasks for which this person is being trained?* If a department intends to integrate women, deploying them interchangeably with men, then it should train its women for the same job for which it trains its men. Traditionally this is a job of crime control, but increasingly it is also one involving the delivery of social services.

The American Bar Association notes that "In deciding upon the content of training programs, it must be recognized that, however the police role may be defined in specific terms, the heart of policing consists of working with difficult human problems—often at a point of crisis. . . It may be that skill in interpersonal relationships may be as important as physical fitness in equipping the officer to cope with potentially dangerous situations."¹⁰

The goal of training, in other words, is not only the development of criminal detection and apprehension capabilities in new recruits, but also the cultivation of flexibility, stability, decision-making, problem-solving, communication skills, good judgment and professional self-image. When officer training involves both orientations, it begins the process of transforming recruits into effective personnel—professionals prepared for a difficult job, essential community service.

TRAINING ISSUES AND OPTIONS

If a department, as required by law, selects its personnel according to job-related qualifications, its recruits will have the potential ability to fulfill both the crime control and the social service functions required by the community. It is then the responsibility of training programs to bring recruits up to minimum performance standards. With regard to female recruits, a department must consider the implications of such matters as equal or differential training, integrated or segregated training, the various approaches to physical training, the relevance of field training, the need for supplemental and optional training, the re-training of veteran women police officers, the desirability of having women in positions of authority and, finally, the effect of instructor and recruit attitudes.

Equal or Differential Training

Because it is the training process which imparts the skills necessary for success in the field, a program for total integration of women into police work may collapse through failure to provide equal training to recruits of both sexes.

Areas of training in which women have traditionally received different treatment are physical training, pistol qualification, pursuit driving and patrol experience. While restricting the training of women is not in the interests of departments which intend to integrate women into policing, unequal training can persist in covert and subtle forms regardless of departmental policy. Women may be coddled and pushed through training because the trainers, usually male, either want to protect the women or do not know how to deal with them.

¹⁰ American Bar Association Project on Standards for Criminal Justice, *The Urban Police Function*, (New York: American Bar Association, 1973), pp. 207-208.

In Washington, D.C., for example, after the chief announced that women recruits would be placed on patrol, the training academy eased its standards to accommodate women, since they usually perform less well on the range than men. The women complained, and the chief issued an order calling for equal standards for both men and women. This desire to protect women is common, but unless it is guarded against, male officers will not want to patrol with women. Nor will women be prepared either psychologically or physically to meet the demands of patrol work.

In order for women to break out of the limited roles to which they have been restricted, they must undergo the same training as their male counterparts and be subject to the same rigorous standards for successful completion of courses. These standards must be job-related, and individuals who cannot meet them must be dropped or required to repeat courses until they can. Without equal training no one can have confidence in the skills of a female officer.

Integrated or Segregated Training

Placing women and men together during the training period is usually the best, although by no means a fool-proof, assurance that women will receive equal training. Because women and men must deal with both sexes on the job, it is important that they become accustomed to one another's presence, starting with the training period. If training is integrated and equal this period will provide an opportunity for women to demonstrate their competence and reduce the fears of their male colleagues.

Even in integrated classes, however, discrimination may occur. Women in mixed classes are usually significantly outnumbered by their male classmates, and in the absence of strong peer support they may be constantly confronted with expectations of failure from both instructors and male recruits. In New York City, for example, male recruits have occasionally jeered women for failing to answer questions correctly. It has also been observed that instructors are often less demanding of female students.

One method of handling the isolation problems of women is to group them in significant numbers before assigning them to an academy class. Although this approach may be impractical for small departments, it should be feasible in large departments and in regional and state training academies. This policy deprives some classes of early exposure to female colleagues, but in the long run it may improve women's performance and increase male respect toward the women.

Another way to approach the training of female recruits is to segregate them into classes of their own, thus enabling women to develop an *esprit de corps*. The problem with this strategy, however, is the "reality shock" women may receive upon entering a mixed environment and the feelings of inadequacy which sometimes result. A strategy to offset this was used by both the New York City Police Department and Los Angeles Sheriff's Department in their original experiments with women on patrol. In both cases, after being assigned to patrol, women were brought together once a month to share their experiences and problems and, in the case of Los Angeles, to discuss these problems with their trainers.

In Boston, a combination of integrated and segregated programs resulted in 1973 from a time lag between the appointment of male and female officers to the training academy class. Nine women hired prior to their male classmates, spent time together in various community facilities and agencies, ranging from police garages where they learned automobile maintenance and minor repair, to detoxification centers and hospital wards. They were then assigned as clerks in district station-houses while continuing to await the regular training cycle. Boston officials think the women benefited greatly from this three-month head start on the men. When they finally joined the males, the women appeared confident. The administrators feel that as long as women enter the department in comparatively fewer numbers than men a combination of segregated and integrated training seems to be a good strategy.

Physical Training

Training must prepare recruits physically as well as mentally for the job. Since the greatest reservations about assigning women to patrol came from doubt about their physical capability, the training program must develop minimum job-related standards and train both men and women to meet the standards. As departments all over the country grapple with the problem of developing job-related physical standards, it appears that brute strength is not as crucial to performance as many have assumed. Current research suggests that leverage strength is what is required. In a ruling which eliminated height and weight requirements for women in the police department of East Cleveland, a U.S. District Court in Ohio emphasized the necessity for leverage-strength training so that recruits would be able to lift accident victims, carry a stretcher or restrain a violent person.¹¹ The court pointed out that leverage strength was something that could be learned and that the only prerequisite was general physical fitness. Many academies now take this approach and emphasize general physical fitness as well as some basic self-defense techniques.

¹¹ *Smith v. City of East Cleveland*, 363 F. Supp. 131 (1973).

Other departments teach more rigid self-defense skills, such as judo, karate or jujitsu. Although most recruits want to learn how to defend themselves the value of these skills is questionable, since without a continual maintenance program they are quickly forgotten. Some departments, however, such as those in Madison, Wisconsin, and Boston, think this kind of training helps women develop self-confidence and the respect of male recruits. (Incidentally, instructors point out that the average skills necessary for these techniques are easier to develop in shorter and lighter persons, giving the average woman an advantage over the average man.)

Regardless of the approach taken, it is important that men and women be required to pass the same physical test before graduating. To make fewer demands of women is to destroy the credibility of the integration effort and leave doubts about the women's ability to perform. This test, however, must be job-related and structured so as not to discriminate unfairly.

Finally, maintenance of physical fitness must extend beyond the training period if a case is to be made that it is truly necessary for the job. It is frequently said that most veteran police officers could not pass the entry-level physical qualifier test because they are out of condition. Such statements highlight the importance of in-service follow-up training and call into question current entry-level physical standards.

Field Training

Field training provides a useful preliminary exposure to police work for newly graduated recruits. It has been observed that the rookie officer with a new uniform, badge and service revolver usually feels embarrassed, self-conscious and insecure. This insecurity can manifest itself in extremes—from seeking refuge in a doorway or store to striking out boldly with a threatening demeanor.¹² If such a sense of conspicuousness and insecurity affects newly assigned male recruits, these feelings are probably magnified in their female counterparts. The female rookie is attempting to fill a new job for herself and all women and is likely to be surrounded by people who doubt her, or any woman's capability, to handle the job.

One important measure which departments can take to help ease the rookie's transition into the new job is to supplement academy training with field training before assignment to full patrol responsibilities. Many departments now have programs in which specially selected veteran officers "break in" new recruits. In addition, field training provides a mechanism for evaluating the competence of each new officer and the opportunity to decide whether the probationary period has been satisfactorily completed. In Washington, D.C., probationary officers must appear before a review board in their tenth month of service. This gives the department the opportunity to root out marginal performance of men as well as women.

Adoption of such field training for women, however, is not easy. Many problems arise. In New York City some field training officers have reported feeling that superior officers discriminated against those who worked with female rookies. These trainers claim to have lost friends, to have become objects of much hostility, and even to have been transferred to fixed or walking post assignments. Equally bad is the reported practice of "borrowing" women in training for matron duty, decoy or station-house assignments, thus depriving women of adequate and necessary street exposure.

Optional and Supplemental Training

Since every recruit enters a department with individual skills and knowledge, the same training may not be necessary for all. One possibility is to provide optional or supplemental training for those who either need or want it. Such training should be available to everyone, and not women exclusively.

The area most frequently considered for optional or supplemental work is physical training, especially unarmed self-defense. While many police departments teach such techniques, the training now given is insufficient to make self-defense skills usable on patrol. Supplemental training in this area might well be encouraged for all officers who must depend on ability and agility rather than strength and size. In addition, periodic in-service follow-ups are essential to keep self-defense skills intact.

There are also other areas in which supplemental training may be required and should be made available. Boston, for example, provides women with compensatory education in auto repair. Police officers frequently need this knowledge, which women are less likely to possess than men. Training in auto repair ought to be available for anyone, male or female, who needs it.

Another important form of supplemental training might be called "morale strengthening." In the process of integrating women into full police duty there are typically three groups whose morale may suffer—female officers, male officers and spouses. In both recruit and in-service training it is essential to establish informal discussion sessions that give all three groups opportunities to express fears about sex, safety and skills.

¹²Police Training and Performance Study, *Project Report* (New York: LEAA Grant No. 339, 1969), pp. 324-325.

Several departments have begun orientation programs for families of officers. Madison, Wisconsin, has a one-morning orientation for spouses. The Los Angeles Sheriff's Department, while not officially sponsoring such a program, works cooperatively with a group called Wives of Los Angeles Deputy Sheriffs. This group's most recent effort was a symposium on the wife's role in law enforcement. New York City runs "family days" both at the academy and in some precincts. (In Appendix D are portions of a New York City memorandum which highlights relevant issues and makes recommendations.)

For female and male officers informal discussion groups might be held on department time. These sessions might involve direct confrontations between male and female officers in an attempt to resolve difficulties, or they might be separate sessions for female officers only to discuss mutual problems and build up peer support. One method of conducting the latter type of session is to assign male-female teams or female officers already on patrol to talk to women at the academy. These discussions should be frank and directed toward reassuring women.

Re-training for Veteran Female Police Officers

Many departments that have hired women in past years for traditional women's jobs are now confronted with the problem of whether to assign these women to patrol. Because these women had different expectations when they joined the department, assignment to patrol is likely to cause them severe morale problems. Thus, veteran female officers should, if possible, be re-assigned to the field at their option. Those who choose to go on patrol should receive a refresher training course of at least several weeks' duration which includes opportunities to express fears and build confidence. Fear, or lack of knowledge about procedures, may otherwise make these officers a liability to themselves and their colleagues.

Both the Los Angeles Sheriff's Department and the New York City Police Department have set up special programs for veteran policewomen who volunteer for patrol. In Los Angeles 12 veteran policewomen were selected for duty in patrol cars. Their 110-hour orientation to patrol included (in addition to the standard material) sessions on the psychological ramifications of men and women working together in a patrol car for eight hours. The women were later assigned to male training officers selected by station captains. These trainers met the women on the last day of their refresher training. Station captains were invited to view the training on occasion but had no other contact with the women prior to patrol assignment. After the women assumed their new duties, monthly sessions were held for trainers and women to obtain feedback on problems and performance.

If a special course is not feasible, women can learn on the job. In Indianapolis five years ago two women who volunteered for patrol were assigned as partners. They had been policewomen for a year before being assigned to the street and had received the same classroom training as men but were given no additional orientation or in-service courses. Thus, they had to learn partially by trial and error. However, they report that their determination, the recentness of their training and strong support from each other all served to help them get through. Initial attempts to discourage them included their being dispatched to an excessive number of Dead on Arrival runs (fourteen in two weeks) for corpses no fresher than three days old. This, however, proved to be a valuable training experience. "Instead of hurting us it was beneficial, because we got the worst at the beginning," said one.

Women in Authority

One purpose of both academy and field training is to provide role models for new recruits. Therefore, if recruits of both sexes are to become accustomed to thinking of females as equals, it is essential that women be placed in visible positions of authority. Such positions include academy instructors and field training officers.

Currently, New York City has three women instructors—one in recruit school and responsible for a recruit company, one teaching at the management level and training field training officers and a third who is a gym instructor. It is interesting to note, however, that when the police academy tried to recruit new instructors, no women officers sought an instructor's post. Nonetheless, the academy's experience with policewomen instructors has been an important one for recruits, if a trying one for instructors, since female recruits go frequently to female instructors for counseling. The most common problems involve physical training. Female instructors answer by pointing out that since women generally do not have the athletic background of most men they must be realistic and try harder than men to get into good physical shape. Additional instruction during free time is suggested. Female recruits also sometimes complain of discomfort during menstruation. The female instructors discourage them from seeking special privileges at these times and advise them that if they have extreme discomfort they may have a medical problem which indicates a basic unsuitability for police work.

Another complaint from female recruits is that they must endure excessive ribbing and teasing. Women instructors point out this has its constructive aspect by preparing them for the kind of treatment they will sometimes encounter on patrol.

Women instructors play a very important role for female recruits because female recruits traditionally have had nowhere else in the department to go with their problems. Even male recruits sometimes seek the help of women instructors, though always "off the record." Acceptance of women instructors among black and Hispanic male recruits is much more prevalent than it is among their white counterparts.

Women instructors themselves must endure a great deal of testing as well as the obvious disappointment of recruits who find themselves in a classroom without a male in authority. In the words of the first woman to teach recruits in the New York City Police Academy, "I've been in some pretty dangerous situations in my time, but my first class was the most stressful situation I've ever been in." She deals with the problems openly, using them as an exercise in the recognition of prejudice and its effect on police behavior.

Some other cities also use women instructors and claim to have encountered no problems. The Los Angeles Sheriff's Department has women instructors teaching at two levels: a female sergeant teaches a supervisory course for sergeants, and one or two others teach at the entry level. Those teaching at entry level reportedly meet no resistance from recruits. They teach only specialized subjects, such as law, or they supervise the acting-out by recruits of situations likely to be found on the job. They do not teach patrol procedures or field problems because they are not considered to have the necessary background or credentials.

Teaching supervisory courses, however, is somewhat more difficult for a woman in terms of gaining respect. Nonetheless, male sergeants in training do take advantage of the presence of a female instructor to get information about how to supervise female officers.

In Dade County, Florida, thanks to a unique arrangement, women instructors are frequently utilized. Dade County's training is conducted under the auspices of the Institute for Criminal Justice in cooperation with Miami-Dade Community College. Recruits are exposed to a variety of male and female instructors, both sworn officers and civilians. In evaluating instructors, recruits respond about equally to male and female sworn personnel.

Dade County is also unique in having a woman as a field training officer for male recruits. She reports that while her charges felt uneasy at the beginning they ultimately responded no differently to her than they would have to a man, except for their language!

Instructor Attitudes

Instructor attitudes can affect the success of an integration effort in several ways. Innuendo can distort the intent of the curriculum. Expectations of failure can affect the performance of women. Less demanding treatment of women can incur the resentment of male recruits. Blatant hostility can demoralize female recruits.

Preventing such problems requires careful screening and orientation of instructors, emphasis on equal treatment of women and projection of the same positive expectations (by way of praise, reward, etc.) for women and men. There is much to be gained by utilizing an advisor from another city. Both New York City and Washington, D.C., for example, brought in a female police officer from Peoria, Illinois, to give them suggestions for structuring their own programs.

Recruit Attitudes

Male recruits often have a skeptical attitude toward women in policing. Such attitudes, reinforced by strong peer support, obviously can hurt the performance of women, who are generally isolated.

While only time and exposure will change these attitudes, giving women opportunities to form peer groups of their own can help to offset the effect of these negative expectations. Discussion groups and bloc assignments promote such opportunities. Creation of an organizational environment in which male negativism toward women is not tolerated (for example, loss of privileges, denial of rewards and recognition of those who do work well with female counterparts) serves to reinforce male acceptance of woman.

V. OPERATIONAL CONSIDERATIONS

My personal approach is, if a lady wants equal pay, then I want equal work, and I am entitled to it.

Police Chief Allen H. Andrews, Peoria, Illinois

OPERATIONAL GUIDELINES

Since the introduction of policewomen into many assignments previously barred to them—especially patrol—is controversial and likely to be resisted by most male personnel, departments should consider the issuance of specific operational guidelines. These guidelines should deal with the various considerations involved in departmental use of policewomen.

Because the way in which policewomen are accepted by policemen will be affected by these guidelines, they should promote maximum confidence in the capability of all line officers, male and female. These guidelines should be developed and issued at the earliest possible stage, since they will serve to define the expanded policewomen program and give guidance to departmental personnel involved in its implementation. Clearly and directly stated, guidelines are the best means a department has for avoiding many problems related to the recruitment, training and assignment of female police officers.

Operational guidelines should focus on the following matters:

Assignment

If male recruits are assigned automatically to patrol after completing training, women should be assigned likewise. Male and female officers should be used interchangeably, and their performance should be evaluated against the same standards.

If a department decides to recruit specialists for special assignments, this should be done through job-related selection standards that disregard sex. An individual does not have to be female to be assigned to the juvenile division any more than an individual has to be male to be placed on patrol. Because experience has shown that even if women are assigned to patrol there is a tendency to give them a disproportionate amount of clerical or station-house duty, the guidelines should specifically address the matter of clerical work. Furthermore, if a department is assigning women to patrol for the first time, some attempt should be made to assign women in groups so that they are not subject to demoralizing isolation.

Duties

When assigned to a unit, women should perform the same duties performed by their male counterparts. For example, when assigned to patrol cars women should not be used merely as back-up units or as third officers in a car, nor should they automatically be accompanied on runs by a back-up unit. Such differential treatment causes resentment in both male and female officers and reinforces negative stereotypes about women's abilities and men's attitudes.

Many departments make no distinction between male and female patrol officers in assigning duties and calls. A few, such as Washington, D.C., have had guidelines prohibiting differential treatment from the outset. (See Appendix

E). Other departments have permitted differential treatment, either through guidelines or by issuing no guidelines. However, most of these departments have reached the conclusion that such differential treatment is awkward, inefficient and unnecessary.

New York City, for example, which began its policewomen on patrol experiment in 1971, initially stated that policewomen were at no time to be assigned as regular partners to policemen in radio cars, nor were they to be assigned to midnight tours. The department's initial operational guidelines called for assignment of policewomen in ways which "capitalize on their femininity," suggesting that such assignments should include family crisis units, anti-crime patrols, interviews of female victims, community relations and school liaison work.

Interpretation of the directives was left to the supervisors of the three precincts to which policewomen were assigned. The first precinct normally assigned women to plainclothes duty; when in uniform, women were assigned to less than eight-hour tours. The second precinct assigned women to patrol cars as third persons or in pairs or alone on foot. The third precinct prohibited men and women from ever being in a car together. This differential treatment was resented by male and female officers alike. As a result, new operational guidelines were issued within a few months calling for equal treatment.

Ann Arbor, Michigan, and Arlington County, Virginia, are two other examples of departments which finally decided against differential treatment. Ann Arbor originally encouraged its dispatchers to screen calls for policewomen and give them only minor incidents to cover. Arlington initially assigned its women to less active areas of the county. Both jurisdictions found such "preventive" action to be unproductive.

Partners

The use of one-officer and two-officer cars varies considerably from jurisdiction to jurisdiction. It is not the intent of this section to discuss the merits of either assignment strategy, but rather to stress that women who work in departments which deploy one-officer cars should be trained to patrol alone and women who work in departments which deploy two-officer cars should be assigned partners in the same way as men.

Some departments are wary of assigning a man and woman to the same car for fear of scandal or objections of spouses. But departments which have discounted the likelihood of problems in assigning men and women together have found that they took the right approach. In other cities male officers have been given the option of patrolling with a woman. Peoria, Illinois, used this technique and found that several officers who initially declined to patrol with a woman later requested it when they realized there were advantages in responding to calls with female partners.

Policewomen also have preferences. Some policewomen argue that having a female partner means better teamwork and higher productivity because the presence of men inhibits their initiative. Other policewomen maintain that patrolling alone is preferable because they are better able to respond to citizens in the way they believe most effective.

By and large, however, it appears that most policewomen prefer patrolling with male partners. They feel more confident in an integrated team and believe they are exposed to a wider variety of encounters. Male officers, however, are often less enthusiastic about integrated teams. Although the Washington, D.C., survey conducted by The Urban Institute found that a majority of the patrolmen, patrolwomen and officials all preferred a male partner, 48 percent of the policewomen and 31 percent of the men expressed no preference. The survey also showed that black males and younger officers indicated less preference for male partners than did white males and older officers.

Supervisors

Operational guidelines should provide specific directives to supervisors regarding a policy of equal assignments, tours and duties for female patrol officers. Without such guidelines supervisors may discriminate, perhaps unconsciously, in such matters, since the traditionally limited role of women in policing offers a precedent for assigning policewomen to special and limited tasks.

Guidelines should serve to lessen the conscious or unconscious impulses of many supervisors, unaccustomed to supervising policewomen and uncertain of the women's capabilities, to provide differential treatment for policewomen. For example, a supervisor may find himself dealing with an emotionally upset policewoman who seeks special privileges on the basis of her sex. The supervisor, unaccustomed to handling such problems on the job, may be easily manipulated. Such behavior on the part of women is unacceptable if the women are to function effectively as police officers. Supervisors in front-line positions must treat women firmly when their actions impair effectiveness.

Veteran Policewomen

In several departments the decision to assign policewomen to patrol came after many women had been hired, trained and assigned to other duties. The problems in such a situation are obvious. Women hired before the new policy went into effect were not pleased with their new assignment to patrol since their recruitment interview had led them to believe they would be doing other kinds of police work. Moreover, they believed that their training was inadequate for patrol because neither they nor their trainers had known that the women would be assigned to the street.

In Washington, D.C., the department dealt with this problem by adopting a policy which allowed women officers hired as specialists the option to remain specialists or to transfer to patrol. However, the women were informed that when they won a promotion they, like the men, would be assigned to uniformed patrol. This policy apparently overcame the reluctance of policewomen who felt that special assignments were more attractive than patrol. Other departments, such as those in Ann Arbor and Peoria, which gave veteran policewomen the choice of being assigned to patrol or remaining in their present assignment, have also found this policy satisfactory.

Training

Officers involved in training policewomen must be made aware of the new deployment policy so that they can provide the women with the skills needed to perform the assignments given to them. The department should also make clear to the trainers that nothing less than equal training and treatment is acceptable. Later, during their initial entry into service, police women should be assigned to training officers and beats in the same manner as their male counterparts.

Uniforms and Facilities

Outfitting female patrol officers in uniforms has presented unexpectedly complex problems because most uniform manufacturers are not yet equipped to make uniforms suitable for women on patrol. Moreover, some departments, usually in an attempt to maintain femininity, have placed women on the street without supplying them with a functional uniform. Uniforms which include light skirts and high-heeled shoes, and revolvers in pocketbooks, are acceptable only for inside work and some special assignments. Policewomen on patrol should have coats, shirts and slacks equipped with pockets to carry official papers and personal belongings. Shoes should be comfortable for both walking and running. Revolvers should be worn at the hip. (Appendix G includes a memorandum on policewomen's uniforms prepared by Brenda Washington of the Policewomen Information Center.)

Police departments which have not previously used women on patrol have also discovered that locker facilities can be a problem. Many have converted ladies' rooms into lockers as a temporary solution to the lack of proper facilities.

Maternity Leave

A female police officer who receives medical confirmation that she is pregnant should be required, under departmental policy, to notify her commanding officer of that fact. She should not, however, be penalized by being placed on leave as soon as she makes her pregnancy known. It is well known that women can perform many tasks satisfactorily throughout pregnancy; pregnant female officers should be assigned to limited duty assignments just as male officers who suffer temporary physical disability are. The determination of precisely when a pregnant officer takes leave before delivery should be made jointly by the officer and her physician.

A female police officer should be entitled to use accrued annual leave, accrued compensatory time or accrued sick time during a leave period for pregnancy. Health insurance paid for by the department should include benefits for pregnancy similar to the sickness and disability benefits customarily available to all officers for other illness or disability. (While it has been suggested at times that provision of such maternity benefits would be extremely costly to police departments, no evidence is available so far to prove this to be the case.)

Return of the female officer to the department after her delivery should be determined jointly by the officer, her physician and the appropriate departmental authorities. In any case, return to limited or full duties should have been accomplished within nine months of delivery (or other termination of the pregnancy, such as miscarriage) if the officer so desires.

The guidelines outlined above are essentially the same as those used by the Washington, D.C., and New York City Police Departments. As both those departments note in their guidelines, maternity leave as such is leave without pay; if female officers wish to be paid during the leave period they must make use of accrued vacation, sick or compensatory leave time. In New York City, however, absences related to maternity cannot be charged to sick leave because of the department's unlimited sick leave policy. Departments with similar policies might consider establishing a new category of maternity leave to deal with potentially inequitable situations.

CONCLUSION

Administrators should develop policies for the utilization of women in their departments. These policies should stress equal treatment for male and female personnel. If a department reinforces the stereotyped view of policewomen, male officers will continue to see the women as having limited abilities and inherent weaknesses. Consequently, assigned to patrol with female officers, men may take unnecessary precautions which will reduce the efficiency of their team. Lacking confidence in the ability of their female partners, men will also be overly concerned about the availability of back-up cars for support. It is therefore necessary that all operational guidelines promote maximum confidence in the capabilities of all line personnel.

VI. PERFORMANCE

Our weakest link in police work is our own failure, as administrators, to properly fulfill our own obligations as rating officials. All along we have undoubtedly retained low producers and, in fact, non-producers on our police force. Large numbers of personnel simply put in time, unnoticed and out of the way for 20 or 30 years, and then retire, virtually unknown. Furthermore, we have done nothing in all these years to require them to become productive . . . now that women are being added to our patrol ranks, all of us are re-examining practices and procedures long in use and perhaps unquestioned heretofore. One thing is becoming more and more apparent—we can't make judgments about a class of people, such as policewomen, any more than we can judge policemen as a group. We must deal with individuals. We have a responsibility to weed out all those persons, both men and women, who can't make the grade. We should also be making efforts to raise our standards in police work, and to further improve those exceptional individuals who show progress in the police service. The addition of women to our ranks has served to create real opportunity. The opportunity for self-examination and analysis—(it) really doesn't come too often. Let us seize upon this opportunity and make the most of it . . . to move forward toward our mutual goal of police professionalization.

Inspector Claude Dove, Metropolitan Police Department, Washington, D.C.

Periodic evaluation of performance and a related reward system are important parts of any strategy to professionalize and improve police service. In addition, a good evaluation system can provide objective standards of performance to insure non-discriminatory and non-preferential treatment of all personnel.

Integration of women gives a department the opportunity to re-assess its system of performance evaluation. While such re-assessment involves attention to the role of policewomen, it also demands serious consideration of the essential performance requirements of police work in general.

POTENTIAL BENEFITS OF A PERFORMANCE EVALUATION SYSTEM

A good performance evaluation system can benefit departmental functioning in various ways:

- The policing activities selected for evaluation can provide standards for the desired style of police performance.
- Evaluation of performance during probationary periods can provide standards for selection that are based on actual job performance. Performance evaluation at all stages of an officer's career can provide feedback on whether the departmental selection system is operating effectively.
- Identification of areas where performance is poor can lead to a better, more efficient training program, more suited to specific needs.

When the formal evaluation system is directly related to career paths, special assignments and opportunities for promotion, the entire procedure becomes meaningful. Without a coordinated system of rewards an evaluation program can become dysfunctional and perfunctory.

PROBLEMS INVOLVED IN PERFORMANCE EVALUATION

A study of performance appraisal instruments by Frank Landy and James L. Farr indicates that most police evaluation systems more clearly reflect organizational concerns than community concerns.¹³ In addition, in most cases, the construction of the evaluation format is not conducive to effective evaluation.

According to Landy and Farr, the typical appraisal form measures performance on ten criteria: work quality, work quantity, initiative, work knowledge, judgment, relations with co-workers, dependability, appearance, attitude and ability to follow directions. Other criteria often used are attendance records, tardiness records and disciplinary records.

If evaluation programs are to be effective, it is important that they be based upon the essential performance requirements for police work, and that the formal procedure for evaluation be standardized to maximize objectivity. Further, the performance evaluation program should provide adequate guidance to the evaluator so that the meaning of various terms (such as "judgment" or "below average") is clear in terms of actual job behavior. In re-assessing an evaluation system, the following questions should be asked:

- Does the system emphasize work performance according to quality (legitimacy of arrests) or quantity (number of arrests)?
- Does the system insure specificity and objectivity in the ratings, or is it vaguely constructed, lending itself to a wide range of interpretations?
- Does the system recognize the broad diversity of police work, or is it focused on only a few police activities?
- Does the system provide for feedback interviews and grievance procedures?
- Does the system reflect both organizational concerns (for example, proficiency in technical procedures) and citizen concerns (for example, discretion in the use of force)?
- Does the system appropriately reflect the goals and objectives of the department?
- Is the system coordinated with departmental reward and promotion procedures?

It is particularly necessary to determine whether the criteria for evaluation reflect those aspects of the job in which an officer deals with the personal crises of individual citizens. Is there recognition of the quality of performance in providing aid, information or referrals? Is the officer evaluated on ability to exercise authority, on discretion in the use of authority and on strategies used to arbitrate conflicts? The attitudes and strategies employed in these functions reflect heavily on the image of the police and on police-community relations.

RATING BIAS

It is generally the responsibility of immediate supervisors to rate subordinates in police organizations. This means that in most cases male supervisors will evaluate policewomen. Because a considerable percentage of the men already in the department are likely to have difficulty in accepting women as full-fledged members, department superiors should anticipate bias as a potential problem in formal evaluation procedures. Societal attitudes towards women, male reluctance to destroy the masculine camaraderie of the organization and male lack of experience in relating to women as colleagues or supervisors can all be expected to interfere with the objectivity required for fair and impartial evaluation.

This problem was highlighted in the Washington, D.C., study by the anonymous officials' survey. In response to the question, "Should women be part of the regular patrol force?" more than half (53 percent) of the sergeants said "no," 16 percent said "yes with qualifications," and 32 percent answered "yes." Yet sergeants such as these will be responsible for evaluating the performance of policewomen. The negative responses in anticipation of the D.C. policewomen-on-patrol program are typical of a stereotyped view of women (Women are not strong, hard to supervise and discipline, not aggressive, not emotionally stable, undependable, lack confidence in themselves, can't drive well, etc.). Attitudes such as these are likely to produce bias. In some cases bias may be overly lenient, reflecting protective attitudes and lower expectations for women. In other cases bias may be overly severe because the supervisor is convinced that "women can't do the job."

DEALING WITH BIAS

In anticipation of bias, departments should integrate the following measures into evaluation programs:

Careful Training of Evaluators

Employee evaluation is a skill which required specific techniques for observing and discriminating among individuals in relation to specific behavior. Many of the problems with current evaluation systems stem from supervisors who don't know how to evaluate.

¹³ Landy, Frank and James L. Farr, *Police Performance Appraisal, Final Report Phase I*, (University Park, Pennsylvania: Pennsylvania State University No. N171-063-G, January 31, 1973).

Behavioral Indicators

The establishment of specific criteria or examples of behavior serves to clarify the meaning of each response category. These criteria should provide behavioral standards essential to making meaningful discriminations among individuals in terms of performance.

Sequential Evaluations

Bias held by a single supervisor is compounded each time any individual is evaluated by that same supervisor. Evaluations of a single individual by different supervisors would help to correct this problem.

Evaluation of Evaluators

Bias is likely to be reflected through an evaluator's rating of all individuals in a certain class in the same way (for example, ranking females in either the highest or lowest categories). Careful review of an evaluator's ratings will provide information about the competence of the individual evaluator.

Follow-up Interviews

These are essential in order to provide feedback to personnel being rated. These interviews should provide specific information on how to correct poor performance as well as encouragement and recognition of good performance. In these interviews the supervisor should be required to explain the rationale underlying specific ratings. This may be difficult where active bias colors the evaluation.

Grievance Machinery

When individuals believe they have been unfairly evaluated due to bias there should be some procedure for review. The availability of grievance procedures would make unjustified ratings less likely to occur.

FACTORS INFLUENCING THE PERFORMANCE OF POLICEWOMEN

The purpose of enumerating some of the factors likely to affect the performance of policewomen is not to suggest that women should be rated by different standards than men. Rather, the intent is to specify those environmental and psychological conditions which may affect an individual's performance. It can be assumed that in many cases these conditions apply to men as well as to women.

Some of these factors are beyond the department's ability to alter. Others can be directly influenced by broadening a supervisor's awareness. The supervisor has direct responsibility to provide feedback to the officers being evaluated and in many cases is able to correct negative conditions.

Most factors, however, can be effectively controlled if they are taken into consideration by policy-makers. Although numerous factors may affect individual performance, the following are likely to be particularly significant for policewomen in newly integrated departments:

Opportunity to Perform

If women are to be evaluated on patrol, they must first be given an opportunity to perform patrol on a continuous rather than sporadic basis. Considerable experience is required to establish competence and self-confidence. There also must be sufficient interaction between supervisor and officer to insure fair evaluation.

Training and Self-Confidence

Competent performance on patrol is likely to depend upon the adequacy of training and the degree of self-confidence acquired as a recruit. Assignment to a field training officer during the probationary patrol period is necessary to provide both male and female officers with sufficient preparation for regular patrol. Use of female field training officers as role models is also particularly advantageous for female officers, who are likely to be exposed to additional pressures in their new role.

Motivation

Reluctance to perform full patrol duties can be expected from a certain number of experienced female officers if they are assigned to patrol after having performed other duties. Many of these women will not have anticipated assignment to patrol upon entry into the department. It may be necessary to give them the option to decline patrol assignments. Similar reluctance is likely to be felt by female officers entering the job with insufficient information

as to the nature of patrol duties or with different expectations about the role of women in policing. In order to prevent this reluctance, it is essential that female officers become fully acquainted with the duties expected of them throughout the course of their recruit training. Careful selection of academy personnel and field training officers can help guarantee that these women receive the positive encouragement they need.

MORALE

The degree of support or resistance shown by supervisors and other officers is crucial to the performance of newly assigned policewomen. A climate of hostility will place additional strain upon these women, while a supportive environment is likely to encourage maximum performance. The commanding officer is likely to have considerable influence in setting the tone with which the program is introduced.

It should be remembered that expectations for performance often become self-fulfilling prophecies. Supervisors and peers can influence newly assigned female officers to conform to these expectations of poor or unacceptable performance in order to gain personal acceptance by co-workers. On the other hand, female officers may be made to feel that they must perform exceptionally well according to male standards in order to gain any recognition or respect. Respect, however, is often gained at the price of resentment and personal ostracism.

Recognition and support from sympathetic peers reinforces and motivates high levels of performance. The assignment of small numbers of women to any unit is likely to promote their isolation and potential demoralization. However, placing women with other women gives each female officer a supportive peer group and reinforces an independent and effective style of policing.

Non-discriminatory and non-preferential treatment, in the form of equal assignments for men and women, should increase the status and acceptability of new policewomen. Regular partner and area assignments on a continuing basis should provide the opportunity for the female officer to demonstrate, or fail to demonstrate, her competence as an individual.

REWARDS AND SANCTIONS

Rewards and promotions convey status, recognition and motivational incentives to conform to desired standards of performance; sanctions are also integrally tied to motivation and performance. It is essential that women neither be discriminated against nor given preferential treatment, in terms of either opportunity for rewards or the application of negative sanctions. Unfair treatment in either area can cause considerable resentment and demoralization and is likely to polarize the men and women within a unit.

To insure fair treatment it is particularly necessary to review the criteria used in granting both formal rewards and sanctions (promotions, awards, medals, extra compensation, days off, special assignment, command discipline, charges and specifications, etc.) and informal rewards and sanctions (peer support, choice of assignment, tour or partner, special recognition by superiors, either positive or negative, etc.). These rewards and sanctions may reflect a masculine value system which automatically discriminates against women, albeit occasionally to their advantage. The important point to bear in mind is that, ultimately, unequal treatment—whether positive or negative—sets women apart as a group and harms their chances for acceptance and evaluation on an individual basis.

VII. PROMOTIONS

It is now over ten years since policewomen in the New York City Police Department won the right to promotion. It took a two-year court battle to achieve this, and the action was undertaken only after several attempts through legislative and administrative channels had failed.

The lawsuit (Shpritzer v. Lang) was instituted in the New York State Supreme Court in 1961. We won this first-round decision but the city fought us twice again, in appeals up the line. The five-man Appellate Division bench affirmed for us in 1962, and the seven-man Court of Appeals in 1963. Thus, it took 13 justices, unanimously, to tell the New York City Civil Service Commission and the Police Department what we women had known in our bones: we had the right to promotion, and to deny us this right was sex discrimination. The veterans among us also knew that to have been deprived of the right to promotion through the years was a grievous, irreparable injury. There would be no restitution for the tremendous career losses that had been sustained.

In my own case, I had been a policewoman for 24 years before I was able to take my first promotion examination, in 1964, to the rank of sergeant. By this time most of the 300 male classmates who had entered the Police Academy with me in 1940 were among the top brass. One was the Police Commissioner himself, opposing the promotion suit in court.

As I watched my male counterparts advance steadily up the promotion ladder while I stayed on the bottom rung, I recognized I was a victim of the system, but I was too busy during those years also being a wife and mother to consider doing anything about it then. Still, the injustice of the situation was never lost on me and when Felicia Shpritzer hit upon the idea of court action in 1961, everything clicked. It was the right idea at the right time, and we pursued it with a sense of righteous zeal. The victory, when it finally came, was very sweet. Although the instant issue was promotion to sergeant, the decision opened the entire promotion line to us. It would be many years before we could work our way up through the ranks but at least now we would be able to do so, and on a completely equal basis.

From the outset women have been taking the same promotion exams as the men and they are appointed from the same single list. The grave problems that had been predicted by our opponents have not come to pass: women have not made the lists in disproportionately high numbers; there has been no difficulty in assigning them; there has been no insubordination by male officers. Instead, as we had predicted, once promotion was a fait accompli, it was accepted as given. By now most of the department old-timers barely remember there was ever a controversy about it and the newcomers think the right to promotion was always there for women.

I am certain the same will happen in the future with respect to the new nationwide development of more women entering police work and being integrated into all branches of the service. Once the barriers are down, the initial resistance, stubborn as it may be, inevitably gives way and in time the new set of conditions is accepted as the status quo. This is the nature of all evolutionary change. Administrators, therefore, must not let themselves be put off by the nay-sayers. They must take the long view and see resistance to change—in this case, to the expanding role of policewomen—in perspective, as a transitional stage.

There is another point about the promotion "experience" I would like to make: we lost too many good women because we didn't have promotion opportunity earlier. Let's not keep repeating this same kind of mistake. Without waiting to be pushed, let's remove all discriminatory roadblocks that lie in the way of women whether they be found to exist in promotion, admission, assignment or any other administrative practices.

Inspector Gertrude Schimmel, New York City Police Department

In increasing numbers, women are seeking promotion and career advancement in police departments throughout the country. As Table 1 shows, by 1973 slightly more than 300 women held police supervisory posts ranging from

Table 1
WOMEN IN POLICE SUPERVISORY POSITIONS

Rank	Municipal		County		State	
	Total Number	Per Agency Average	Total Number	Per Agency Average	Total Number	Per Agency Average
Corporal	1	.0	5	.2	1	.3
Sergeant	73	1.1	63	2.5	3	1.0
Detective	95	1.5	22	.9	1	.3
Lieutenant	14	.2	13	.5	1	.3
Captain	5	.1	1	.0	0	.0
Major	0	.0	0	.0	0	.0
Chief	0	.0	0	.0	0	.0
Other	3	.0	3	.1	0	.0
Total	191	3.0	107	4.1	6	2.0

Source: *Police Personnel Practices in State and Local Governments, 1973*.

corporal to captain in state and local agencies. While women are still under-represented in supervisory positions, the last several years have seen some progress made toward correcting this situation, a legacy of the time when police departments were virtually all-male organizations.

WOMEN IN AUTHORITY

The movement toward greater promotional opportunities for women in policing has raised questions as to the supervisory competence of women and their ability to function in positions of authority in a quasi-military organization. Can women do the job? Will men accept women as bosses?

In regard to the first question, at least, there is reason for optimism. Recently, a study was conducted to compare leadership characteristics of male and female police executives. Participating in the study were men and women of the rank of sergeant and above from three northeastern urban departments. The study showed that women police executives, as a group, exhibited more strength in leadership-associated personality traits than did male police executives as a group.¹⁴

The women studied were reported to be more "emotionally independent, and verbally and intellectually assertive." They were also described as showing greater "flexibility," reflecting a lesser tendency to stick to routine and convention. Men scored higher in the area of "persistence," which measured the tendency to respond with renewed effort despite obstacles, while there were no differences between men and women as groups in "drive for achievement," "initiative" and "social activities" (the latter scale reflecting self-confidence, extroversion and social skills).

It is likely that the results of this study reflect, in part, the process of self-selection by superior female candidates. Given the difficulties faced by women in attaining positions of authority in a police department, the few who are able to do so are not likely to be representative of the female population in general. These particular women are the winners in a "survival of the fittest" struggle.

The question as to the acceptance of women as supervisors is more difficult to answer. Certainly considerable resistance can be anticipated, particularly as women move into supervisory positions in the field. As one police officer phrased the argument, "I get bossed at home by the old lady. . . . Isn't that enough?"

The typical police organization, however, should work in favor of promoting the acceptance of women. Police officers are trained to respect superiors and rely heavily on the hierarchy of authority. A police executive is defined

¹⁴Price, Barbara, *A Study of Leadership Strength of Female Police Executives* (University Park, Pennsylvania: Pennsylvania State University, Law Enforcement and Correction Services, December 1973).

by rank in this system, and the insignia worn on uniforms denote authority whether worn by a man or by a woman.

Ultimately, only exposure to competent female commanders will accustom men to accept women in positions of authority. It will take time before all police personnel can fully appreciate and share the attitude expressed by one young male officer: "It's silly to describe a police supervisor's competence on the basis of male-female. There are good and bad female superior officers, just as there are good and bad male superior officers."

OBSTACLES TO THE PROMOTION OF WOMEN

Despite the progress made in widening promotional opportunities for women, many police departments still maintain policies and procedures that prevent women from achieving career advancement on the same basis as men. In order to provide women with equal opportunities for promotion, departments should examine all the following:

Eligibility Rules

A prerequisite to promotion is being allowed to be considered for promotion. In many departments, however, women are prohibited from taking promotional examinations because of their sex. This clear discrimination in favor of men has no place in a department pledged to treating men and women equally.

Different Promotional Procedures

Female candidates for supervisory posts are often required to pass certain tests (for example, oral examinations) which are not required of male candidates. Such procedures effectively limit the number of women able to compete for career advancement. Such procedures, additionally, often constitute a screening mechanism which lacks objective criteria and allows male bias to color the promotion decision.

Service Requirements

The specification of certain service requirements (for example, patrol experience) as criteria for promotion, when combined with a policy which prohibits women from fulfilling these service requirements, also effectively deprives women of access to career advancement. Equally bad is the imposition of quotas on the number of women allowed to meet such service requirements, for such a policy restricts promotional advancement to a small number of women. A third policy to be eliminated is requiring women to meet certain requirements (for example, in education) or to pass additional screening procedures (for example, oral boards) not expected of men within the department in order to qualify for promotion.

Bonus Points

Many departments allow the use of so-called "bonus points" in determining promotions. In departments where there is active competition between men and women for promotion, bonus points often give men an advantage over women. Bonus points are most frequently awarded for seniority, military service or heroism in the line of duty, but since most women have been denied the opportunity to win bonus points for such matters the use of bonus points to determine promotion clearly discriminates against women. The National Advisory Commission on Criminal Justice Standards and Goals states that "Every police agency should disallow the arbitrary awarding of bonus points for experience and achievement unrelated to the duties of the position for which the individual is being considered. Arbitrary awards include: a. Bonus points for seniority; b. Bonus points for military service; and c. Bonus points for heroism."¹⁵

Separate Promotional Lists

The maintenance of separate promotional lists for men and women provides the machinery for imposing quota limitations on female promotions. *Police Personnel Practices in State and Local Governments* indicates that nine percent of the municipal police departments, 27 percent of the county police departments and two percent of the state police agencies which responded to a questionnaire kept separate lists. More significantly, however, 41 percent of the municipal, 28 percent of the county and 73 percent of the state agencies failed to respond to the question, leading to the inference that possibly many of them maintain separate lists but were unwilling to say so.

¹⁵National Advisory Commission on Criminal Justice Standards and Goals, *Police* (Washington, D.C.: U.S. Government Printing Office, 1973), p. 433.

Separate Job Specifications

In many police departments women are confined to service in a Women's Bureau. Generally, this is a small bureau with few supervisory personnel. As a consequence, promotional opportunities for women are severely limited.

Appointive Positions

Positions obtained by appointment and not governed by civil service guidelines or specific promotional procedures are rarely filled by women. High-level supervisory-rank positions and policy-level civilian positions generally fall into this category. In many cases women are excluded from these appointments because of active discrimination; in others, women are ignored because they have had too little exposure and too little opportunity to demonstrate the competence which would qualify them.

For example, many informal activities (such as social clubs) do not admit or encourage female memberships. Too often, women are invisible to the superior officers of a department and therefore are not thought of as belonging among those available and qualified for an appointive post. A contributory factor is the assignment of women to positions apart from those on the informal route to appointive positions. The assignment of ranking women to positions where they neither supervise anyone nor gain any command experience virtually disqualifies them for consideration for these positions.

VIII. RESISTANCE

The fact is, the men simply overprotect the women, and the problem with women in policing, at least in my experience, is men in policing.

Police Chief Allen H. Andrews, Peoria, Illinois

Not long ago a group of male police officers was discussing the prospect of their department's assigning women to patrol cars. Some of the officers were open to the idea, but the immediate and emotional response of one was: "I'm not riding with any broad...I'd quit first."

The attitude expressed by that officer is common in most police departments. All available research reveals considerable resistance among tenured male police personnel to any policies or procedures designed to integrate women on an equal basis with men.¹⁶ This is particularly true in regard to patrol.

The integration of women into police departments with status equal to that of men represents a fundamental change. It requires male officers, as well as female officers in traditional assignments, to reassess beliefs and expectations about masculinity and femininity, the relationship between men and women and, most fundamentally, the traditional concept of the role and image of the police officer. Such reassessment can be expected to generate considerable emotion and conflicting attitudes. Both individual and group resistance to the change is to be expected.

FACTORS CONTRIBUTING TO RESISTANCE

Traditional Attitudes

Historically, men and women have generally been considered to differ widely in character traits, temperament, needs, motivation, values, emotional capacity, intelligence, behavioral patterns and vocational suitability. As a result of these traditional attitudes most male officers tend to regard women as the "the weaker sex," "more emotional," "not aggressive," "indecisive," "unable to be logical in stress situations," and "weak" and so forth.

The influence of traditional attitudes was strikingly revealed by recently retired Washington, D.C., police chief Jerry Wilson at the symposium about women in policing. Wilson described a friend of his in the department, a senior official, as "pretty bright, pretty aggressive" but who for a long time had misgivings about the use of policewomen on patrol. This senior official, Wilson said,

"admitted to me that the real problem was that no women in his life had ever worked, and I suspect you are going to find that as a cultural pattern. I suspect it is reflected in the

¹⁶ Bloch, Peter, Deborah Anderson and Pamela Gervais, *Policewomen on Patrol: Major Findings First Report, Volume I, Washington, D.C.*, (Washington, D.C.: Police Foundation and The Urban Institute, February, 1973). Connolly, Hattie, Judith Greenwald and Peter Bloch, *Policewomen on Patrol, Volume III, New York City*, (Washington, D.C.: Police Foundation and The Urban Institute, forthcoming). Cleghorn, John, et al, *Policewomen on Patrol—Acceptance or Rejection?* (Evanston, Illinois: Northwestern University Traffic Institute, December, 1973)

fact that in the statistics of The Urban Institute it was found that black male officers were much more willing to accept women on patrol than white male officers. It probably reflects the fact that many of us, not me, but some, come from backgrounds where wives and sisters never worked, but if they did work they worked in very closely stereotyped jobs, and it is one of the factors you will recognize against the change."

Particularly objectionable, in the view of many male officers, are the supposed physical inferiority and psychological instability of women. Many male officers believe that women will not be able to handle violent encounters nor provide adequate assistance to male partners, that they will be injured more easily or use firearms excessively. The male officers also contend that women will not be aggressive enough to assert themselves at critical moments nor authoritative enough to command respect from the community.

Yet experience has shown that male officers often make similar complaints about other male officers, and that in crucial situations involving a male and a female officer it is not always the male who comes off better. As a female sergeant in the District of Columbia remarked, "I've been on the scene of an injured animal bleeding in the street and seen a policewoman taking care of the animal and getting it taken away to the Rescue League and having the male officer clutch the car door because he couldn't stand the sight of an injured animal."

Male Fears About Image

Most police departments operate under a masculine value system in which the favored image is that of an armed man of action continuously involved in fighting crime and criminals. The introduction of women into routine police duties is likely to be seen by many male officers as a serious threat to that favored image and, consequently, to their own self-image. If women can do the job effectively the status attached to the role of a police officer will no longer automatically be that of a "real man," and police work will no longer provide a gratifying feeling of masculine camaraderie. As a result, men may see being a police officer as a less desirable role.

Many male officers consider their service duties, which constitute 80 to 90 percent of routine patrol, as "Mickey Mouse" work and reject the image of the police officer as primarily a social worker. Yet the increased presence of women in a department is likely to reinforce the social service image.

Unexpected Questions

The introduction of women in much larger numbers into police departments and the assignment of women to all types of police work, including patrol, raises unexpected questions for many male officers. In most cases the men will have had little contact with women during their police career except for clerks, secretaries and family members. Most of their time will have been spent in the company of other males, and the presence of women on a continuous basis will require the learning of new ways to relate to women and the discarding of old habits, both of which can be difficult and painful. Routine behavior patterns will suddenly become problematic. Can you curse in front of a woman officer? Suppose she invites you to have a cup of coffee with her after work? Do you open doors for her? Do you protect her from violence when protecting her may endanger yourself? Who drives? Resentment at being required to make decisions about new questions like these will also engender resistance on the part of male officers.

Preferential Treatment

Male officers are likely to feel resentment if they observe, or think they observe, women in the department receiving preferential treatment in such matters as special assignments or days off. Male officers will be quick to perceive bias if women receive milder sanctions for poor conduct or are not expected to be as productive as men. This will be particularly true if female officers are allowed to take advantage of the traditional treatment accorded women to request and receive special privileges.

Competition for Promotion

Many male officers are likely to be irritated by having to compete with women for promotion. Since women have traditionally been described as better students and better at taking tests than men, male officers will suspect that their own chances for promotion will be decreased by an influx of women into the department. Related to this are the fears and resentments male police officers often express toward women in positions of authority. A female boss is disturbing to many men, who think that women do not belong in positions of authority.

Concerns about Sex

Both police officials and the wives of police officers have expressed concern about the possibilities of sexual misconduct involving male and female officers. Supervisors fear such things as late response to police calls, complications in assignment schedules and negative effects upon the department's image. Wives who feel threatened by the

presumed availability of women on the job are quite likely to express such concerns to their husbands, who may in turn feel some resentment at being placed in an uncomfortable position at home through the department's hiring of women.

Such fears are based upon a common notion that men and women cannot really be friends or colleagues, that sexual liaisons are the normal and inevitable result of male-female interaction. Clearly, however, it is naive to suppose that male officers will be protected from or immune to various sexual opportunities if women are excluded from the department.

THE CONSEQUENCES OF RESISTANCE

The resistance of male officers to larger numbers of women within the department, if not handled properly by commanders, can have serious and unwelcome effects. Rumors based on distorted reports of actual police incidents involving female officers, or based simply on hearsay, may be spread to "prove" that women cannot perform satisfactorily. The reputations of female officers may also be harmed by rumors of sexual misconduct, while superior officers may try to place more stringent requirements upon the behavior of female officers in an attempt to isolate them from male officers; this is counter-productive. Some male officers may be overly protective of women, while others may be excessively critical. Polarization may occur, with men forming one group and women another, while those who refuse to take a position at one or the other of the opposite poles may be isolated by both groups. Performance evaluation may be done in a biased manner, with women being judged on the basis of a general female stereotype rather than as individuals. Supervisors, particularly front-line supervisors, may find it difficult to maintain a policy of non-discriminatory and non-preferential treatment toward women.

Obviously, any of these consequences will curtail a police department's ability to handle its assigned tasks of combatting crime and providing service to the public.

EFFECTS OF RESISTANCE ON FEMALE OFFICERS

Depending upon the extent of the resistance encountered, female officers will be exposed to varying degrees of stress. This stress is liable to affect both the actions and attitudes of female officers in ways that are hardly conducive to effective policing. Some women, for instance, may think of themselves as incompetent in comparison with men; in order to compensate for such feelings, they may try to conform to a male stereotype of a "good cop" instead of performing their duties in a more natural manner, or they may take the opposite approach of trying to conform to the traditional female stereotype to win acceptance from men. Others may feel considerable resentment at being "left out" and great anger about the hostile remarks and negative attitudes of male officers. Such feelings may lead them to seek preferential treatment or special assignments to prove that they have the support of their superiors, or alternatively to think about quitting or moving to another assignment to escape the pressures. In still other women, male resistance may lead to increased motivation, a desire to be "the best" in every aspect of the job regardless of the effect on relationships with others.

Another, and perhaps more discomfiting, form of resistance encountered by women seeking patrol assignments comes from policewomen who have been on the force, often for many years, in traditional assignments such as a women's Bureau or Youth Aid Division. These women joined police departments in the expectation that primarily they would be given inside assignments involving clerical or counseling duties. They are quite often hostile to the idea of patrol work, especially if they are older or if the new program eliminates the promotional advantages they may have enjoyed and quite naturally resent the new female officers who threaten a comfortable, routine existence. For this reason, policewomen already in a department may join their male colleagues in resisting the entry of women into the patrol force, thus compounding the problems of new female officers who cannot look to their predecessors for support.

EFFECTS OF RESISTANCE ON MALE OFFICERS

Because of the increased presence of women, male officers too will suffer from additional stress. They may show or express resentment at an imagined perception of lowered status, or they may have feelings of inadequacy when they try to interact with women as equal partners. The men may, on the one hand, show fear for their personal safety out of a lack of confidence in the abilities of their female partners, or on the other hand take unnecessary risks to prove their masculinity to their female partners. The males may show clear approval of either those women who conform to the traditional female stereotype, or of those who attempt to emulate male behavior. The men may show or express irritation at imagined or real preferential treatment accorded women. The men may also be confused as to how to deal with women who are police officers, or they may solve the confusion by adopting fatherly or protective feelings toward female officers. None of these attitudes is helpful to male officers if they are to carry out their duties in a professional and objective manner.

METHODS FOR COUNTERACTING RESISTANCE

The resistance of male officers to the integration of women into a full role in police departments is not likely to be overcome quickly. But there are certain steps which the department can take to shorten the period of resistance.

Policy Clarification Among Top Command

The acceptance of women into a department depends heavily on the attitudes and words of the police commissioner or police chief. If the chief shows an absolute and clear commitment to hiring more women, to deploying and promoting them in a non-discriminatory fashion, the chief's attitudes and words will have a distinct effect on subordinates.

One way to make that commitment clear is to hold a conference for all top command personnel in which the subject is dealt with from various perspectives. The purposes of the conference should be to demonstrate the administration's commitment to hiring without regard to sex, to clarifying or changing policies which have discriminated against women, to reviewing problems of implementation and their solutions and to developing operational guidelines. Out of the conference should come a written policy statement and guidelines to be distributed throughout the department. (A suggested format for the conference and examples of problem-solving questions are in Appendix G.)

Orientation for Field Supervisors

Field supervisors contribute greatly to establishing the climate in which women must function. If these supervisors support full and equal utilization of women this message will be conveyed down through the ranks. It is therefore essential that supervisors be made aware of the goals of the program and of specific problems which might arise. Thus, a conference should be held for them as well, at which members of the top command elaborate on policy and discuss potential problems. Outside speakers may also be helpful, particularly patrol supervisors from other police departments who already have both men and women under their supervision. At such a conference sergeants and lieutenants should be made aware of their possible biases, conscious and unconscious, in evaluating or assigning women.

Creation of a Special Unit

A special unit should be created to develop, coordinate, monitor and supervise all programs related to the integration of women, and sufficient staff provided to support its work. The person chosen to head the unit (given, possibly, the title of Women's Coordinator) should make clear that he or she is available to discuss problems that may arise relating to the program. While both men and women should feel free to discuss any difficulties with the unit head, this person should be able to remain personally detached from the difficulties and to bear in mind that what is most important are the goals and well-being of the department as a whole. (This unit would not be like the traditional Women's Bureau, of course; its purview would extend throughout the department, from monitoring general progress to dealing with critical and disruptive situations.)

The formal designation of one person with responsibility for coordinating women's program will also provide a channel for the sharing of information and expertise among police departments.

Training Sessions for Rank-and-File Officers

Training sessions, for both male and female officers, where objections and conflicts are dealt with openly can be extremely useful. The expression of negative or hostile attitudes can clear the air, thus leading to constructive resolution of conflicts. During these sessions department policy and guidelines should be explained and discussed. Front-line supervisors are probably the best qualified persons to decide on the format and handling of these sessions.

Public Relations Program

The decision to place women on patrol attracts considerable publicity. Some police chiefs, however, have decided on a strategy of low visibility, in keeping with the decision to treat men and women equally. This strategy is practical only when small numbers of women will be assigned to patrol. Departments must accept the fact that if large numbers of women are placed on the street, it will be impossible to hide the program from the public. Departments should welcome the publicity as an opportunity to educate the public about the police mission.

CONCLUSION

During the preparation of this manual, Officer Gail A. Cobb of the Metropolitan Police Department, Washington, D.C., was shot and killed while on patrol as a result of a chase involving two robbery suspects. She was the first female police officer known to have been killed in the line of duty in the United States. Department, as well as

community response, reflected the support that the program has experienced in the Washington community. In a television news interview the evening after the shooting, a police lieutenant from Officer Cobb's district told the reporter, "She wasn't killed because she was a woman, she was killed because she was a police officer." This theme was repeated in news stories and editorials and by participants in the funeral service which was attended by the mayor and other major department heads, the Director of the FBI and IACP officials.

Despite this positive official response to a unique and tragic occurrence in one jurisdiction, resistance to women on patrol and its implications for department morale should be anticipated and dealt with rationally, openly and fairly. Otherwise, the problem will continue to exist and damage departmental effectiveness. Although resistance will not disappear overnight, its effects will decrease as women prove to both themselves and their male colleagues that they can be competent police officers and a credit to the department.

IX. THE PATROL EXPERIENCE: PERSONAL STATEMENTS

Placing women on patrol is a major change for any department. The primary effects of this change will be felt not by policy-makers, police officials or the public but by rank-and-file police officers, male and female, whose ability to learn to work together will determine whether the change is successful.

The interviews in this chapter reflect the wide variety of responses that male and female officers have to the concept of women on patrol. These interviews highlight the controversial nature of the program and the very real difficulties faced by female police officers in gaining acceptance within the ranks. They indicate as well the basic conflicts faced by male officers in their attempts to accommodate the changing nature of their job.

POLICE OFFICER #1

Male; eight years' experience on patrol in a major metropolitan police department; for the past six months, experience with a female partner in a high-crime sector of the city.

Why did you go into police work? What made you consider it in the first place?

It was a very haphazard thing. It wasn't something I wanted to do all my life, or anything like that. It was a walk-in test that I had taken when I was looking for employment, and I happened to score pretty high on it and was called in rather quickly and was taken by surprise.

Did you know what the patrol job was about before you came into the department?

No, not really, to tell the truth. Just what you see on TV, and that's a complete misconception of the job.

What does a patrol officer do? How do you see it when you get out there?

Ninety percent of the time you're on patrol. I guess you're out there to present a deterrent more than anything else. You try to get across to the public that there are police out here, and if you're going to break the law you have the chance of running into somebody that's on patrol and getting caught, so that your appearance ought to be a deterrent in that way. Secondly, you're out there for emergencies, and most of our radio runs are not so much criminal. In a way it seems more like 80 percent of the cases are an injured child or noise complaints or family relations type of thing more than anything else. The job is more routine and a kind of a community service type of thing than anything else really. It's not really so much like what you see on TV.

Could you characterize your style of policing? Do you feel that your style is different than the way other people in your unit perform?

Well, the romantics, I guess, really think the job is literally to go out and lock up a lot of people and make a lot of collars and they kind of look for the fame and the glory of it all, so they really go out and they work for collars. They make arrests that could be settled out on the street. When I go in, I don't go in with the idea that I want to make a collar right away, but if I have to make an arrest, then I make an arrest. On obvious things, in petty things, you try to settle it on the street. You do have leeway. The way you handle any given situation, you can come out with different results. I intend to calm things down and not excite the situation so I don't have to make an arrest. J----- works that way more or less, too. She's very good at that.

Do you get along well as partners?

Yes, we get along very well. She has experience, she knows what she is doing, knows the paper work, knows the job, knows how to talk out there. She knows the job in reality, not just what rules of procedure say, and how to

handle herself. And that impresses me. Just being out there working with her I like the way she works and also her ideas parallel my ideas. She's not out to make a lot of collars and is not one of these guys that has a lot of prejudice. It's tough when you're on patrol. Half the job also is picking the right partner, someone that you can work with. There are guys in the precinct that are overbearing. Some look for collars or look for trouble. If you are going to look for trouble, you're going to find it. That's not my idea of patrol.

It's much more comfortable working with her than with some of the guys. Some guy said, "Well, don't you feel scared that you're working with her and all that?" No, because my chances, the way I figure it, if I'm seen with a guy that's going to leave the station almost every day looking for trouble, or he has a bad attitude, my chances of getting hurt, in actuality, are much more with him than with J——, because of her attitude. She's not going to involve me in something that's going to force an issue or get us in trouble. We can usually talk our way out of situations.

If you're out on patrol every day, then you really come to know what this job is all about. You go into various situations and you get your self-confidence. Once you get that, you've got the job half beat. If you can remain calm and take it easy in situations, and think things out, you're going to be a better cop. It just takes experience and J—— has a lot of experience now.

How did you originally feel about women on patrol?

Actually, at the time I was just starting to form an opinion without really giving it any serious thought; I didn't really have any solid reasons. I jumped for the opinions of a lot of guys. They said women can't do the job, they don't have any strength in the job, and then after I started thinking about it, and was riding with J—— and evaluating it, it's not true. Realistically, there's a lot of lousy female cops out there, I'm sure, but there's also a lot of lousy male cops. It's the individual person. Physical strength is a very small part, in my opinion, of police work. You don't have to be a superman to be a cop.

I think that you might be able to use an intimidation type of thing, but that's not the way I work anyway. If you're a big guy, maybe you could intimidate people into calming down or something, or avoiding a confrontation because you're being so overbearing, but that's not likely. I think it's more common sense than anything else. When you get into a shooting situation, it's one of these things that does happen, it happens rarely in the police department. And even then, you have no guarantee that if you're running with a big man that this guy is going to react in the same way when you get into a shooting situation. I've seen J—— in hot situations and she's shown courage that I wouldn't expect. It's a personal thing, not sex, that has anything to do with it. Each individual meets individual situations. You can't attribute strength as the thing that's going to make you a good cop. That's a lot of baloney.

And you're in a high-crime area?

Yes.

What sort of experience is the most difficult to handle because you patrol with a woman?

Where you have to just grab somebody, physically toss somebody or hold them down, since she is smaller (she only weighs about 130 and you might be getting somebody 200 pounds) that's one time where strength does come in. But, normally, in a situation like this, you know you're going into a case of psycho and what you try to do is to get a back-up—this is a sensible thing. Even if you are working with a man you will still do it. There's always that thing that you might have that feeling of security with that one other guy with a little more bulk. That's the only thing, really. In a family dispute I think it's better that I should be with a girl. Because, right away you can go in, we play the role routine. She takes the wife's and sympathizes with the wife, I take the husband's and command the state of affairs and all this stuff. So that's good, whereas if you only had two guys, one of the guys would have to go with the woman. It's a little harder to relate to a woman. You're just another man, so you run into a little problem there, and with J—— it's good. With aided cases it's great, she plays the nurse's role, she'll take care of them and sympathize with them. She seems to be able to do that better than any of the guys I've worked with in the past seven years. Children, she's very good with children, much better than guys. Other jobs like accidents, and situations like that, it really doesn't make any difference, she just has a good knowledge of the job, a good knowledge of how to handle the stuff out on the street where paperwork's required, and where notification has to be made, she's good in that respect. And there it really doesn't make much difference.

Have the women in your unit been accepted by the men?

Some of the girls took the real women's libber-type attitude. And this is more or less what the guys wanted for some reason. I can't really explain it. When they would antagonize these other girls and they would take this real women's libber-type thing, they'd like that. They got a kick out of this sort of thing. But J—— never played the part of being a women's libber. She always said, "I'm doing a job. I'll do the job the best I can, and that's it. I'm still a woman. I don't believe in women's lib, and all that stuff." The guys kinda liked that. That's what they kind of wanted to hear from her. Normally, what happens if you get harassed and you can't take it, then you only open yourself up for more harassment later on. When someone would bug J—— she would just play it cool and give them a nice moderate answer and smile, and they would leave her alone. They couldn't get any satisfaction out of bothering her.

And after this they just wouldn't bother her again. So she put an end to it right away in the beginning. She was pleasant, cool, not getting excited, not letting the guys get to her, and just being a regular cop, not trying to show everybody, "Here I am, a women's libber in the police department, look at me." She didn't want that attitude. She wants just to be a regular person. The guys treated her like a regular person after a while.

Another girl played the women's lib-type thing more—seemed anti-male. I can't explain it, really, but that attitude kind of bugged the guys. In other words, when they antagonized her she let it show and became very vocal, very outspoken. Instead of being smooth, she seemed ready to fight. She went in expecting to fight. When she came off patrol she expected to be bugged. She wasn't going to let anybody get away with it. That was the kind of attitude that I got from her. And a lot of guys didn't like it, because of that attitude. She really couldn't get accepted.

POLICE OFFICER #2

Female; eight years' experience in a major urban police department; retrained for patrol; two years' patrol experience in high crime area; male partner.

What made you consider police work?

I think excitement—getting out into the world, and, of course, the pay—I had to work anyway, so I might as well get paid for it. My father and two uncles and my husband encouraged me.

What was your experience like when you were first assigned to patrol?

I was assigned to a high-crime area and I was scared to death. I come from a neighborhood where I have very little contact with black people at all and I was worried how they would react towards me—not how I would react toward them, but they toward me. Also I didn't want to be embarrassed in front of my co-workers by doing something wrong. To do something wrong and look like a fool, that was my greatest fear.

What does a patrol officer do? How do you see it while you are working out there?

Just plain helping people, not the crime stuff—that you just get used to. Solving their problems is important, knowing where to send them. A lot of people are grateful and I feel good about my job.

What helped promote acceptance of you as a female police officer?

It is the way you present yourself, because some of the other women did have problems. I didn't criticize or comment, not on the first day, even if I disagreed. . . and then eventually I'd ask why we do it that way and then eventually I'd suggest why don't we do this and they'd say, "Hey, that's a good idea" and eventually we became equals. . . but not on the first day.

You can't get into a car with a man where you're invading his territory and tell him what to do; you can't enter as an equal. . . not immediately. . . you have to soft peddle. . . go in easy and before you know it he'll be accepting you like my partner did. More so than if you pushed. . . you have to start off by giving him credit and taking criticism. . . even if it kills you, don't say anything when criticized. Definitely after a while the relationship becomes much more co-equal.

If I had to advise new women, I'd tell them don't cry. I don't mean cry, cry—but don't moan, don't groan, don't find what's wrong with the job you have. Accept criticism, even if it kills you, and don't react to harassment. Don't be pushy. Let them be the boss, in the beginning. Be willing to learn. Just remember it takes time. Just don't antagonize or over-react, and they'll learn to like and accept you, and you'll feel more comfortable working with them.

Is the style of your partner important?

The style of my partner definitely makes it easier for me to be out on the street. He's a great guy. . . really calm . . . doesn't fly off the handle. He's a special kind of police officer. I wouldn't be able to work with many of the men in the precinct. Generally I get along fine with the personalities of these guys, but we have a couple of guys who fly off the handle and aggravate more situations and it makes it uncomfortable. You never know when they will blow up at a small situation like a parking violation, explode. For example, if you tell someone to move their car you're bound to get an "Oh, for Christ sake" and then they move their car. But if you jump out of the car and run after them and say, "What did you say, buddy?," then you've got a problem on your hands and one you could have avoided.

How is the job different for you now that you have been out on the street for over a year?

The job has changed for me because with experience I'm more knowledgeable about what's going on in the area. You know what to expect, and that's important. In the beginning you don't know what to expect. . . where the gambling takes place, the prostitutes live and the youth gangs hang out—that's important information and you need it to function.

POLICE OFFICER #3

Female; six years' experience in a major metropolitan police department; retrained for patrol; one and one-half years' patrol experience in a high crime area; female partner.

Why did you decide to become a police officer?

Well... first, probably to the best of my recollections, I felt it would be a very interesting job and it would broaden my life's experience and it would be just something different—something I had never done before, an adventure.

Why did you volunteer to go out on patrol?

I felt I was really useless in the cell block. I was useful in a certain sense, performing a certain duty, but not eight hours a day, five days a week. I just couldn't see it—being a matron, searching dead bodies, taking care of prisoners, doing random plainclothes details... considering I was an eager, ambitious person wanting to do police work.

After three years on the job I started realizing that patrol was the kind of job that a woman could do too—I couldn't see why not. That's when I started to feel some of the hostility coming from the men. "Why should you do this job, it's our job." But by the same token they would say, "You're not doing anything and you're making the same money I'm making," which was kind of aggravating because I had nothing to say about it. I said, "I would love to be out there, there's no reason why I shouldn't be out there"—but there was always an argument, no matter which way I turned.

From your point of view, what was the most important thing that you learned in your retraining program?

I think the sessions that taught us what to expect on the street by the police officers. It was more of a mental conditioning for me; and also, the family crisis training which was the major part of our patrol function was very important, and very good because we learned about body language and the kind of violent situations we would be confronted with. It's a difficult thing because you're in uniform and you're a female and you're out there and you're supposed to keep the peace and inwardly you think, "Can I do it; can I really, really settle this argument without anyone getting violent?"

What was it like to go out on patrol the first time?

Absolutely exhilarating! If you said in a lifetime if you could have a few dreams come true this was definitely mine—sitting behind that wheel and driving a radio car and being a cop on patrol was just so tremendous. It was a tremendous responsibility. It was a great new adventure, and I felt totally optimistic about it. I had no fears of getting shot and getting thrown down steps and off rooftops. I mean I didn't look at it from a negative point of view. I said this is a positive thing I'm doing; I'm really going to go out there and do my thing—as a female—because I believed that a female could add a lot more to the street than what was out there already. Especially considering the public's attitude towards police in this day and age.

You were out on patrol for how long?

One and one-half years.

As you think back over it, how did it change for you?

Well, as any police officer will tell you, after being in a precinct over a year it starts to become kind of humdrum. The things that go on out there go on repeatedly. There's nothing really new after a year in the same particular area. It's the same old family disputes and the aided cases and the accidents and you sort of expect a certain kind of response from the people. It got boring in that sense, the same surroundings and the same old thing. But it was never boring when I was actually performing because I really felt useful, responsible and necessary out there.

But I'd say if anything changed it probably was my attitude towards my male counterparts. I think that's the worst change that came out of the whole one and one-half years. Anything that happened, we were questioned and scrutinized. I said, "You don't question your male peers when something happens out there. You know it's just a happening." But when we did, it was an extraordinary thing. "Why did we call for help when we didn't need it?" They would go to superior officers and tell them things and not confront us at all. And then there were the remarks made and the hostility which came out in various ways. No matter how good an arrest we made there was always the comment, "It must have been done some other way." We were never given full credit by some of the men for the kind of work we did, the kind of arrest we made. It was very upsetting.

If you have the option, would you choose a male or a female partner?

I would have to say a female. I cared about my partner. I was concerned about protecting her on the street, but I wasn't overly concerned. I felt like if something happened to her I would do my best, but I didn't feel like anything that happened to her, no matter what it was, that I would be responsible. I feel that if a man comes in from patrol

and he's been hurt in some way or another I would take the blame. I would have to take the blame. They would make me take the blame for it, and I didn't want that unnecessary tension and pressure on me. Things happen out there that sometimes you can't help.

What is the patrol function, from your perspective?

Well, from my perspective, very different from anything I had imagined it to be. But to me, I found it was a service function. You are out there in uniform, you are a referee. . . kind of keeping the bad guys from the good guys and keeping people together, helping them. It's when nobody else can help, they call you. They're desperate people. It requires a great deal of patience and concern for the people you're dealing with. I think that people that go into uniform should be themselves. They shouldn't, because they're in uniform, be tougher and more aggressive. It's just like dealing with people on a daily basis except that you have the extreme responsibility of trying to rectify situations; it's a tense job sometimes and sometimes very very frustrating, but it's service.

What (if anything) do you feel you and your female partner added to the job?

Well, I felt that we added a lot more understanding, compassion. We were a lot more patient. We weren't so quick to judge people and I guess that is where the female came out in us more—because we weren't so quick to resort to violence to end the situation, to end an argument. We were better equipped to talk it out. We were more patient to talk it out. Probably fear came into it too. We weren't about to go punching people around the place to prove our point, because we didn't want to and neither did we have the strength to. So I think we more or less talked things out, worked things out rationally and honestly, and I think we came across as two very honest police officers who wanted to do a good job.

POLICE OFFICER #4

Male; 15 years' experience in a major metropolitan police department; no experience with female partners.

What made you consider going into police work? That is, why did you want to become a police officer?

Oh, for years I had always wanted to be a policeman. I always liked what they did, the excitement of the job, the satisfaction of helping people, and the security and the benefits for my family.

What jobs do police officers perform?

Well, I, on radio patrol, have a chance to be all over the area, to handle many jobs around the clock. The radio car is the backbone of any department. They handle 95 percent of the work, in the way of dealing with crime and preventing crime. You're always on call.

How did you come to select your partner?

I have been with the same partner for five years. I tried other partners and it wouldn't work. When you work with the same man, it takes about a week to know every one of this man's movements, and he knows your movements. I protect him, he protects me. That's why it helps you in any job you go to. Whether it's a robbery-in-progress, a burglary-in-progress, we know we can depend on each other—we know the other one will be there.

Getting to the question of policewomen coming into the department—basically, what do you think about policewomen on patrol?

In general, I feel (as many of the men do) that no matter how good the policewoman is, the man always wants to protect the woman, and we found out through many situations that a woman cannot do the job as a man. When it comes down to a bar-room fight, a search in a darkened building or rooftop, men like to know that their partner can assist them in every way. A policewoman cannot do it. When a patrolman has a policewoman on patrol with him, and when he responds to one of these jobs, another policeman has to go and back him up. They respond to the scene in order to protect the policeman, not the policewoman. Where two other policemen could do the job, now you have four or five policemen doing the job. They have to make sure that this policewoman is not hurt in any way. We have had occasions with a violent psycho, where a policewoman had to be pushed aside for her own safety. We have gun runs where a woman is endangered. They don't think quick enough. And some of these battles are freaks. And police-women cannot do the job. They are very good in street clearing, and plain-clothes work, where we know there's back-up behind that policewoman. When a policewoman is set out as a decoy, there's four policemen to back up that policewoman. It's the same thing on the uniform force—we know when a radio car has a patrolman and a police-woman, other men respond in order to protect the other cop and the policewoman, because they know the problems they could have where they'd have to get the policewoman out of the way because she has endangered her life. The men feel that if it were their sister, their wives or a girlfriend. . . a man thinks these things in order to protect a woman, it's been this way all our lives. The idea is to protect the woman. Ninety percent of the men in this station are married, most of them have children. I myself have daughters.

What is it that you feel makes a woman not qualified for this job?

They are not physically capable. If it comes down to a knuckle fight, they would have to use a stick or whatever they have to overpower. They can't do the job. I feel to protect themselves, they will have to take their gun out and shoot them, and God forbid, I hope it's not a police officer. Where we could fight the man toe-to-toe and hand-to-hand, a policewoman cannot do this. They have not been trained, they could never be trained. These women are too timid, they're just too small. They're not big enough, and they're not trained enough.

Do you think more experience would help the women?

No, like I say, you could give them more experience, but they are not physically fit to handle these here jobs. If you went into a bar-room fight, would you rather have a policewoman or would you rather have a cop there? A policewoman cannot help.

You mentioned that there are problems that you see due to the size of the women. Would this be improved by having stricter height and weight limits for women?

Oh, yes. Yes. I know some pretty tough women who can handle themselves. What I'm saying, a girl can hide behind a car with a gun and, getting close, or hand-to-hand, you have to have a man or a woman who can really throw the weight around.

Are you having the same kinds of problems with the smaller men?

With the smaller men? No. We have no problems with the small men.

POLICE OFFICER #5

Male; six years' experience in a metropolitan police department; two months' experience with a female partner.

Why did you decide to go into policing?

It's been my ambition since I was about five or six years old. I had police in my family—it's just something you grew up with then. I had an uncle. He was very close with me. And I guess it's just something that I have always wanted.

Did you know what policing was about? Before you became a police officer?

I say in general, yes. I really didn't know that there was so much abuse that you take out on the streets. But as far as a policeman's duties, I knew that.

What is your job about?

To keep law and order. We have a lot of aided cases. Cardiacs, epileptic fits, burglaries, a lot of stick-ups, and our job out on the street is to prevent that.

Are there differences between policemen and the way they approach the job?

Yes. You have some men that will rush right in on something, and you have some men that are more cautious. More men will take things upon themselves, where another would call for a superior officer before he would do anything. Everybody has their own style.

How did you select your partner? What were you looking for?

I was looking for somebody that I could get along with and where I felt that any situation that I would go in, if he wasn't in front of me, I knew that he would be behind me and he was watching my back. Also, that he would have the same feelings, knowing that anything that we would go in on, he would know that I'm there.

You have been in the department for a number of years before there were women on patrol?

Yes.

What is the impact of having women in the department and on patrol? How is it felt in your unit?

Well, I think that there is a lot of animosity. I don't think that the men like it at all. I think that the majority do not want to work with policewomen.

Do you know why?

The men that I work with, and the men that I know, they feel secure out there. They feel by putting women out there, all they are doing is giving us another handicap—of somebody to watch over. A female is a female. Nobody can say that to look at her that she is a police officer—she's not. She's still a female, no matter what she is going to be wearing, and she's going to be wearing the same uniform as me. I don't consider myself a superman, but I don't think that she is capable, physically, of what I can do. I don't think that the men mind them being around in the station—

but not out on patrol. I'm not saying that we can get along without them; we can't. We need them. There are jobs for them in undercover, decoys, plainclothes, matrons, children, but I don't believe that they belong out on patrol. If I go on a job for a man with a gun, I want to know that I have another man with me, not a female.

Is size important—is that the key?

It's not the key, but I do think that it is important. I would rather work with a big guy than a small guy. It's just the strength, just the physical force itself, which is used every day on this job, whether it's just for crowd control, or if you go on the street and have a cardiac on the street, just lifting a stretcher.

Would a large policewoman be more suited?

I would prefer not working with a female, unless I was in plain-clothes with her, with a back-up team.

So, there's something more than strength that we are talking about. It seems that even a large female would not really fit with your idea of policing. Do you know why? What is it?

I can't put my finger on it, but you know I've been working with my partner two and a half years. You know every move. I can go in on a job where a suspicious man with a gun, in a building, and without saying "you go this way, or that way," we both know what we have to do. There's no discussing it. I think I know more about my partner than his wife does. I know what he eats, I know everything. He knows everything about me. I think that you get a certain relationship when you are working with a partner. I think that when you are working with a female, you might get yourself in trouble also. Maybe that's in my mind. But you do—you get a very close relationship. I've been hurt on the job, and my partner would take it as if I was part of the family. There's an attachment between you and your partner. I can tell you when he's going to have a problem, and when he's not going to have problem. He can tell the same about me. I feel closer—I know more about my partner than I do about my own wife. He tells me his family problems. He knows your family problems, and it's a constant conversation on your whole life—what's passing by—normally you wouldn't talk to anybody. You have an understanding. If my partner were a female, I would have married him a long time ago.

Do you feel that you could establish that kind of relationship with a woman?

No. I wouldn't be sure of myself. If I'm not sure of myself I don't belong on this job. You have to be sure of yourself. I feel that if I had a woman on patrol, that I would be by myself. I'm not speaking about somebody to talk to. But if I were working steady with a female, I would feel very insecure. In this job, if I felt insecure, we could both get hurt. Also, I know when I talk to my partner I talk differently than I would with a female partner. When I talk to my partner I'm speaking freely. I have to think first what I'm going to say to a female. I'm more gentlemanly, and I'm very uncomfortable.

What was your experience working with a woman as a partner?

I worked with a woman for two months. She was a very lovely person. She was a good police officer, but I found that I took a lot of abuse on the streets. If I was walking on patrol, I would take abuse on the street by some of these, how should I say it, so-called "citizens." They would say, "Come on baby, lock me up" or "Do you think you can handle me?" and this involves me, as her partner. I was very uncomfortable, and she knew it. I told it to her from the day that I started working with her. She agreed with me that a woman does not belong on patrol. I think that is why I stayed with her for the two months. If she had felt that she should be out there, I don't think that I would have worked with her for the two months.

Would you have another woman as a partner?

No, not if I could help it. If I were assigned to a woman, any way possible that I could switch out, I would do it.

Do you think that there is anything that could be done to promote acceptance into the department?

Well, I'm not saying that they couldn't be successful. But how can I put it—if they want to put a woman on patrol, my feeling is why not put a woman with another woman? I've asked the question to the females here. Why don't you work with another woman? They laughed at me and asked me if I'm crazy. They want to work with a man. Now, if a female can do the same job as a man, then why don't they want to work with their own kind?

Before this, it was all men. Has it made a difference in having the women around in the station and part of the job?

Yes, I believe so. Most of the men I know don't want to work with women. It's creating animosity in the stationhouse. A man comes in and finds he's assigned to a woman and he goes to the desk and tries to get out of it and he can't, but he doesn't want to work with her. Look, men talk alone. You don't feel comfortable talking with women around. You have to watch yourselves. When a bunch of men come together they'll talk. Now, I found riding with the policewoman I had nothing in common with her, and I had nothing to talk to her about. I remember she wanted to go to the powder room. It's the first time I'd heard that said in a radio car. It's a very uncomfortable feeling to ride for eight hours in a car and with nothing to talk about. In the stationhouse, when some men are talking

and a woman walks over they can't talk normally, they have to start watching what they say, they can't express their feelings. The men were told to watch their language. If you're a truck driver or a policeman and you're around men, you talk freely. We spend more time in this place than we do at home. We want to be able to talk freely, and you can't. For example, we're in roll call, and one of the guys would say something. You'd hear somebody across the room saying, "Keep quiet—we have a female here." It's not the same environment that we've had all these years in the department, and something's missing.

Let me ask you, do the superiors treat the women any differently than they do the men?

Well, I find that the females do not get what we call "fixed post duty" where you have to stand at a burned building, or you have a broken window and you have to sit on it all night. It goes to the men. I find that if you have a DOA the females don't get that either—the men get it. I find that if you have to fly out to a different precinct to work for riot or for crowd disorder, the men are going—not the females. Also, I have heard that, from a few of the men, that when you have two partners that are working in a car, they would take one of the partners out and send him somewhere and put the female in the car. This kind of treatment causes resentment.

You mentioned before that there were a couple of women in another unit who are having particular problems. What kinds of problems are they having?

They might not be having the same problems that we are. They have a couple of women who think that they are better than the men are. That's creating a little disturbance.

What do you mean that they think that they are better?

Well, they think that they are better out on patrol than the male cop is. Like I'm saying that the female doesn't belong on patrol—they say that they belong on patrol and they do a better job on patrol than the men do. So, it creates a little animosity.

What's their reasoning?

What's their reasoning? Maybe they are trying to fight back. Maybe that's the whole answer—they're trying to fight back.

POLICE OFFICER #6

Female; two and one-half years' experience on patrol in a small metropolitan police department; no partner (one-officer car).

How did you become the only female on patrol in your department?

I came in as a patrolman, into a department that is not receptive to women. Actually, I started out applying as a policewoman; I was being very straight about the whole thing and applying where I felt the women were acceptable. When I began to find out when places like ——— said "We have openings, but nothing for women," and when ——— said, "We have openings, but sorry we don't want any women"—when all the cities started beginning to tell me they had lots and lots of openings, unfortunately not for me, I began to go at it the other way. I'll just go where the openings are, and there's no reason why I can't. So then I began to apply as a patrolman.

How did you pass the patrolman's qualifications? Isn't there a sex clause in that?

No, I met their height and weight requirements, and nowhere does it say you have to be a male; it just says you have to pass certain requirements.

How did they respond to your coming on board?

Very negatively. They did not want me, and if there was some way they felt they could have gotten around it I think they would have. There were various quotes by the chief in the papers. A city councilman, after he found out I was on the streets, demanded my job because he said that sending a woman to do a police officer's job was short-changing the public, and he insisted the department take me off patrol. When I first began, comments were made like, "If you want to be a man, ok," which was not my idea—my goal was to be a police officer.

Their idea was that all the rules and regulations that were set up, I would abide by them, so the uniform would be exactly the same uniform as the man. The hat originally was to be the same, although they've since changed that. The haircut was the main thing—we have a requirement that says the hair cannot stick out underneath the hat, it cannot hang down onto the collar, the sideburns can only be so long, and they said that I would be abiding by that same requirement. I can't wear my hair up—they would not allow that—it had to be cut. It was cut very, very short when I started, it looked like a man's haircut, and since then they have relaxed it a little bit and it does stick out beneath my hat, and it does reach my collar.

What else besides the uniform? What other regulations? Did you have to use the men's room?

No, I just don't. We don't change in the locker room. Mainly our lockers are to store coats and brief cases and so forth. I'm the only female in the locker room but very seldom does anyone change clothes in there.

Did this negative attitude filter down to the police officers that you had to work with, as well?

It's my opinion that the chief sets the attitude of a department anyway. I think if the chief is positive the officers will basically follow along. If the chief mistreats blacks it will give the okay to all men below him to be oppressive towards blacks. If the chief doesn't like women it makes it okay for everyone down below him to mutter and mumble about having women around. On the other hand, I think if the chief had put out a directive to welcome women—you may not like it but they are here to stay—and they will be helpful to the department and so forth—then those who were receptive to the idea would have been more outspoken about it. I honestly think the chief sets the attitude for a department.

Then you think the men you work with are reflecting the chief's attitude?

I think so, in fact it's much better now; it's just a case where they either accept me or reject me because of my personality, which is a normal situation, not necessarily because I am a female. There are those who just plain don't think I should be there and there are those who, from the very beginning, encouraged my being there and lots of fence-sitters who were afraid to speak out either way until time had passed—I think most have fallen off in my favor.

Why do you think so?

Because I think all of the things they predicted have not come true—that I was going to get my partner killed or severely beaten or that as soon as I saw blood I would faint or as soon as I was faced with a rather dangerous or scary situation, I would high-tail it and run—none of those things had happened. Also, we have a chief whose attitude is that no woman can be raped and all divorcees are prostitutes. And I got the idea from the administration that they felt that as soon as I moved into the department I would set up my own prostitution racket. That, of course, has not happened.

When you started, you had a male partner. How was the person selected?

When they picked my field training officer, they tried to pick somebody who was not out to just bury me right away, but somebody they felt would at least be fair, which limited it to about two people then. They had to get the permission of his wife before he could be my training officer. I understand his wife received a couple of calls, asking if it was okay for her husband to be my training officer, and did she have any objections to her husband working with a female, and would it create any family hassles. She said it was okay. She didn't care—she trusted him. I worked with him for two and a half months and with another officer for four months. Since that time I've been on single person radio patrol.

When you first went out on patrol, what were your first experiences like? How did you feel about going out on patrol?

Well, I don't think patrol scared me as bad as the department scared me. I used to just cringe whenever I had to come in for a roll call because I hated it so bad. I suppose you could say I was afraid of the people I worked with because I knew their attitudes and I knew that I was in sort of hostile territory and that scared me. Actually, out on patrol I wasn't that scared; in fact, I was glad to get out of the roll call room and out into the patrol car so that I could get away from most of them.

What was your experience like working with a male partner?

When I worked with my partner we worked very well together. What he did well I probably didn't do so well, and what I did well he probably didn't do so well, and both of us recognized it and both of us would stand back and let the other one handle it. Physically, he is bigger and stronger than I am. If there was any grabbing or subduing of a person he did sort of take charge. Now sometimes that bothers me. I wish they wouldn't do it. Generally, I get shoved out of the way when there's three or four people trying to subdue someone. I generally had more patience than he did. I could talk longer before I became irritated. He would just simply stand back and let me talk. He was definitely better at talking to the motorcycle gangs, the type of people you would find in the bars. I was better at getting information for the reports, and so forth. In family disputes I think we just sort of sensed which one we should handle, and it worked out pretty well. He would take one, and I would take the other—not always me taking the female and he taking the male—generally by the person's attitude. If I talked a while to one particular individual and I found that I was getting nowhere, he would step in and I would back off and likewise I'd do the same for him, and neither one of us got upset about that.

Has your experience on patrol changed with more experience as you've gotten to know the job better?

Well, I feel a lot more comfortable with it now. I just began to feel, after I worked for the department for a while, that I wanted to work in a car by myself because I felt like he was carrying some of the load that he shouldn't

be carrying, that I was letting him do some things that I was still uncertain about, and I wanted to get out in a car by myself so that I could handle the job by myself. I wanted to be the first one into the bar-room brawl and handle it until the other car got there, so that people could stop saying that my partner was protecting me. So, after I worked by myself for a while, I became much more comfortable and self-confident; now it doesn't bother me to work with another partner on occasion.

My big hassle was not the job, and the public was great. I have not really had that much problem with the public. I think the biggest irritation with the public is the laughs and the snickers at the idea of a woman being out there in uniform, since I'm the only one. The laughing and the sneering still bother me, but that's predictable. My biggest hassle has been at the department. I spent more energy and more time just trying to win them over and trying to get my courage up to face them. I've never had any doubt about the job.

What is it that's so fundamental that they really don't want any women anywhere in the department?

I think a lot of it is ego. That's the best I can come up with. It's definitely ego. Police work has always been a man's job, and it's sort of a he-man image. And if a woman can replace him, it just demolishes his ego, I guess. He's been brought up all the time thinking, I suppose, he's a little bit better than a woman, and he's out there to protect her. I don't ever want to get in the position where I'd say, "Do not protect me, I can handle anything that comes my way," because I know better. I can't, and neither can any of the men on the department. There are many times when they all call for assistance. I don't ever want to get to the point when I say, "Don't help me under any conditions until I have been pulverized," but, on the other hand, I don't want to be protected out of my job and my self-esteem.

Would it have been easier for you if there were more women?

I think it would have been much better, yes. I think it would still be much better because the one thing that still bothers me is the fact that I'm so visible. All they have to do is say, "What officer was involved?" "I don't know what officer it was, but it was a woman." So, every mistake I make is very obvious.

Have you made friends with the police officers? Do you socialize with them?

No, I don't socialize with any of them—not because there aren't some of them that are nice—partly because I'm out to keep this job. One thing that really bothers me with the department is, and I'm sure this is true in any police department, is the gossip—women gossip and men talk about women who gossip, but women couldn't hold a candle to the way men gossip. And just hearing some of the things the guys say around there about various gals they've gone out with, and so and so's wife or their own wife if they are mad at her at the time. I don't want to be a part of it. I don't want to give them opportunity to be able to say anything. My private life I want private and away from the department. I wish it could include some of the police officers, but I don't like the rumor mill. They can be very vicious towards women.

What experiences are you most proud of in your last two and a half years?

I think dealing with people. People presume that when you go into police work the only thing you are going to deal with are the very bottom class, or what they consider very lower-class citizens. They forget that ordinary law-abiding people have automobile accidents, they have people break into their houses, they do have domestics. You don't always just deal with the criminal elements. I think just dealing with the people is the most satisfying part of it—all kinds of different people—they just run the range of everything. You meet more people than you could possibly roll into in a lifetime any other way.

Well, if you had to give advice to other women going into policing, what would you tell them to do in terms of promoting acceptance?

Definitely go in. I think there is no reason why a woman can't handle the job. It was automatically assumed, I think, that the minute I saw blood I was going to faint. The first night I was out on the job, I think I was asked four times what I was going to do the first time I got hit in the nose—assuming that it was going to happen very soon. But I've been in two and one-half years and I've not been swung at. They all expected me to fail. I think they expected that the first time I got hit in the nose to say, "Hey, this job isn't for me." Now, I don't like to be hit in the nose, but I'd like to be given credit for knowing what the job is about before I started. I'd like to see them give any female credit for knowing what she's getting into. If she faints at the sight of blood, she ought to be smart enough not to go into this job. Give her credit for knowing that she will be dealing with drunks and if she can't stand drunks, she shouldn't be getting into it. Give her credit for knowing that she might have to pull the gun out of her holster once in a while. Give her credit for knowing that she's going to deal with belligerent people, she's going to deal with automobile accidents, and severed limbs and if she can't stand any of that then she should not be applying for the job in the first place, same as a man shouldn't be. But if she goes ahead and applies and says this is the job I want, then give her credit for knowing her own abilities for doing what the job demands.

X. PROGRAM EVALUATION, PERFORMANCE EVALUATION AND MONITORING

In general, our results from St. Louis County paralleled those of Washington and New York. Women were able to perform the duties of one-person motor patrol in a suburban police department equally as well as men. There are some variations on this theme in St. Louis County, but the basic conclusion is clear: women can do the job. The consistency of these data having now been replicated in different types of police organizations, in different parts of the country and in different social, political, ethnic and racial environments suggests, to me at least, that further programmatic evaluations of women on patrol would be a case of experimental overkill. The program question has now been answered definitively and affirmatively that women are able to perform as well as men on general patrol . . . It seems clear, however, that the question whether women could perform general patrol duties was primarily a political rather than a scientific one from the very beginning. In many respects the enormous efforts that have gone into evaluating the performance of women have been a diversion from what really has always been the most important question in police research, i.e., what kind of person makes a good police officer. All we know now is that gender is not a relevant characteristic of that person. It reflects our prejudiced views that we should ever have thought that it might be in the first place. The unassailable fact remains, however, that some women are good police officers and some women are not – just like men. Our quest still remains to define and measure a good cop – man or woman.

Lewis Sherman, University of Missouri, St.
Louis County Research Project, Women on Patrol

Program evaluation is an experimental way of determining whether a program is reaching its goals. For program evaluation to occur, a specific change must be introduced into a police system, a change which involves controlled inputs and operational procedures. At the same time, expected outputs (stated in the form of goals) must be determined. These goals reflect the hypothesis the program is to test and constitute the standard against which the program is evaluated. These goals should be clear, specific and measurable. If they are, it will be possible to obtain meaningful readings on the outcomes of the test program. Both expensive and time-consuming, full-fledged program evaluations are usually used only when a change is considered to be a significant innovation.

Performance evaluation is the term used when the performance of individuals is measured. In police departments most performance evaluations are based entirely upon the ratings of supervisors. (A full discussion of performance evaluation appears in the chapter on performance.)

Monitoring means overseeing the implementation of a program to determine whether it is proceeding according to agreed-upon rules. Monitoring is useful as a technique to insure that the performance evaluations of women generally are fair and that there is no indication of discrimination.

THREE PROGRAM EVALUATIONS OF WOMEN ON PATROL

So far, there have been three program evaluations of women on patrol: one in Washington, D.C., comparing the performance of 86 male and 86 female patrol officers; one in St. Louis County, Missouri, comparing 16 patrolwomen

and 16 patrolmen; and one in New York City, comparing 14 men and 14 women. (San Francisco's police department also has conducted an experiment with women on patrol, but unfortunately its report of the experiment contains little valid data from which an independent observer can draw conclusions.)¹⁷

Although the number of officers studied in Washington, St. Louis and New York was limited, the conclusions of all three studies are similar. First, they concluded that women can perform patrol. Second, the studies found some measurable differences in patrol performance by sex, but no indication that these differences constitute a greater degree of effectiveness for either sex.

There is, of course, no universally accepted definition of what constitutes good patrol performance. While some authorities would emphasize number of arrests, others would emphasize quality of arrests and still others community reaction. The notable fact is that as a result of their program evaluations all three departments have decided to hire women for patrol on an equal basis with men.

Given the results from these three cities and the large expense involved (Washington's evaluation, for example, cost \$300,000), it is probably not necessary from a legal compliance standpoint for other departments to make their own evaluations. (An exception might occur if the policing situation presented substantially different performance requirements than those required by the city and suburban settings already evaluated. For example, a state highway patrol agency considering women might feel the nature of the patrol job on a rural highway is sufficiently different from city or suburban patrol to warrant further study.)

A jurisdiction interested in undertaking a major program evaluation should obtain the design and data collection methods used in the previous evaluations. (A large portion of the expense of the Washington study was for design of instruments, which were the basis for similar instruments in St. Louis and New York). Copies of the report, *Police-woman On Patrol: Volume II* (Methodology, Tables and Measurement Instruments) may be obtained from the Police Foundation.

Summaries of the Washington, D. C. and St. Louis County evaluations appear in Appendix H.

MONITORING THE USE OF WOMEN ON PATROL

Of greater importance now to most police departments than program evaluation is an understanding of the monitoring function. Monitoring the progress of the program is essential for any department which already has placed women on patrol or is planning to do so. Only through an adequate monitoring process can a department objectively determine how effectively women are being integrated into patrol work. A good monitoring system should, for example, produce information on whether female officers on patrol are being "protected" by their male colleagues or are participating fully in the varied tasks police officers are called upon to perform.

The data to be collected in the monitoring process will depend at least in part on a department's specific operating and program needs. But certain kinds of data should prove helpful to every department in monitoring the introduction of women on patrol. These would include the following facts:

- a) The number of women and men who have applied to the department since the start of the equal opportunity program
- b) How many applicants were rejected, and why
- c) Background characteristics of those hired
- d) Performance at the police academy
- e) Kinds of assignments given
- f) Performance ratings
- g) Arrest figures
- h) Traffic accidents
- i) Injury rate
- j) Number of sick days

¹⁷In San Francisco, two female police officers were assigned to patrol from January 21 to March 31, 1973, and evaluated at the end of that time. These women, assigned desk jobs since joining the force in 1971, functioned as partners on patrol. Their performance was evaluated by department supervisors. No information is available, however, as to the attitudes of those supervisors toward women on patrol, there was no comparison group of men and the report does not indicate how the women were selected or trained. The performance evaluation stated that the women were excellent in most duties, but that they lacked the physical ability to handle situations involving violence where they had to use physical force to make arrests. The women essentially agreed with this assessment of their performance. Two more female officers were placed on patrol on May 1, 1973. One of these was evaluated at the end of her first month (the other went on leave) and was found to have experienced difficulties similar to those of the first two women. Although the patrol experiment was discontinued, the department announced in the fall of 1973 that it would hire women as well as men for the job of "Police Officer."

On October 25 and 26, 1974, hearings were held in the Federal District Court for Northern California to determine whether the physical agility test to be used for selection of police officers will have a discriminatory effect on women and whether it is job-related. Negotiations are being conducted between the parties concerning a settlement in which an agreed upon number of women would be hired on an experimental basis.

Table 2 below shows the type of monthly activity report used to monitor the women-on-patrol program in New York City:

Table 2 N.Y. CITY MONTHLY ACTIVITY REPORT											
PCT.	# WOMEN ASSIGNED	# DAYS SCHDLD. FOR DUTY	Percentage of Time Assigned to Different Activities								
			Sick Leave	Holiday Leave	Car Patrol	Foot	Matron	Cler.	Mat. Wit.	Hosp- ital	Out of Cmd.
Nov. Totals	211	3618	(1%)	(6%)	(44%)	(6%)	(9%)	(5%)	(6%)	(2%)	(11%)
Dec. Totals	185	3840	(1%)	(12%)	(43%)	(4%)	(9%)	(4%)	(6%)	(6%)	(11%)

Note: Increase in excused time from 6% in November to 12% in December primarily due to holiday season.

Regardless of what kinds of data are monitored, it is unwise to rely solely on reports written by one group alone. Supervisors, for instance, are not likely to give a totally accurate picture of the field situation, either because of bias for or against the program or out of fear of contradicting what appears to be the top command's policy.

Assignment data in particular should be randomly double-checked for accuracy. While female officers may appear on the roll call as assigned to patrol for a specific day, they may have been assigned elsewhere without this change appearing on the activity report. As a result, monitoring of assignments should be supplemented by direct observation and/or interviews with male and female officers and their superiors.

The monitoring of a women-on-patrol program should be done within the department, preferably by the special unit headed by a women's coordinator discussed in Chapter VIII (Resistance). In this way the head of the special unit will become quickly aware of unfavorable trends or general problems as well as the specific problems that individual officers will bring to him or her. Unfavorable trends or general problems should be reported by the unit leader to the chief of the department, who may be able to take steps to counteract them.

Because of the importance and the complexity of monitoring, it may be necessary to seek outside assistance in designing data collection forms or interpreting results.

CONCLUSION

The real issue is not sex, but performance. Departmental program evaluations are opportunities to clarify the kinds of performance and personal characteristics that constitute good police work. The presence of policewomen, however, no longer represents an experiment or a program needing evaluation. Women's equal access to police work is mandated by law. Thus, the matter of dismissing individuals who cannot do the job is one of selection and performance evaluation rather than one of program evaluation. The monitoring of individuals, not the evaluation of a class (in this case, women) will sift out incompetent officers.

XI. WOMEN IN POLICING: A LEGAL ANALYSIS *

If laws had changed the conditions of employment discrimination, there would be little need for subsequent action today. But the employment picture for our society indicates that the groups victimized by discriminatory employment practices still carry the burden of the wrongdoing.

Statement of Affirmative Action, U.S. Civil Rights Commission, 1973

This chapter briefly highlights the laws and regulations which guarantee women equal opportunity in law enforcement careers, discusses the general legal principles which are emerging from developing case law, points out current controversial issues and comments generally upon the adequacy of remedies and enforcement of the law.

LEGAL PROHIBITIONS AGAINST DISCRIMINATION BY POLICE DEPARTMENTS

Title VII of the Civil Rights Act of 1964, as amended

Title VII of the Civil Rights Act of 1964¹⁸ as amended by the Equal Employment Opportunity Act of 1972¹⁹ (hereinafter referred to as Title VII) is perhaps the most important law to which women who experience job discrimination have recourse. It prohibits discrimination on the basis of race, creed, color, sex or national origin with regard to compensation, terms, and conditions or privileges of employment. The 1972 amendments extended coverage of the act to public employers, including police departments.

Although consent decrees have been filed there have been no policewomen's cases decided by courts under the jurisdiction of Title VII. This is largely because policewomen have been covered by the act for less than two years and Title VII cases typically do not reach decision quickly because administrative remedies must be exhausted first. Because of the time required for administrative action, attorneys for a plaintiff frequently prefer to seek injunctive relief on constitutional grounds to expedite the resolution of their client's complaint. But whether or not Title VII is the jurisdictional basis for the suit, the applicable principles of law are those evolving under the act.

The Equal Employment Opportunity Commission (EEOC) was created to enforce Title VII²⁰ and is empowered to promulgate regulations,²¹ investigate complaints, conciliate²² and, if necessary, sue in behalf of a complainant.²³ However, in the case of a public employer the Attorney General of the United States, rather than the commission, brings the suit.²⁴ The Justice Department has filed five actions in federal district courts alleging race and sex discrimination in police departments.

On January 5, 1974, a consent decree was entered in a suit against the Maryland State Police (*United States v. State of Maryland*).²⁵ The decree set hiring goals for blacks and established the federal government as a monitor

*This chapter is available as a separate document from the IACP Policewomen Information Center.

to see that the hiring of women was accelerated. When the decree was filed there were no women on the state police force, however female recruits have since been admitted to training.

A consent decree was entered on March 27, 1974, in the case of *United States v. City of Jackson, Mississippi*,²⁶ in which the Justice Department challenged the hiring and promotion practices for municipal government jobs, alleging discrimination on the basis of sex and race. As of October, 1973, only two of the city's 468 police officers were women. The city agreed to adopt a goal of hiring women for one-third of all vacancies in jobs other than those traditionally held by women.

Similar pattern and practice suits filed against the cities of Chicago,²⁷ Buffalo²⁸ and Philadelphia²⁹ are in various stages of litigation. The U.S. Attorney General has additional authority to bring these and other pattern and practice suits under the Omnibus Crime Control Act of 1973³⁰ (See the section on the Law Enforcement Assistance Administration).

Should the government find there is reason to believe the law has been violated but elect not to bring suit itself, it may issue a right-to-sue letter to one or more persons, who may then sue an employer in federal district court.³¹ Under the act courts are authorized to award back pay³² and other affirmative relief, as well as reasonable attorney's fees.³³

The EEOC has promulgated guidelines governing, among other things, reporting and record-keeping,³⁴ employee selection procedures³⁵ and sex discrimination.³⁶ The Guidelines on Discrimination Because of Sex cover the bona fide occupational qualification exception to Title VII,³⁷ separate lines of progression and seniority systems,³⁸ policies relating to pregnancy and childbirth,³⁹ treatment of married women,⁴⁰ job opportunities advertising,⁴¹ employment agencies,⁴² pre-employment inquiries as to sex,⁴³ relationship of Title VII to the Equal Pay Act,⁴⁴ and fringe benefits.⁴⁵

The guidelines are the commission's interpretation of existing statutory and case law. While they are given deference by the courts,⁴⁶ they do not have the force of law.

The Equal Protection Clause of the Fourteenth Amendment

Very few policewoman cases have reached decision in federal courts on constitutional grounds, but an increasing number are being filed. It is therefore necessary to understand current judicial interpretations of the equal protection clause as applied to women's rights generally and to analogize to employment cases, particularly in policing, brought on behalf of minority men.

The Fourteenth Amendment provides that no state shall deny "to any person within its jurisdiction the equal protection of the laws." The Civil Rights Act of 1871⁴⁷ was passed under the enabling clause of the amendment and provides that "Every person who, under color of any statute, ordinance, regulation, custom or usage, of any State or Territory, subjects, or causes to be subjected, any citizen . . . to the deprivation of any rights, privileges or immunities, secured by the Constitution and laws, shall be liable to the person injured."

The intent of the lawmakers who enacted this legislation was, unquestionably, to protect the rights of recently emancipated slaves and other black people. But the courts have extended the law's guarantees to many other classes of people, including all women. It was not until 1971, however, that the Supreme Court declared that a sex discriminatory state law violated equal protection principles. In *Reed v. Reed* the high court struck down an Idaho statute which gave preference to men over women as administrators of decedents' estates.⁴⁸

More recently, in *Frontiero v. Richardson*,⁴⁹ four members of the court labelled sex a "suspect classification." They thereby put sex on a par with race as a characteristic which, when used to classify people for purposes of legislation, places upon the state a heavy burden of justification. In this respect the Equal Rights Amendment will not differ significantly from Title VII and would provide the advantage to the plaintiff of sidestepping the administrative procedure required under the employment legislation. Where immediate relief is needed to avoid irreparable harm, attorneys often resort to constitutional litigation. Recognizing the need for speedy relief, the courts have agreed that Title VII is not an exclusive remedy.⁵⁰

The Crime Control Act of 1973 and Regulations of the Law Enforcement Assistance Administration

The Law Enforcement Assistance Administration (LEAA), an agency of the Department of Justice, was created under the Omnibus Crime Control and Safe Streets Act of 1968⁵¹ to provide financial assistance for the improvement of law enforcement. By law, 40 percent of the funds made available under the act must go directly to local governments. This amounts to nearly one billion dollars a year, which is awarded in grants to some 40,000 police departments, courts, juvenile agencies, corrections institutions, drug treatment programs and other law enforcement programs.⁵²

Recipients of LEAA grants are prohibited from discriminating against women in employment practices by the Crime Control Act of 1973,⁵³ which amends the Omnibus Crime Control and Safe Streets Act of 1968. Prior to the enactment in August, 1973, of this legislation, LEAA had banned sex discrimination in regulations first issued in August, 1972, based on the equal protection clause of the Fourteenth Amendment.⁵⁴ Although equal employment opportunity regulations had been promulgated previously to prevent discrimination on account of race, creed, color or national origin, LEAA did not prescribe sex discrimination until the Supreme Court in *Reed v. Reed*⁵⁵ made clear that the equal protection guarantees of the Constitution applied to women as a class.

On August 31, 1973, Equal Employment Opportunity Guidelines were issued requiring that an Equal Opportunity Program for Women be formulated by LEAA grantees who have 50 or more employees and have received grants or sub-grants of \$25,000.⁵⁶ The guidelines require that an analysis be made of the representation of women in all job categories, including an assessment of recruitment practices and other pre-employment procedures such as tests, interviews, educational prerequisites and referral procedures. The guidelines also require an analysis of seniority practices, promotion procedures, training programs and a determination of whether employment of women is being hindered by "external factors." All employees and applicants must be identified on a job classification table as to their race, sex and national origin, and an affirmative action plan must be drawn up to correct any discriminatory patterns revealed.

The Equal Employment Opportunity Guidelines also require detailed information concerning tests used, including validation studies, and a public information program aimed at recruitment. The EEOC Guidelines on Employee Selection Procedures⁵⁷ are referenced and notice is given that both pre-award and post-award compliance reviews will be conducted.

A third set of regulations has been issued by LEAA to ban the use of minimum height requirements which can be shown to have a discriminatory impact upon women or other protected classes.⁵⁸

The regulations issued by LEAA closely parallel those of the EEOC and clearly prohibit much of the discrimination which exists against women in law enforcement. After opportunity for a hearing, the LEAA is obligated to withhold payments to grantees who do not comply with its regulations.⁵⁹ The loss of LEAA funding should be a very serious threat to police departments. If police personnel practices have not been revised to comply with the LEAA mandate it is either because there is doubt as to the meaning of the regulations or there is doubt as to whether they will be enforced.⁶⁰

Enforcement is a difficult task for LEAA's Office of Civil Rights Compliance, where three professionals are charged with investigating every complaint of sex and race discrimination filed against an LEAA recipient. In fiscal year 1972 three sex discrimination complaints were filed. Two cases are being monitored for the results of affirmative action and no probable cause was found in the third. In fiscal year 1973, 21 of the 64 complaints concerned discrimination against women, and 15 such complaints have been filed in the current fiscal year. The status of those actions has not been tabulated by LEAA.⁶¹

Administrators of the LEAA were sued by the National Organization for Women and a California woman applicant for an officer position with the Oakland Police Department to compel the LEAA to suspend financial support to the department for non-compliance with equal opportunity requirements. The federal court dismissed the suit because it found, on the basis of affidavits submitted by the department, that the LEAA had investigated, recommended changes and had seen to it that the police department complied with the recommendations.⁶² An attorney for the plaintiffs nevertheless alleges that as of September 3, 1974, no affirmative action had been taken by the Oakland Police Department.⁶³

Pre-award compliance reviews are, of course, a more effective means of guaranteeing that federal money does not go to agencies which discriminate. All local agencies receiving direct grants of \$750,000 or more from LEAA after July, 1973, will be reviewed, but these agencies receive only 20 percent of the LEAA grants made.⁶⁴ The remainder of the grants reach law enforcement agencies through state planning agencies and would be too difficult to follow, given the present resources of the Office of Civil Rights Compliance.

The Crime Control Act of 1973 authorizes the U.S. Attorney General to bring pattern and practice suits for appropriate relief, including injunctive relief, to enforce the discrimination prohibitions of the act.⁶⁵ However, even before the congressional mandate was effective the Department of Justice filed suit to enforce LEAA regulations against police officials and the Civil Service Commission of Chicago, Illinois, charging that they pursue policies and practices which discriminate against Blacks, Spanish-surnamed persons, those of Puerto Rican origin and/or women. Jurisdiction of this suit, *United States v. City of Chicago*,⁶⁶ is also founded in Title VII. No decision has been reached in the case.

Private action has also been undertaken to withhold grant payments until recipients comply with LEAA regulations. In Cleveland, Ohio, (an LEAA major-impact city) Women's Law Fund, Inc., filed suit in federal district court asking it to enjoin disbursement of LEAA money to fund the police cadet program until the program was open to women on a non-discriminatory basis.⁶⁷ A consent decree was entered in the case, and the court maintains continuing jurisdiction. A petition for regulatory action was filed in April, 1973 with LEAA against 19 California cities by Public Advocates, Inc., a public interest law firm in San Francisco.⁶⁸ As a result the police departments of Berkeley and San Diego have eliminated height requirements and opened police positions to women.⁶⁹

THE ISSUES AND EVOLVING CASE LAW

Separate Job Categories and Related Problems

Typically, the roles of men and women in law enforcement have been and often remain very different. With notable exceptions, women are not assigned to patrol duty but are used instead in clerical and administrative positions or in dealing with women or juveniles. As a result, fewer women than men are hired to do police work. The women

hired are frequently required to meet higher educational requirements, and they often receive less training and pay, do more routine work and have less opportunity for advancement.⁷⁰

Title VII has been interpreted by the courts to prohibit separate job categories based on sex when applied to private employers, but there have been no decisions in sex discrimination cases against public employers brought under Title VII. However, policewomen's cases have been decided on Fourteenth Amendment grounds by the courts, by state administrative agencies and by consent decrees. These decisions and decrees are discussed below and suggestions are made as to how the same issues may be treated by applying the principles evolving under Title VII.

Hiring

The Bona Fide Occupational Qualification. It is the clear mandate of Title VII that there should be no discrimination in employment on the basis of race, creed, color, sex or national origin. There is only one exception to this rule: an employer may discriminate on the basis of sex if that characteristic is a bona fide occupational qualification.⁷¹ The EEOC in its guidelines has limited the application of sex as a bona fide occupational qualification to situations "where it is necessary for the purpose of authenticity or genuineness" (e.g., an actor or actress).⁷²

The courts have also construed the exception in a limited fashion. In 1969 the Fifth Circuit in *Weeks v. Southern Bell Telephone and Telegraph Company* said that jobs could be limited to men only if "all, or substantially all, women would not be able to perform them."⁷³ The same year the Seventh Circuit said that each employee or prospective employee must be afforded reasonable opportunity to demonstrate his or her ability to perform (*Bowe v. Colgate-Palmolive Company*).⁷⁴

Two years later the Ninth Circuit in *Rosenfeld v. Southern Pacific Company*⁷⁵ ruled against an employer who argued that women as a class were physically unsuited for a job which required long hours and heavy physical effort. The court said that the employer was attempting to raise a commonly accepted characterization of women as the "weaker sex" to the level of a bona fide occupational qualification. It then concluded that the purpose of Congress in enacting Title VII was to forbid subjective assumptions and traditional stereotyped conceptions regarding the physical ability of women to do particular work.

In light of these cases and their progeny, it is probable that police departments which maintain separate job categories for men and women do so in violation of Title VII. The assignment of women officers to a Women's Bureau and these officers' non-utilization for patrol are central issues in a Title VII suit against the Cleveland Police Department. The suit has not yet been tried (*Hardin v. City of Cleveland*).⁷⁶

However, in cases which are brought on constitutional grounds, it is less clear what the holding will be. Although, as mentioned earlier, courts are exercising stricter scrutiny than ever when governments attempt to justify sex discriminatory practices, the courts have not uniformly required the showing of a compelling state interest, especially when the right in question has not been judicially defined as fundamental. For example, in California a woman is seeking to be admitted to take the examination for the state highway patrol (*Schultheis v. Ashcraft*).⁷⁷ No preliminary relief was granted by the U.S. District Court, and a charge was filed with EEOC.

Educational Requirements. Where there are separate job categories for men and women in police work there are frequently higher education requirements for women. In one such case a New York woman denied entrance to a female police "cadette" program because she lacked the requisite two years of college was, a year later, admitted by order of the state human rights division to the cadet program previously for men only (*Brennan v. Nassau County Civil Service Commission*).⁷⁸ The male program required only a high school diploma and involved the same duties and salary as the women's program.

In a similar case (*Hardy v. Stumpf*)⁷⁹ a woman who wished to join the Oakland, California, police force found that she did not qualify to be a policewoman because she lacked the educational qualifications required of women only. She did meet the educational requirement for the position of policeman, but she was not tall enough to qualify for that job. A lower court said the criteria for each job classification were "reasonable" and therefore did not offend the equal protection guarantee of the Fourteenth Amendment. The California Court of Appeals overturned this ruling with respect to the height requirement but left untouched the decision as to the reasonableness of the education requirement.

Again where the jobs of men and women police are demonstrably different, it is possible to find that different hiring criteria, pay, benefits, training, etc., are justified.

Police Cadet Training Programs

At least two suits have been filed on behalf of women who wish to be admitted to exclusively male police cadet training programs. In *Brennan v. Nassau*, mentioned above, the New York State Division of Human Rights has ordered Nassau County to permit women to take the police cadet civil service examination. "There is no evidence to show that a female possessing all the other qualifications could not perform the duties of a police cadet and the duties of a patrolman," the court said.

In February, 1973, a consent decree was filed in a U.S. District Court in Ohio under which all 13 vacancies in Cleveland's formerly all-male police cadet program were to be filled with women (*Driscoll v. City of Cleveland*).⁸⁰ The court is exercising continuing jurisdiction over the matter.

Pay

There has been a surprising dearth of litigation concerning discriminatory wage scales where men and women do essentially the same work in sex-segregated units. Although the federal Equal Pay Act⁸¹ does not apply to local enforcement agencies, Title VII does provide a remedy for pay discrimination.⁸² One case has been won under state law by police matrons who were paid \$2,000 a year less than men who performed the same duties as guards (*Mize v. N.Y. State Division of Human Rights*).⁸³ A civilian woman who complained that she received less pay than police officers for doing the same work as dispatcher was given a judgment of \$9,091.50 in back pay, only to have it overturned by the state supreme court. The high court said the lower court had not taken into consideration the classification and seniority of the police officers (*Kopp v. Salt Lake City*).⁸⁴

Promotion

Policewomen are suing the city of Cleveland under Title VII to break down a classification system which keeps them in the Women's Bureau, effectively denies them transfer to other units and deprives them of promotional opportunity (*Clayton v. City of Cleveland*).⁸⁵ Even before a trial date was set, the court temporarily enjoined all further promotions within the department. If the policewomen prevail, their suit could provide an important precedent under Title VII by establishing the illegality of separate job categories, which are the root of the promotion problem.

Two decisions upholding sex discriminatory promotion policies on equal protection grounds have been denied *certiorari* by the U.S. Supreme Court. In the first a Philadelphia policewoman challenged the requirement that women but not men who sought promotion to sergeant be subjected to an oral examination (*Wells v. Civil Service Commission*).⁸⁶ A state court ruled that the difference in the character of the exam was justified by the fact that male and female sergeants did not perform the same duties, and men and women did not compete with each other for the same jobs.

The same result was reached in a 1972 New York state case in which Nassau County policewomen asked to be admitted to the examination for promotion to police sergeant, a position held only by men (*Berni v. Leonard*).⁸⁷ The court refused relief because there were openings for policewomen sergeants (although far fewer than for men), and the women had no patrol experience and should not, therefore, supervise men on patrol. The appellate division affirmed without opinion, but one judge filed a memorandum in dissent which sets out Title VII principles and argues that the county failed to meet its burden of proof that male sex was a bona fide occupational qualification or that experience on patrol was a prerequisite for supervising patrolmen.

Despite the results in these cases, the New York State Human Rights Division ruled in April, 1974, that police-woman Betty Schmidt had been denied promotion to sergeant because of her sex, ordered that she be appointed to the first vacancy at that rank and awarded her back pay.⁸⁸

The first case brought to challenge promotion procedures was won in 1961 and was for years a leading women's rights case (*Shpritzer v. Lang*).⁸⁹ New York City policewomen Felicia Shpritzer and Gertrude Schimmel sued to gain admission to the examination for promotion to sergeant. At that time policewomen had the same rights and privileges as patrolmen except for the opportunity to hold the rank of sergeant or above. A state appellate court found that "the denial of eligibility, if solely because of sex, is unwarranted in law, and in light of present-day conditions, constitutes an abuse of discretion."

In a pending case, a complaint has been filed in California charging a violation of the equal protection guarantees of the U.S. Constitution because of race and sex discrimination in the San Francisco Police Department (*Officers for Justice, et al v. Civil Service Commission*).⁹⁰ One of the allegations made is that there is no direct line of promotion for women from their entry-level position to sergeant. Women must become assistant inspectors before being eligible to compete for sergeant, although men do not. Men, therefore, are eligible for sergeant two years before their female counterparts. On November 26, 1973, the District Court enjoined the administration of written tests which, it found, discriminated on the basis of race and ordered ratio hiring and promotion plans for minorities. No decision has been reached on the allegations of sex discrimination.

Selection Procedures in Sex-Integrated Police Departments

A growing number of police departments have, since enactment of the amendments to Title VII, eliminated the job category of policewoman and/or opened the job of police officer or patrolman to women.⁹¹ Consequently, some of the problems discussed in the previous section have been alleviated, but a new set of circumstances has arisen which must be analyzed for discriminatory impact on women.

The proportion of women to men in all police departments is far below the proportion in the general population or in the work force. It can be shown through the use of statistics that the past policies and practices of law enforcement agencies have discriminated against women as a class. In many cases there existed a statutory or regulatory quota for women.⁹²

Nevertheless, even where quotas have been abolished and apparently sex-neutral selection procedures have been established, a much smaller percentage of women applicants, as compared with men applicants, has been hired.⁹³ This disparity has also been observed between minority male and white male applicants where racial integration has been sought in police work and in other employment fields.

The Supreme Court in *Griggs v. Duke Power Company*⁹⁴ established a rule for enforcement of Title VII with respect to all selection procedures, although that case dealt specifically with written tests held to have a discriminatory impact on minority persons. The court said that, where such a test can be shown statistically to have a discriminatory impact on a class of people protected under Title VII, the employer must show that the test has been validated and that the characteristics it tests are reasonably related to the performance of the job.⁹⁵

Written Tests

Written examinations and educational requirements work to the disadvantage of minority persons whose opportunity for education has been limited by past discrimination. Therefore, the court has limited the use of those selection methods to situations where the methods have been demonstrated to be relevant to job performance. The principles of *Griggs* have been applied by the courts in a number of cases brought by minorities seeking to enter police work,⁹⁶ but have not yet been used to invalidate selection procedures which appear to discriminate against women in policing.

In a recent decision a U.S. District Court in Ohio found that the Army General Classification Test used in hiring police officers in East Cleveland discriminated unlawfully against black applicants but could not extend the ruling to women because too few women had as yet taken the exam in East Cleveland to determine its discriminatory impact on them (*Smith v. City of East Cleveland*).⁹⁷

Women as a class tend to be at least as well educated as men of the same race and economic class. Written examinations can, nevertheless, be biased against women if the examinations test skills (such as mechanics) which women have little opportunity to learn, attitudes which differ in men and women because of the socialization process, or aptitudes, such as perception of spatial relationships, which are sex-related traits.

Physical Tests

A more serious problem for women, and one for which precedents in legal decisions involving minorities are not always found, is the validity of physical qualifications for employment. In some instances police officers are required to be the average height of men which, of course, operates to eliminate a disproportionate number of women (as well as some minority men) competing for those jobs. More recently, women have been required to submit to the same physical agility, strength and endurance tests administered to men. Both of these selection devices serve to eliminate women, a protected class under Title VII, and therefore call into play the rule of the *Griggs* case.⁹⁸

Height and Weight. Minimum height and weight requirements have an adverse effect on the hiring of women as well as persons of certain national origins. In *Smith v. City of East Cleveland*⁹⁹ a federal district court on September 6, 1973, declared such requirements unconstitutional. In that case a number of expert witnesses testified that height and weight were unrelated to the ability of a person to perform police duties. The court said it was unable to find any authority to the contrary. The requirements have since been dropped, but the case is now on appeal. A similar decision was rendered by the California Court of Appeals on March 15, 1974 (*Hardy v. Stumpf*)¹⁰⁰ striking down a height and weight requirement for the position of Oakland police officer because it discriminated against women as a class.

Previously, however, the U.S. First Circuit Court of Appeals had found, in the absence of any evidence, that a height requirement which discriminated against minorities was job-related (*Castro v. Beecher*).¹⁰¹ The U.S. Department of Justice, as *amicus curiae*, argued that the height requirements of the Boston Police Department discriminated against Spanish-surnamed males and cited reports of the President's Commission on Law Enforcement and Administration of Justice as characterizing such standards as "arbitrary," "too rigid," and "deterrents to the recruitment of able personnel," in recommending the elimination of mandatory physical requirements.

Since that case was decided, Title VII with its guidelines on height and weight has been extended to cover police departments, and the LEAA has issued regulations forbidding such discrimination. The federal government took the lead in changing administrative rules for its own law enforcement agencies, and states and municipalities have begun to follow.

On November 15, 1972, the U.S. Civil Service Commission Board of Appeals and Review ordered the National Park Service to certify as eligible women who did not meet the agency's height/weight standard and recommended that the use of the standard be discontinued (*In the matter of Shirley Long*).¹⁰² On May 21, 1973, the U.S. Civil Service Commission removed height and weight standards governing the appointment of U.S. Park Police, deputy marshals, special agents in the Bureau of Narcotics and Dangerous Drugs and jobs in fire protection and prevention.¹⁰³ The Federal Bureau of Investigation, an agency excepted from the civil service system, retains a height requirement which is the subject of current litigation.¹⁰⁴

In Washington, D.C., former Chief Jerry Wilson lowered the minimum height to five feet on April 24, 1973.¹⁰⁵ The Iowa Civil Rights Commission in June, 1973, struck down the Des Moines Police Department's minimum height and weight requirements for police officers because the requirements excluded 99 percent of the women applying.¹⁰⁶ The commission said that no minimum standard for height and weight can be justified.

In August 1973, the Pennsylvania State Police were ordered, in a formal opinion by the state attorney general to suspend their minimum height requirement. The attorney general cited a survey of 34 law enforcement agencies which found that there do not appear to be any significant factors to support the hypothesis that smaller officers invite attack more frequently than larger officers.¹⁰⁷ The opinion also pointed out that the use of height standards violates LEAA guidelines on employment discrimination.

It was announced on September 6, 1973, that beginning in December the New York City Police Department would eliminate its height standard and require that men and women compete equally for the position of police officer.¹⁰⁸

Physical Performance. Another result of opening patrol work to women has been that women are now expected to pass the same physical performance tests administered to men. When this was done in New Jersey only one of 51 female applicants passed the test, which included chin-ups, push-ups, squat jumps and broad jumps.¹⁰⁹ The woman holds a black belt in karate. Similar examinations were given last year in Los Angeles, California,¹¹⁰ and Portland, Oregon¹¹¹ and in the states of Wisconsin¹¹² and New York¹¹³

The *Griggs* decision requires that an employer using such a hiring criterion prove that it is a valid predictor of successful job performance. Courts have further required that where there is an available alternative criterion which will predict ability to perform and which has no discriminatory effect, the alternative criterion must be substituted for the discriminatory one.¹¹⁴

The legitimacy of height requirements and physical agility tests are currently being challenged in Title VII cases in both the Ninth Circuit (*Hail v. White*)¹¹⁵ and in the U.S. District Court for the Central District of California (*Blake v. City of Los Angeles*).¹¹⁶

Other Issues

Maternity Leave and Benefits. The employment of women at any kind of work raises a number of issues with respect to how they will be treated if they become pregnant. EEOC guidelines are clear that pregnancy is like any other temporary disability and should be treated no differently for the purposes of employment.¹¹⁷ On the other hand, employers point out that pregnancy is a physical condition which is *sui generis* in that it is not a disease or injury and is often voluntarily induced.

The question of whether an employer can legally require a pregnant woman to leave her job when she is willing and able to work was decided by the United States Supreme Court on January 21, 1974. In the consolidated cases of *Cleveland Board of Education v. La Fleur* and *Cohen v. Chesterfield County School Board*,¹¹⁸ the court decided that the school boards' mandatory maternity leave policies were arbitrary and therefore violated the due process clause of the Fourteenth Amendment. In the only similar suit yet brought by a policewoman the maternity leave policy of the Cleveland Police Department, requiring eight months leave without pay, was challenged in April, 1973, in a class action suit. A consent decree was entered in the case.¹¹⁹ (See Appendix K for the decree.)

A second important issue with respect to pregnancy is whether a woman should receive payments under the employer's disability insurance program if she is unable to work because of a medical condition resulting from the pregnancy. Policewoman Angela Schreiner of the Chicago police force was refused disability pay for pregnancy in 1973 and filed a complaint with the Fair Employment Practices Commission. In March, 1974, the city corporation counsel granted her \$10,000 in back pay and issued a statement of policy requiring that all city agencies treat pregnancy-related disability the same as any other for purposes of granting full pay. However, in *Geduldig v. Aiello*,¹²⁰ decided June 17, 1974, the Supreme Court held that a state could exclude from its disability insurance program those disabilities which result from normal pregnancy and childbirth.

Other issues related to pregnancy which are being considered by the EEOC, state agencies, attorneys general and legislatures are termination and subsequent refusal to rehire; selective granting of maternity leave; purchase of maternity benefits plan by heads of households only; denial of maternity leave; denial of seniority credit for maternity leave; delay in maternity benefits eligibility; denial of full insurance coverage during maternity leave; denial of maternity benefits of unmarried women; refusal to hire pregnant women; denial of sick, disability and vacation benefits during maternity leave.¹²¹

Uniforms. As a result of women's changing role in law enforcement, disputes have arisen about how policewomen should dress. Police departments, for perhaps the first time, are having to decide upon an appropriate uniform for women on patrol

Some women on the Cleveland force believe that not being permitted to wear slacks when in uniform, pantsuits when in plainclothes, as well as handcuffs, gun belts, ammunition holders and gloves, violates their constitutional rights. The women reason that pants are more practical for the work they do and that they are deprived of the right to wear pants simply because they are women. They sued in federal district court (*Christ v. City of Cleveland*)¹²² and a consent decree has now been entered in their favor.

In Portland, Oregon, policewomen assigned to the youth division are resisting a recent order that they be uniformed. They believe that civilian clothes are an asset to establishing rapport with young people, but they have not yet filed suit.¹²³

Veteran's Preference. Because the military services were required by law to limit women to two percent of their total strength until 1967 and still limit the induction of women to maintain about that proportion, only 1.9 percent of the nation's 29 million veterans are women.¹²⁴ All states and the federal government have civil systems which give some sort of preference to veterans and which result, therefore, in the hiring of fewer women than men. This problem is most acute for women who wish to compete in a predominately male occupation such as policing.

So long as women are maintained in a separate eligibility list, as they are in forces which are not sex-integrated, the effect is that women as a class are extremely disadvantaged. Where the veteran's preference system is absolute,¹²⁵ women are all but precluded from consideration.

The constitutionality of veteran's preference has been unsuccessfully challenged by women in Pennsylvania (*Feinerman v. Jones*)¹²⁶ and in Minnesota (*Koefgen v. Jackson*).¹²⁷ The latter opinion was summarily affirmed by the U.S. Supreme Court. Veteran's preference was also raised in the case of a Cleveland policewoman. The Ohio court did not reach the constitutional issue because it was able to rule that the defendants' use of veteran's preference prior to determining whether the candidate was qualified violated the state statute.¹²⁸

LEGAL REMEDIES

Because so few sex discrimination cases filed by policewomen have reached judicial decision, a survey of available remedies must be made by analogy to race discrimination cases and to women's litigation in other employment areas. In these areas a surprising variety of relief has been ordered, probably due to the considerable latitude which courts have to fashion a suitable remedy in employment cases.

Injunctive Relief

Faced with an ongoing discriminatory practice a court may utilize its "equitable powers" in order that the discrimination cease. Where court action is needed immediately to prevent a discriminatory act and complainants can show both the likelihood of prevailing on the merits of the case and impending irreparable harm to themselves, they may obtain a temporary restraining order or a preliminary injunction. Such relief is useful, for example, to keep an individual from being fired or forced to take leave without pay, to stop the administration of a discriminatory examination or prevent hiring on the basis of an eligibility list or other criteria which do not conform to the law.

In police cases complaining parties have asked not only that illegal practices be stopped but that LEAA be restrained from disbursing funds to law enforcement agencies which illegally discriminate. There has been reluctance on the part of the judiciary to take the latter step because of the possible adverse impact on the general public of significant cutbacks in the budgets of police departments which would result from loss of government funding.¹²⁹

Affirmative Relief

Just as the judiciary may order certain practices stopped, it may also demand that certain remedial actions be taken by the employer:

As to Individual Plaintiffs. In many fields employers have been required to employ,¹³⁰ reemploy,¹³¹ or promote¹³² women who had been affected by discriminatory procedures. Although it appears that this remedy has not yet been applied to police departments, there is no reason to believe it will not be.

Where a court determines that plaintiffs, or plaintiff class, have been illegally deprived of wages, it may order back pay from the date of the discriminatory act. This may be done either under equitable principles or as a remedy specifically provided by Title VII,¹³³ but the courts have broad discretion to grant or deny such relief. Substantial recoveries have been obtained by both women and minorities against businesses,¹³⁴ but there have been few cases yet in which back pay has been awarded against public employers. This is due at least in part to the recentness of the court's jurisdiction over such employers under Title VII.

As to a Disadvantaged Class. Like minority persons, women as a class have been systematically excluded from many careers, including policing. As to minorities, the courts have not only prohibited future discrimination by ordering affirmative action but have sought to remedy past discrimination by setting preferential hiring goals to accelerate the process of racial intergration.¹³⁵ Although no court has as yet ordered such a remedy in a policewoman case, consent decrees with such provisions have been filed.¹³⁶

Preferential goals are of two types. The first is "absolute" in that the employer must fill all of the next job openings with members of the affected class until the ratio of blacks or women to whites or men employed is in balance with that of the work force. The second is "ratio" in that, typically, one out of every three or four persons hired must be of the complainant class. The constitutionality of these remedies has been challenged on the grounds of reverse discrimination but the ratio formula, at least, has always been upheld by the circuit courts.¹³⁷ The Supreme Court has thus far refused to review cases in which any kind of preferential goal has been applied.¹³⁸

Attorney's Fees. Title VII provides for the award of attorney's fees to the prevailing party,¹³⁹ and the courts have usually seen fit to assess private employers accordingly. However, it remains to be seen what the trend will be with regard to public employers as more cases initiated after the extension of Title VII reach decision. Because attorney's fees have often not been awarded in cases brought against public employers under the equal protection clause of the U. S. Constitution, police cases brought before Title VII was amended typically did not result in fees to plaintiff's attorneys.

CONCLUSION

The law now clearly prohibits employment discrimination on the basis of sex in public employment, including law enforcement. Most police departments are consequently faced with the necessity for making profound changes in their staffing patterns. Perhaps the most controversial of the reforms which the law apparently requires is the assignment of women to patrol duty.

What constitutes sex discrimination in employment has been judicially defined in the context of private employment, and it should be expected that court prohibitions of discrimination will be applied to public employers as well. Even though the utilization of women on patrol presents problems unlike those encountered in industry or in office work, the courts can be expected to strike down police practices which result from sex-stereotyping just as they have in other kinds of work.

Powerful mechanisms exist for the enforcement of the various laws which ban sex discrimination in policing. The U.S. Department of Justice has already acted in several major cases to seek injunctive relief against police forces, and the LEAA has new authority to terminate its considerable funding of state and local agencies which unlawfully discriminate.

What is less clear is what sanctions the courts will impose against public employers, since the courts are reluctant to award back pay out of the public purse and affirmative goals for hiring or promotion have not yet been ordered as a remedy for past discrimination against women.

Although few discrimination cases brought by present or prospective policewomen have yet been decided, many have been filed and a number have been settled in favor of the complainant. While litigation may be required to resolve remaining questions as to the meaning of the law, it is to be hoped that all law enforcement agencies will voluntarily comply with the already defined principles of the several laws which now forbid them to deny equal employment opportunity to women.

FOOTNOTES

¹⁸42 U.S.C. sec. 2000e *et seq.*

¹⁹Act of March 24, 1972, Pub. L. 92-261, 86 Stat. 103. (Hereinafter referred to as "42 U.S.C. sec. 2000e *et seq.*, as amended.")

²⁰42 U.S.C. sec. 2000e-4, as amended.

²¹42 U.S.C. sec. 2000e-12, as amended.

²²42 U.S.C. sec. 2000e-5, as amended.

²³42 U.S.C. sec. 2000e-5, as amended.

²⁴42 U.S.C. sec. 2000e-5, as amended.

²⁵*U.S. v. State of Maryland*, Civ. No. 170-35-26 (D. Md., filed Jan. 5, 1974).

²⁶*U.S. v. City of Jackson, Mississippi*, Civ. No. 74-66 (S.D. Miss., filed March 27, 1974).

²⁷*U.S. v. City of Chicago*, Civ. No. 73C-2080 (N.D. Ill., filed Aug. 14, 1973).

²⁸*U.S. v. City of Buffalo*, Civ. No. 1973-414 (W.D. N.Y., filed Aug. 14, 1973).

²⁹*U.S. v. City of Philadelphia*, Civ. No. 74-400 (E.D. Pa., filed Feb. 19, 1974). It is expected that this case will be consolidated with a class action suit filed the same week by Officer Penelope Brace.

³⁰Act of August 6, 1973, Pub. L. 93-83.

³¹42 U.S.C. sec. 2000e-5, as amended.

³²42 U.S.C. sec. 2000e-5(g), as amended.

³³42 U.S.C. sec. 2000e-5(k), as amended.

³⁴29 C.F.R. sec. 1602.30 *et seq.*, 38 Fed. Reg. 12604 *et seq.* (May 14, 1973).

³⁵29 C.F.R. sec. 1607 *et seq.*, 35 Fed. Reg. 12333 *et seq.* (August 1, 1970).

³⁶29 C.F.R. sec. 1604 *et seq.*, 37 Fed. Reg. 6835 (April 5, 1972).

³⁷29 C.F.R. sec. 1604.2.

³⁸29 C.F.R. sec. 1604.3.

³⁹29 C.F.R. sec. 1604.10.

- ⁴⁰ 29 C.F.R. sec. 1604.4.
- ⁴¹ 29 C.F.R. sec. 1604.5.
- ⁴² 29 C.F.R. sec. 1604.6.
- ⁴³ 29 C.F.R. sec. 1604.7.
- ⁴⁴ 29 C.F.R. sec. 1604.8.
- ⁴⁵ 29 C.F.R. sec. 1604.9.
- ⁴⁶ Compare *Griggs v. Duke Power Co., Inc.*, 401 U.S. 424 (1971) with *Espinoza v. Farah Manufacturing Co., Inc.*, 94 S. Ct. 334 (1974). The Court supported EEOC guidelines in *Griggs*, saying they deserved great deference, but took issue with the Commission's interpretation of its own guidelines in *Espinoza*.
- ⁴⁷ 42 U.S.C. sec. 1983.
- ⁴⁸ 404 U.S. 71 (1971).
- ⁴⁹ 411 U.S. 677 (1973).
- ⁵⁰ *Castro v. Beecher*, 459 F. 2d 725 (1st Cir. 1972); *The Shield Club v. City of Cleveland*, 370 F. Supp. 251 (N.D. Ohio, 1972); *Harper v. Mayor and City Council* 5 FEP Cases 1050 (D. Md., 1973); *Bridgeport Guardian, Inc., v. Members of the Bridgeport Civil Service Commission*, 354 F. Supp. 778 (D. Conn., 1973), modified on other grounds 482 F. 2d 1333 (2d Cir. 1973).
- ⁵¹ 42 U.S.C. sec. 3711 *et seq.*
- ⁵² "Equal Job Opportunity in Law Enforcement," Center for National Policy Review, School of Law, Catholic University of America, June, 1973, p. 1.
- ⁵³ Act of August 6, 1973, Pub. L. 93-83, 87 Stat. 197, Sec. 518(c) (1).
- ⁵⁴ 28 C.F.R. sec. 42.201 *et seq.*, 37 Fed. Reg. 16671 (August 18, 1972).
- ⁵⁵ 404 U.S. 71 (1971).
- ⁵⁶ 28 C.F.R. sec. 42.302(d), 38 Fed. Reg. 23517 (August 21, 1973).
- ⁵⁷ 29 C.F.R. sec. 1607 *et seq.*
- ⁵⁸ Equal Rights Guidelines, 38 Fed. Reg. 6115 (March 9, 1973).
- ⁵⁹ Act of August 6, 1973, Pub. L. 93-83, 87 Stat. 211, Sec. 509.
- ⁶⁰ It has been alleged that loss of LEAA funding is not a threat to police departments because the LEAA does not enforce its guidelines. See, Law Enforcement Assistance Administration Hearings, Subcommittee No. 5, Committee on the Judiciary, House of Representatives, March-April 1973, pp. 138, 212, 300, 301, 330, 620, 621.
- ⁶¹ Telephone conversation with Compliance Officer, Office of Civil Rights Compliance, LEAA, Dec. 4, 1973.
- ⁶² 377 F. Supp. 831 (N.D. Cal., 1974).
- ⁶³ Letter from Clifford Sweet, Legal Aid Society of Alameda County dated Sept. 4, 1974.
- ⁶⁴ Pursuant to a settlement reached after 14 months of negotiation between the Center for National Policy Review as attorneys for the Leadership Conference on Civil Rights, and others, who had failed a Petition for Regulatory Change (Dec. 9, 1971).
- ⁶⁵ Act of August 6, 1973, Pub. L. 93-83, 87 Stat. 197, Sec. 518(c) (2).
- ⁶⁶ Civ. No. 73C-2080 (N.D. Ill., filed August 14, 1973).
- ⁶⁷ *Driscoll v. City of Cleveland*, Civ. No. C72-1242 (N.D. Ohio, 1973).
- ⁶⁸ *NAACP et al. v. City of Los Angeles et al.* (19 California cities). Petition for Regulatory Action, Department of Justice, LEAA.
- ⁶⁹ Telephone conversation with Robert Gnaizda, attorney for Plaintiff, August, 1974.
- ⁷⁰ See Eisenberg, Terry, Deborah Ann Kent and Charles R. Wall, *Police Personnel Practices in State and Local Governments* (Washington, D.C.: International Association of Chiefs of Police and Police Foundation in cooperation with Educational Testing Service, 1973).
- ⁷¹ 42 U.S.C. sec. 2000-2(e), as amended.
- ⁷² 29 C.F.R. sec. 1604-2(a) (2).
- ⁷³ 408 F. 2d 228 (5th Cir. 1969).
- ⁷⁴ 416 F. 2d 711 (7th Cir. 1969).
- ⁷⁵ 444 F. 2d 1219 (9th Cir. 1971).
- ⁷⁶ Civ. No. 74-264 (N.D. Ohio, filed March 29, 1974).
- ⁷⁷ Civ. No. S2758 (E.D. Cal., filed March 22, 1973). On July 9, 1974, the governor of California signed into law a bill mandating that the California Highway Patrol study the feasibility of hiring women by conducting a pilot project. The two-year project will evaluate the performance of 40 women who will serve as patrol officers throughout the state. After two years, a report on the results will be submitted to the state legislature.
- ⁷⁸ _____ N.Y.S. 2d _____ (1973).
- ⁷⁹ 37 Cal. App. 3d 958 (1974).
- ⁸⁰ *Driscoll v. City of Cleveland*, Civ. No. C72-1242 (N.D. Ohio, 1973).
- ⁸¹ 29 U.S.C. sec. 206(d), 77 Stat. 56 (1963).
- ⁸² 42 U.S.C. sec. 2000e-2(a), as amended.

- ⁸³ *Mize v. State Division of Human Rights*, 328 N.Y.S. 2d, 983 (1972), modified and affirmed 33 N.Y. 2d, 53 (1973).
- ⁸⁴ *Kopp v. Salt Lake City*, 506 P. 2d 809 (Sup. Ct. of Utah, 1973).
- ⁸⁵ *Clayton v. City of Cleveland*, Civ. No. C73-784 (N.D. Ohio, 1973).
- ⁸⁶ *Wells v. Civil Service Commission*, 225 A2d 554 (1967) cert. denied 386 U.S. 1035.
- ⁸⁷ *Berni v. Leonard*, 331 N.Y.S. 2d 193 (1972), affirmed 336 N.Y.S. 2d 620 (1972), cert. denied 414 U.S. 1045 (1973).
- ⁸⁸ *Elizabeth Schmidt v. Suffolk County Police Department*, Case No. GCS 29509-73, (New York Human Rights Commission, April 4, 1974).
- ⁸⁹ 32 Misc. 2d 693 (1961), modified and affirmed, 234 N.Y.S. 2d 285 (1962).
- ⁹⁰ *Officers for Justice, et. al v. Civil Service Commission*, Civ. No. C-73-1657 REP (N.D. Cal., filed April 10, 1973).
- ⁹¹ Management Information Service, Laura Crites, "Women in Law Enforcement" (Washington, D.C.: International City Management Association, Vol. 5, No. 9, Sept. 1973).
- ⁹² Milton, Catherine, *Women in Policing* (Washington, D.C.: Police Foundation, 1972) pp. 16-17.
- ⁹³ Op cit., Eisenberg, Kent and Wall, p. 11.
- ⁹⁴ 401 U.S. 424 (1971).
- ⁹⁵ 401 U.S. 424, 436 (1971).
- ⁹⁶ *Castro v. Beecher*, 334 F. Supp. 930 (D. Mass. 1971), modified on other grounds, 459 F. 2d 725 (1st Cir. 1972). *Pennsylvania v. O'Neill*, 348 F. Supp. 1084 (E.D. Pa. 1972), modified on other grounds, 473 F. 2d 1029 (3rd Cir. 1973) (en banc). *Hogue v. Bach*, Civ. No. C-3693 (D. Colo. 1970). *Shield Club v. City of Cleveland*, 370 F. Supp. 251, (N.D. Ohio 1972). *Bridgeport Guardian v. Bridgeport Civil Service Commission*, 354 F. Supp. 778 (D. Conn. 1973), modified on other grounds, 482 F. 2d 1333 (2nd Cir. 1973). *Holliman v. Price*, Civ. No. 575 (E.D. Mich. 1973). *Morrow v. Crisler*, 479 F. 2d 960 (5th Cir. 1973), aff'd, reh. en banc, 491 F. 2d 1053 (1974). But see *Davis v. Washington*, 348 F. Supp. 15 (D.D.C. 1972). 352 F. Supp. 187 (D.D.C. 1972). *Allen v. City of Mobile*, 331 F. Supp. 1134 (S.D. Ala. 1971), aff'd, 466 F. 2d 122 (5th Cir. 1972), cert. denied, 412 U.S. 909 (1973). *Douglas v. Hampton*, 338 F. Supp. 18 (D.D.C. 1972).
- ⁹⁷ 363 F. Supp. 1131 (N.D. Ohio, 1973).
- ⁹⁸ See "Height Standards in Police Employment and the Question of Sex Discrimination: The Availability of Two Defenses for a Neutral Employment Policy Found Discriminatory Under Title VII," 47 So. Cal. L. Rev. 585 (1974).
- ⁹⁹ 363 F. Supp. 1131 (N.D. Ohio, 1973).
- ¹⁰⁰ 37 Cal. App. 3d 958 (1974).
- ¹⁰¹ 334 F. Supp. 930 (D. Mass. 1971), modified on other grounds, 459 F. 2d 725 (1st Cir. 1972).
- ¹⁰² United States Civil Service Commission Board of Appeals and Review, Nov. 13, 1972.
- ¹⁰³ Senate Appropriations Committee Meeting, May, 1973. See also Fed. Reg. No. 46, Vol. 38, P. 6415 (March 9, 1973).
- ¹⁰⁴ *Nemser v. Gray*, Civ. No. 15691 (D.D.C., filed Aug. 4, 1971).
- ¹⁰⁵ Washington Post, Jan. 15, 1974.
- ¹⁰⁶ *Nancy L. Moore v. City of Des Moines Police Department*, CP #881, Iowa Civil Rights Commission (July 11, 1973).
- ¹⁰⁷ CSW News, Pennsylvania Commission on the Status of Women, Harrisburg, Pa., Vol. II, No. 6, Sept, 1973.
- ¹⁰⁸ New York Times, Sept. 6, 1973.
- ¹⁰⁹ National Council on Crime and Delinquency, Washington Monitor, p. 5 (Mar. 1, 1973).
- ¹¹⁰ Los Angeles Times, Oct. 6, 1973.
- ¹¹¹ Correspondence from Civil Service Board of Portland, Oregon to Policewomen's Information Center, Jan. 24, 1974.
- ¹¹² Telephone conversation with Rina Rosenberg, Civil Rights Compliance Office, Wisconsin Council for Criminal Justice, October, 1973.
- ¹¹³ Telephone conversation with Elaine Berger, New York State Division of Human Rights, October, 1973.
- ¹¹⁴ *Local 189, United Papermakers v. U.S.*, 416 F. 2d 980, 989 (5th Cir. 1969). *U.S. v. Bethlehem Steel Corp.*, 446 F. 2d 652 (2d Cir., 1971); *Robinson v. Lorillard Corp.* 3 [CCH] EPD Sec. 8267, p. 6901 (4th Cir. 1971).
- ¹¹⁵ Civ. No. 73-0369 LH3 (N.D. Cal., decided Sept. 19, 1973), appeal docketed, No. 74-1038, 9th Cir., Jan. 8, 1974. See also *Shultheis v. Ashcraft*, Civ. No. S2758 (E.D. Cal.) in which this issue has been raised.
- ¹¹⁶ Civ. No. 73-1962 WMB (C.D. Cal., amended complaint filed Feb. 1, 1974).
- ¹¹⁷ EEOC Guidelines state:
- "Employment Policies Relating to Pregnancy and Childbirth
- (a) A written or unwritten employment policy or practice which excludes from employment applicants or employees because of pregnancy is in *prima facie* violation of Title VII.
- (b) Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and should be treated as such under any health or temporary disability insurance of sick leave plan available in connection with employment. Written and unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits and privileges, re-instatement, and payment under any health or temporary disability insurance or sick leave plan, formal or informal, should be applied to disability due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities.

(c) Where the termination of an employee who is temporarily disabled is caused by an employment policy under which insufficient or no leave is available, such a termination violates the Act if it has disparate impact on employees of one sex and is not justified by business necessity.”

5 C.F.R. (Code of Federal Regulations, sec. 1604.10, as amended in 37 Fed. Reg. 6835, Federal Register) (April 15, 1972). See also Citizens Advisory Council on the Status of Women, *Report of the Task Force on Social Insurance and Taxes*, 1969.

¹¹⁸*LaFleur v. Cleveland Board of Education*, 326 F. Supp. 1208 (N.D. Ohio 1971), 465 F. 2d 1184 (6th Cir. 1972), *petition for cert. granted*, 93 S. Ct. 1921 (1973) (No. 72-777) 42 U.S. L.W. 4186 (Jan. 21, 1974); *Cohen v. Chesterfield County School Board*, 326 F. Supp. 1159 (E.D. Va. 1971), *aff'd* 467 F. 2d 262 (4th Cir. 1972), *rev'd* 474 F. 2d 295 (4th Cir. 1973) (*en banc* 4-3 decision), *cert. granted* 93 S. Ct. 1925 (1973) (No. 72-1129), 42 U.S.L.W. 4186 (Jan. 21, 1974).

¹¹⁹*Parkinson v. City of Cleveland*, Civ. No. C73-338 (N.D. Ohio, 1973).

¹²⁰94 S. Ct. 2485 (1974).

¹²¹For citations to rulings on these issues see “Legal Development in Sex Discrimination Concerning Maternity Laws and Benefits,” July, 1973, prepared by National Employment Law Project, 423 West 118th Street, New York, New York 10027.

¹²²*Christ v. City of Cleveland*, Civ. No. 73-588 (N.D. Ohio 1973) and Civ. No. 74-172 (N.D. Ohio, 1974).

¹²³Oregon Journal, June 22, 1973.

¹²⁴Veterans Administration News, Press release, Nov. 29, 1973.

¹²⁵See, for example, 31 Massachusetts General Laws Annotated, Sec. 23.

¹²⁶356 F. Supp. 252 (M.D. Pa., 1973).

¹²⁷355 F. Supp. 243 (Minn. 1972), *aff'd without opinion* 410 U.S. 976 (1973).

¹²⁸*Smith v. City of East Cleveland*, 363 F. Supp. 1131 (N.D. Ohio, 1973).

¹²⁹E.g., *Driscoll v. City of Cleveland*, Civ. No. C72-1242 (N.D. Ohio, 1973).

¹³⁰E.g., *Eslinger v. Thomas*, 476 F. 2d 225 (4th Cir. 1973).

¹³¹E.g., *Sprogis v. United Air Lines, Inc.*, 308 F. Supp. 959 (N.D. Ill., 1970). *Equal Employment Opportunity Commission v. Liberty Mutual Insurance Co.*, 346 F. Supp. 675 (N.D. Georgia, 1972).

¹³²E.g., *Cheatwood v. South Central Bell Tel. & Tel. Co.*, 303 F. Supp. 754 (N.D. Ala., 1969).

¹³³42 U.S.C. sec. 2000e-5(g), as amended.

¹³⁴*U.S. v. Georgia Power Co.*, 474 F. 2d 906 (1973). *Bowe v. Colgate Palmolive*, 272 F. Supp. 332 (D. Ind., 1967), *aff'd* 416 F. 2d 711 (7th Cir. 1969).

¹³⁵*Castro v. Beecher*, 459 F. 2d 725 (1st Cir. 1972), *modifying*, 334 F. Supp. 930 (D. Mass. 1971); *Bridgeport Guardian v. Bridgeport Civil Service Commission*, 334 F. Supp. 778 (D. Conn. 1973); *Shield Club v. City of Cleveland*, 370 F. Supp. 251, (N.D. Ohio, 1972).

¹³⁶*Driscoll v. City of Cleveland*, Civ. No. C72-1242 (N.D. Ohio, 1973). *U.S. v. State of Maryland*, Civ. No. 170-35-26 (D. Md., 1973).

¹³⁷E.g., *Castro v. Beecher*, 459 F. 2d 725 (1st Cir. 1972), *modifying*, 334 F. Supp. 930 (D. Mass., 1971); *Carter v. Gallagher*, 452 F. 2d 327 (8th Cir.) (*en banc*).

¹³⁸*Carter v. Gallagher*, 452 F. 2d 327 (8th Cir.) (*en banc*), *cert. denied*, 406 U.S. 950 (1972); *United States v. Local 86, Ironworkers* 443 F. 2d 544 (9th Cir.), *cert. denied*, 404 U.S. 984 (1971), *United States v. Local 169, Carpenters*, 457 F. 2d 210 (7th Cir.), *cert. denied*, 409 U.S. 851 (1972); *Contractors Ass'n of Eastern Pennsylvania v. Secretary of Labor*, 442 F. 2d 159 (3rd Cir.), *cert. denied*, 404 U.S. 854 (1971).

¹³⁹42 U.S.C. sec. 2000e-5(k), as amended.

APPENDIX A

SAMPLES OF RECRUITING MATERIAL FROM THE POLICE DEPARTMENTS OF LOS ANGELES, MIAMI AND THE STATE OF PENNSYLVANIA



Law enforcement ...a family affair.

Many of our Police Officers are husband and wife teams; nice people with similar interests. We would like to have more couples just like them; people who enjoy the challenge of police work while they build a secure future as a family.

Los Angeles Police Officers are among the highest paid law-enforcement people in the nation. Consider the exciting benefits of having two full time salaries with a combined retirement of at least 80% after 20 years of service. When that benefit is combined with health and dental plans, annual sick-time provisions, promotional and educational opportunities, and vacations, it means job security for a life time.

To provide relaxation and enjoyment for the officers and their families, recreational facilities are available at the beautiful Police Academy located in Elysian Park. The facility is equipped with a swimming pool, volley ball court, tennis court, handball court, track, and gymnasium located among tall pines and flower gardens; an ideal place for family enjoyment.

The Los Angeles Police Department is **the** department of the future right now. Step into the future and work together as a family for a better tomorrow.

For further information:

Write:

Police Selection Unit
111 East First Street, Room G-4
Los Angeles, California 90012

Phone:

(213) 386-LAPD / 485-4191 / 485-4051



LOS ANGELES POLICE DEPARTMENT

Miami Police Department

City of Miami, Florida



BERNARD L. GARMIRE
CHIEF OF POLICE
P. O. BOX 614
MIAMI, FLORIDA 33152



"WOULD YOU BE INTERESTED IN

A REWARDING PROFESSIONAL CAREER?"

BECOME A CITY OF MIAMI POLICE OFFICER!

A great place to work with a delightful climate, year-round recreation for the whole family, and attractive and economical living accommodations in the Greater Miami Area. Population is about 351,000 and the Metropolitan Area is over one million.

The job is challenging, interesting, and never monotonous or routine. It is a rewarding career for men who qualify --- because it takes a real man to do a man-sized job! The standards of the department are high. Miami Policemen are respected for their integrity, intelligence and physical fitness --- you must have these qualities to become one of them. When you join, you are accepted into an elite group of men who perform duties vital to the safety and security of the citizens of Miami.

Diversification of working assignments is offered in the following functions:

Criminal Investigation
Accident Investigation
Community Relations
K-9 Detail (police dogs)
Motorcycles
Radio Patrol
Task Force (special attention to high crime rate areas)
Traffic (public relations and traffic control in the
business district of downtown Miami)

Your interest in the Miami Police Department is gratifying and as a prospective police applicant you should be aware of things to come for the Modern Miami Police Department.

The citizens of the City of Miami have provided twenty million dollars through a bonding issue. The entire sum will be used to increase the efficiency of the department and to establish and operate on a modern technological level.

This will provide modern facilities, equipment and procedures which will enable the Miami Police Department to provide the citizens of this community with the protection they are entitled to.

The target date for implementation of the Modern Miami Police Department is July, 1976. Now is an opportunity for you to become a member of a department that will be the focal point of law enforcement agencies all over the world.

Incentives to encourage additional education are offered by the department. Scheduling of working hours as well as the federal funded program under LEEP can be provided. The Miami Police Department looks very favorably upon its officers receiving a higher education, not only by assisting the officer in continuing his education, but also by making it possible for him to take promotional examinations faster.

MINIMUM REQUIREMENTS

United States citizen. (No Miami residency required)
Minimum age 20½, and must not have reached his 35th birthday.
High school graduate or state equivalency diploma. (GED certificates from USAFI in Madison, Wisconsin are not acceptable.)
No height requirement; weight in proportion to height.
Pass a rigid medical examination.
Minimum 20/30 vision corrected to 20/20 with depth perception in normal limits.
Athletic test - including running, sit-ups, push-ups and chinning. Must be able to swim 100 yards.
Must have, or be able, to qualify for a Florida Driver License.
Must pass a written Civil Service test.
Must pass a stringent character investigation (including polygraph exam.)

THE PENNSYLVANIA STATE POLICE IS OFFERING A PROFESSIONAL CAREER

DO YOU QUALIFY?

PENNSYLVANIA RESIDENT
VALID PA. DRIVER'S LICENSE
21 TO 29 YEARS OLD
GOOD PHYSICAL CONDITION
WEIGHT IN PROPORTION
TO HEIGHT
HIGH SCHOOL GRADUATE
OR G.E.D. EQUIVALENT
20/40 UNCORRECTED VISION



TRAINING INCLUDES:

PHYSICAL FITNESS
SELF DEFENSE
RED CROSS FIRST AID
FOUR COLLEGE COURSES
ENGLISH COMPOSITION
SPEECH
PSYCHOLOGY
SOCIOLOGY
VEHICLE CODE
CRIMINAL CODE

EQUAL OPPORTUNITY

BENEFITS INCLUDE:

STARTING SALARY, MORE THAN
\$11,800. LIBERAL VACATION
AND RETIREMENT BENEFITS.

UNIFORMS AND EQUIPMENT
PAID MEDICAL INSURANCE
14 PAID HOLIDAYS

APPLY AT:



WORKING TOGETHER



PROVIDING A PUBLIC SERVICE

LA POLICIA ESTATAL DE PENSILVANIA ESTE OFRECIENDO UNA CARRERA PROFESIONAL

CUALIFICA USTED?

RESIDENTE DE PENNSYLVANIA
LICENCIA VALIDA DE CONDUCTOR
DE PENNSYLVANIA
DE 21 A 29 AÑOS DE EDAD
BUEN ESTADO DE SALUD
EL PESO EN PROPORCION CON
LA ESTATURA
DIPLOMA DE ESCUELA SUPERIOR
O SU EQUIVALENCIA (GED)
20/40 DE VISION SIN
CORREGIR



ENTRENAMIENTO INCLUYE

DESARROLLO FISICO
DEFENSA PROPIA
PRIMERA AYUDA DE LA CRUZ ROJA
ROJA
CUATRO CURSOS DE COLEGIO
COMPOSICION EN INGLES
DISCURSO
PSICOLOGIA
SOCIOLOGIA
CODIGO DE VEHICULOS
CODIGO CRIMINAL

OPORTUNIDAD EQUITATIVA

BENEFICIOS INCLUYE

SALARIO PARA EMPEZAR, MAS DE \$11,800.
VACACIONES LIBERALES Y
BENEFICIOS DE RETIRO.

UNIFORMES Y EQUIPO
SEGURO MEDICO
14 DIAS DE FIESTA

SOLICITE EN:



TRABAJANDO JUNTOS



SUPLIENDO SERVICIO PUBLICO

APPENDIX B

SAMPLES OF PHYSICAL AGILITY TESTS IN DALLAS, MIAMI AND NEW YORK CITY

DALLAS, TEXAS

PHYSICAL AGILITY TEST

The Physical Agility Test consists of five events designed to measure endurance, strength, and agility. Each event is worth from 0-100 points, depending upon performance. Applicants must earn a minimum of 350 total points (70.0 average per event) in the Physical Agility Test to qualify. The minimum performance required to achieve a score of 70.00 in each event is:

1. Wall Scale - Run a total of 50 yards then scale a smooth wall, six feet high (17 seconds).
2. Maintain Grip - Run a total of 50 yards then take an overhand grip on a chinning bar. Maintain grip for one minute. (16 seconds run plus 60 seconds on the bar)
3. Weight Drag - Run 50 feet then drag a dead weight of 140 pounds for 50 feet (16 seconds).
4. Tremor Test - Run a total of 50 yards then hold a stylus steady for 17 seconds (17 seconds run plus 100 points on the stylus).
5. Endurance Run - Run as many laps as possible in 12 minutes on a 1/8 mile track (10 laps).

NEW YORK CITY

PHYSICAL FITNESS STANDARDS

FOR

PATROLMAN AND POLICEWOMAN (POLICE DEPARTMENT)

70 Per Cent General Average Required (Each Test of Equal Weight)

TEST I: AGILITY

The candidate shall start from a supine position — feet together, hands by the sides. On the signal “Go”, the candidate will rise and run 3 yards to a maze of obstacles and dodge through; run 1 yard to a tunnel and proceed through; run 5 yards to a 4-foot vault box and scale it; and sprint 18 yards back to the starting line. The maze is 5 yards long and the tunnel is 4 yards long.

One trial only.

Seconds to Complete	Per Cent
14 or less	100
15	98
16	95
17	92
18	90
19	88
20	85
21	82
22	80
23	78

TEST I: AGILITY (cont)

Seconds to Complete	Per Cent
24	75
25	72
26	70
27	68
28	65
29	62
30	60
31	58
32	55
33	52
34	50
More than 34 seconds	Zero

TEST II: SIMULATED BODY CARRY

The candidate will start from a standing position. On the signal "Go", the candidate will run up two flights of stairs, a total of 26 steps. At the top of the second flight of stairs, the candidate will pick up a seventy-pound dummy. Keeping the dummy clear of the floor at all times, the candidate will rapidly descend the two flights of stairs and run back to the starting line.

One trial only.

Seconds to Complete	Per Cent
7 or less	100
8-9	98
10-11	96
12-13	93
14-15	90
16-17	87
18-19	84
20-21	81
22-23	78
24-25	75
26-27	73
28-29	70
30-31	67
32-33	64
34-35	61
36-37	58
38-39	55
40-41	53
42-43	50
More than 43	Zero

TEST III: SIT-UPS

The candidate will lie on his or her back with knees flexed and feet together. The candidate's hands will be placed on the back of the neck, with fingers interlaced. Elbows will be retracted. A partner will hold down the candidate's ankles so that the heels remain in contact with the floor at all times. On the

signal "Go", the candidate will sit up to a ninety-degree angle and then return to the starting position, repeating the exercise as many times as possible within the time allowed.

Time Limit: 2 minutes One trial only.

Number of Repetitions	Per Cent
87 or more	100
83-86	97
79-82	95
75-78	92
71-74	90
67-70	87
63-66	85
59-62	83
55-58	80
51-54	78
47-50	75
43-46	73
39-42	70
35-38	68
31-34	66
27-30	63
23-26	60
19-22	58
15-18	55
11-14	53
7-10	50
Less than 7	Zero

TEST IV: ONE-MILE WALK/RUN

The candidate will be required to run a distance of one mile as quickly as possible at candidate's own pace. If necessary, the candidate may walk part of the distance without being disqualified.

One trial only.

Minutes and Seconds to Complete	Per Cent
6:00 or less	100
6:01-6:30	95
6:31-7:00	90
7:01-7:30	86
7:31-8:00	82
8:01-8:30	78
8:31-9:00	74
9:01-9:30	70
9:31-10:00	65
10:01-10:30	60
10:31-11:00	55
11:01-11:30	50
More than 11:30	Zero

Dated, October 24, 1973.

CITY CIVIL SERVICE COMMISSION

Harry I. Bronstein, Chairman;

James W. Smith and

David Stadtmauer, Commissioners.

MIAMI, FLORIDA

REVISED
PHYSICAL FITNESS TEST

NAME _____
Last First Middle

TEST DATE _____ SIGNATURE _____

NAME _____ Last First Middle			MAXIMUM ALLOWABLE	MAXIMUM SCORE ALLOWABLE	SCORE
TEST DATE _____ SIGNATURE _____					
EVENT	MINIMUM REQUIRED	SCORING SYSTEM			
Push Ups	10	3 Points For Each Over The Minimum	15	15	
Sit Ups	10	1 Point For Each Over The Minimum	20	10	
Leg Raises	10	1 Point For Each Over The Minimum	15	5	
Coordinated Jumping Jacks	20 4 Count	Completion Required For Score	20	5	
Pull Ups or Chin Ups	5 5	Completion Required For Score	5	15	
Standing Broad Jump	1	1 Foot Excess Of Height	1	5	
Running Broad Jump	1	6 Feet Excess Of Height	1	5	
100 Yard Dash	1	14 Seconds Required. 2 Points For + or - Per Second.	1	10 +or- PTS	
8 Foot Wall Climb	1	Completion Required For Score	1	15	
Dead Man Pull	1	Completion Required For Score. 175 Lb. Man Pulled 50 Feet In 20 Seconds.	1	15	
TEST SUPERVISED BY:			TOTAL =		
			PASSING SCORE 75		
REMARKS/OVERALL:					

APPENDIX C

FROM THE UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES* STAFF COMMITTEE DRAFT – AUGUST 23, 1973

A SUMMARY

This summary is designed to provide in a concise form information about some of the major features of the Guidelines. Nothing in this summary is to be construed as a substitute for the requirements as set forth in the full "Uniform Guidelines." Anyone wishing to comment on the Uniform Guidelines should base their comments on a careful analysis of the Guidelines, not on this summary.

What are the "Uniform Guidelines?"

The *Uniform Guidelines* are designed to provide a single set of principles which set forth equal employment opportunity and certain merit principle requirements to be met for tests and other employee selection procedures.

To whom do they apply?

The Guidelines apply to private and state and local government employers, labor organizations and employment agencies covered by Title VII of the Civil Rights Act of 1964, as amended, and by Executive Order 11246, as amended, and all state and local government agencies which are required by the U.S. Civil Service Commission to abide by merit principles.

What is the purpose of the Guidelines?

The Guidelines are based upon the belief that properly developed and validated tests can significantly aid in the development and maintenance of an efficient work force and in the effective utilization of human resources. The Guidelines were developed to (1) assure that selection procedures do not discriminate against any group on the basis of race, color, religion, sex, or national origin; (2) improve personnel selection and placement systems on the basis of merit; and (3) set out a uniform federal position on how these goals can best be achieved. Use of unvalidated tests may well be discriminatory and inconsistent with such principles.

Who developed the Guidelines?

The Guidelines were developed under the auspices of the Equal Employment Opportunity Coordinating Council, which consists of the Civil Service Commission, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the Department of Justice, and the Department of Labor.

What employment procedures do they cover?

The validation concepts of these guidelines apply to selection procedures which are standardized, formal, scored or quantified measures or combinations of measures used as a basis for any employment decision. Traditional tests are covered, of course, but most other selection procedures are also subject to the Guidelines: for example, interviews and assessments of training and experience.

*Equal Employment Opportunity Coordinating Council; Staff Committee Draft; August 23, 1973. (Summary of Uniform Guidelines on Employee Selection Procedures which were issued pursuant to Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972; Executive Order 11246, as amended by Executive Order 11375; and the Intergovernmental Personnel Act.

What do they require?

State and local government employers required by the U.S. Civil Service Commission to meet merit principles are expected to validate all of their selection procedures in accordance with these Guidelines even where no adverse effect on any group occurs.

Employers (including state and local governments), labor organizations, and employment agencies covered by Title VII of the Civil Rights Act of 1964, as amended, or by Executive Order 11246, as amended, must show that any selection procedure which operates to disqualify or otherwise adversely affect members of any racial, ethnic or sex group at a higher rate than another group, has been validated in accord with these guidelines, and that alternative employment procedures of equal validity which have less of an adverse effect are unavailable. This latter condition refers to existing procedures which the employer would or should normally be aware of. Under Title VII and Executive Order 11246, the requirement for validation is limited to situations in which adverse impact occurs.

What is "validation?"

Validation is a technical term which refers to methods used to demonstrate that a test measures the skills, knowledge and abilities required to be performed in the job for which the applicant is being tested. In the context of employee selection, validation means that the test measures the knowledge, skills, abilities or other worker characteristics necessary or important for successful job performance or predicts successful job performance. The Guidelines deal with the minimum requirements for three equally acceptable kinds of validation methods currently recognized by the psychological profession: criterion-related, contents, and construct.

What is required for each of the methods of validating?

A job analysis must be performed to identify the important duties and the knowledges, skills, abilities and other worker characteristics required for successful performance. The Guidelines suggest what the components of a job analysis should be, but do not specify a particular method. Any professionally acceptable method of job analysis may be used if it is sufficiently comprehensive and otherwise appropriate for the specific validation strategy. The general reputation of a selection procedure or its author does not mean validity will be discerned.

In criterion-related validity, tests are administered to applicants or employees, and the scores on the tests are then related to some measure(s) of job performance for the same individuals. The Guidelines require that, where feasible, these relationships be established separately for different racial, ethnic, or sex groups so that there is assurance that the tests are operating with equal fairness for members of these subgroups.

In content validity, the test itself is developed to be a representative sample of the job duties or knowledges, skills or abilities necessary or important for successful job performance. Types of tests which are often content valid are: job-knowledge tests appropriate to the job and level involved, and performance tests such as standardized typing tests containing appropriate content and used with appropriate passing points, tests in which the actual job duties are performed such as welding, and other performance tests.

In construct validity, a test is developed to measure an ability or trait which is less directly observable than is the case in content validity. Validation of such a test requires that the test measure the trait, and that the trait is in fact related to successful job performance.

What other requirements are there for validation?

The Guidelines indicate that normally a test or combination of tests should account for at least half of the critical duties, knowledges, skills, abilities and other characteristics which can be reliably measured.

The Guidelines specify the necessary statistical relationship between test and job performance.

Test results may be used to rank persons who score above minimum levels if a higher score can be expected to result in better job performance.

What form should validity evidence take?

To make reviewing easier, the Guidelines have specified a number of items which should be included in a validation report.

These reports are to be submitted only on a request of a compliance agency. Regardless, sufficient evidence must be maintained to determine that the standards called for have been met.

What does an employer do who doesn't have full evidence of validity for his tests?

The Guidelines permit an employer to continue to use a test on an interim basis, which is not fully supported by the requirements of the Guidelines, if there is substantial evidence from other studies that the test is valid, and the employer has undertaken a validation program to complete the validity study.

ARLINGTON COUNTY, VIRGINIA
INTER-DEPARTMENTAL MEMORANDUM

DATE: February 6, 1974

SUBJECT: Policy Statement -- Assignment
of Police Officers to Investiga-
tions and Operations Divisions
and Assignment of Female Police
Officers.

TO: All Personnel

FROM: Chief Roy C. McLaren 

I. PURPOSE.

The intent of this statement is to describe in general terms the policy which will be followed in making assignments of police officers to the Investigations Division and to the Operations Division, and to clarify the policy relating to assignment of female police officers.

II. POLICY.

There are two principle factors which should be considered in assigning police officers to the Investigations Division and to the Operations Division. The first is that the needs of the county and the department will be considered paramount in all personnel assignments, and thus the capabilities, attributes and characteristics of individual officers will be considered in making assignments. This may include the need to have female officers in some specialized assignments because they are women, such as in plainclothes and undercover details, in handling investigations involving women and small children and in searches of female prisoners. Similarly, some assignments can be better handled by male officers -- for example, investigations in which male youths are victims of sex crimes or in which male prisoners must be searched. Also, a female officer or detective may have a better skill or ability for a certain assignment than any other person in the department, and would, of course, be given consideration for the assignment.

Second, once this commitment to the needs of the county and the department is satisfied, it will then be the policy to start most new police officers in patrol assignments in the Operations Division. Exceptions may be made from time to time because of the need to assign new officers temporarily to undercover activities in the Investigations Division to take advantage of their newness, or, in the case of assignments made because the officers are women, because no other female officer is available for the assignment and a new female officer must be placed in that assignment. In the case of male officers who are assigned to the Investigations Division because of their newness, and in the case of female officers who are assigned because of newness or because they are the only females available for an assignment requiring female officers, these assignments will be terminated prior to the time that the officers would be eligible for upper bilevel pay status, and the officers will be then assigned to patrol duties in the Operations Division.

APPENDIX F

MEMORANDUM ON CLOTHING, POCKETBOOK AND HAIR STYLE FOR FEMALE POLICE OFFICERS PREPARED BY THE POLICEWOMEN INFORMATION CENTER OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE.

SUGGESTIONS FOR POLICEWOMEN'S UNIFORMS

Numerous police departments are either in the process of initiating, or have already initiated a program for expanding the role of women in law enforcement to the area of patrol. This necessitates the acquisition of a regulation uniform for female officers that will be complimentary to them and their profession and, simultaneously, provide maximum mobility. In the past, most uniforms for female police officers have been based on the American military model which was designed for women whose duties, barring a few exceptions, were limited to internal administrative functions. This military uniform is now inadequate in that it does not fulfill the needs of today's policewoman, particularly one on patrol. Interviews were held with a number of female police officers in various departments, and the following suggestions were made with respect to uniforms.

Pants

The winter uniform should be made of a substantial and durable material. The summer uniform should be lightweight and, if at all possible, wrinkle-free. Pants should be made to accommodate a wide belt, indicating the need for large belt loops. In performance of duty, a police officer must carry a number of incidentals on her person and, therefore, the design of the pants should include pockets in the rear and the front of slack apparel. Opinions were varied as to the stylishness of the next recommendation, but it is an area that should be considered. It is a common practice by most designers to place the zipper on the side for female slack apparel. However, this poses a problem for the female officer who has to wear a number of pieces of equipment on the waist belt. A considerable length of time is required to properly arrange this equipment. There are occasions during routine patrol work when it becomes necessary for the officer to temporarily discard equipment, such as a drowning situation. This procedure, for obvious reasons, can be expedited if the zipper is located in the front of slack apparel rather than on the side.

Blouses & Skirts

Blouses should be well tailored and of durable wash and wear fabric. If pockets are included in the styling of the blouses, consideration should be given to their placement, such that they do not accentuate the bustline area. If skirts are worn, the tailored A-line discretionary length appears to provide maximum mobility and yet is complimentary.

Hats

Practicality is the word. Berets usually do not stay on the head even when snapped. Any hat worn should be comfortable and promote uniformity.

Pocketbooks

The female officer on patrol, carrying a purse that contains her service revolver, is presented with a hazard when she finds it necessary to reach for her revolver and is subsequently slowed down by having to go into

something that contains many other articles. This problem presents itself even where purses contain a special compartment for the service revolver. Carrying a purse with a revolver inside also leaves a female police officer vulnerable (off duty and on) to a purse snatcher.

Shoes

Shoes should be sturdy and comfortable, especially for the officer patrolling the beat. Heels are fashionable but, in most cases after long periods of standing or walking, the feet become uncomfortable.

Hose

Wherever possible, support hose should be recommended.

Ties

If ties are worn, they should be custom-made for females, as men's ties are too long. Ties should snap on to prevent strangulation by an uncooperative arrestee. This problem does not present itself where ribbon ties or bows are worn.

Combination Coat

Should be multi-purpose in allowing for mobility while maintaining warmth. Also, it should be decided before the design whether the revolver will be worn on the inside or outside of the coat.

Hair

Should be up and away and, if long, it should be combed back. This is to prevent persons from grabbing hair and incapacitating the female police officer.

In an effort to obtain information regarding various designs for a policewomen's uniform that is utilitarian, a letter was sent to a list of manufacturers of police uniforms. This information will be available in the near future.

APPENDIX G

SUGGESTED FORMAT AND ASSIGNMENTS FOR CONFERENCE ON POLICEWOMEN HELD BY A POLICE DEPARTMENT FOR ITS TOP COMMAND STAFF

9 AM — Breakfast

9:30 — Opening Statement by Police Chief

9:45 — Briefing — Current status of the program

- Legal advisor — background information and current legal position
- Personnel Bureau — personnel and recruitment policies re: women
- Chief of Patrol — current operational guidelines and status of deployment of women in the field
- Director, Police Academy — status of recruit training re: women.

11 AM — Coffee Break

11:20 — General meeting — assignment to workshop groups and clarification of task assignments

11:30 — Work group session

1 PM — Lunch

2 PM — Work group session

3:45 — Coffee break

4 PM — Plenary session — presentation to the Police Chief

SUGGESTED CONFERENCE ASSIGNMENTS

GROUP I

- Task:*
1. Draft an interim order defining operational guidelines for the utilization of women in field assignments.
 2. Draft an Administrative Policy Statement re: Women in the Police Department and plans for its dissemination throughout the department.

GROUP II

- Task:*
1. How can the department effectively deal with the negative attitudes of male officers towards female officers who assume full patrol duties and supervisory positions?
 2. Examine the current role of women in each of the Divisions/Bureaus represented by your group. Evaluate that role as to how it might be expanded. What problems do you foresee and how might they be dealt with?

GROUP III

- Task:*
1. Develop a functional plan and rationale for the employment of women in the field—type of women in busy commands. (Numbers to be assigned.)
 2. From the point of view of Area Commander, what do you see as the major obstacles to integrating women into the patrol service? What can the department do to overcome these obstacles; promote acceptance and insure non-preferential and non-discriminatory treatment?

3. Specifically, what can you as Area Commanders do to implement and monitor the use of women in the precincts?

GROUP IV

- Task:*
1. Do female recruits face special problems during recruit training because they are women? If so, how can the situation be corrected or effectively dealt with?
 2. What modifications (if any) are required in training curriculum to improve the competence and assurance of female police officers?
 3. What programs can be developed in the Training Division to promote acceptance of each other as colleagues in the Department and specifically on patrol?

GROUP V

- Task:*
1. From the point of view of a precinct Commanding Officer, what are the major obstacles to integrating women into the patrol service? How can these obstacles be overcome?
 2. What particular advantages, disadvantages and/or problems result from having women assigned to patrol in the precinct? How can the problems be handled effectively?
 3. In view of 1 and 2 develop operational goals and guidelines for precinct Commanding Officers to facilitate implementation of the program.
 4. Specifically, what should the precinct Commanding Officer do to implement and monitor this program?
 5. Orientation sessions—wives and husbands.

APPENDIX H

SUMMARIES OF EVALUATION OF PERFORMANCE OF FEMALE POLICE OFFICERS ON PATROL IN WASHINGTON, D. C. AND ST. LOUIS COUNTY, MISSOURI

WASHINGTON, D.C.*

A detailed summary of major findings, in the order in which they appear in the text, follows:

ASSIGNMENT

1. New women were assigned to regular uniformed patrol less frequently than comparison men.
2. The type of patrol units to which new women and comparison men were assigned was frequently different. In particular, men were less often assigned to station duty and more often assigned to one-officer cars.
3. New women were more often given inside assignments than were comparison men. Those new women with higher performance ratings tended to be reassigned to an inside assignment. For comparison men, a few men with lower ratings tended to be reassigned to station duty.

PERFORMANCE

1. Comparison men handled somewhat more patrol incidents per tour, primarily because they initiated more traffic incidents (usually, issuance of written citations).
2. New women patrolling alone tended to handle more service calls assigned by police dispatchers than did men patrolling alone.
3. New women and comparison men responded to similar types of calls while on patrol and saw similar proportions of citizens who were dangerous, angry, upset, drunk or violent.
4. New women obtained results similar to those of comparison men in handling angry or violent citizens.
5. Comparison men made more felony arrests and misdemeanor arrests than did new women.
6. Arrests made by new women and comparison men were equally likely to result in convictions.
7. New women and comparison men worked well with their partners in two-officer units. The two partners shared the driving about equally, took charge with about the same frequency, and were about equal in giving instructions to the other.
8. New women and comparison men received the same amount of "back-up," or assistance, from other police units.
9. New women and comparison men showed similar levels of respect and general attitude toward citizens.
10. New women and comparison men received similar performance ratings from the police department in its standard review of police officers after the first year of performance.
11. New women and comparison men were given similar performance ratings in several patrol skills on a special rating form. However, men received higher ratings on their ability to handle various violent situations and on general competence to perform street patrol.
12. Police officials in an anonymous special survey gave new women lower ratings than comparison men on ability to handle domestic fights and street violence, and on general competence. Women were rated equal to men in

*This material is reprinted from *Policewomen on Patrol: Final Report*, Chapter II, Major Findings.

handling upset or injured persons.

13. Captains and lieutenants gave new women higher performance ratings on a special survey in 1973 than they had in 1972. Their 1973 ratings gave new women and comparison men similar scores on general competence.

14. There was no difference between new women and comparison men in the number of sick days used.

15. There was no difference between new women and comparison men in the number of injuries sustained or the number of days absent from work due to injuries.

16. New women were more likely than comparison men to be placed on light duty due to an injury.

17. There was no difference between new women and comparison men in the number of driving accidents in which they had been involved since joining the police force.

18. New women, on the average, needed two weeks longer than comparison men to pass the police driving test.

19. Comparison men were more likely than new women to have been charged with serious unbecoming conduct.

20. Similar numbers of new women (12) and comparison men (11) have resigned from the police department.

21. Citizens showed similar levels of respect and similar general attitudes toward new women and comparison men.

22. Citizens interviewed about police response to their calls for assistance expressed a high degree of satisfaction with both male and female officers.

23. Citizens who had observed policewomen in action said they had become somewhat more favorably inclined toward policewomen.

ATTITUDES

Citizen Attitudes

1. Citizens of the District of Columbia, regardless of their race or sex, were more likely to support the concept of policewomen on patrol than to oppose it.

2. Citizens believed that men and women were equally capable of handling most patrol situations, but they were moderately skeptical about the ability of women to handle violent situations.

3. The police department was highly rated by citizens in 1972, and this rating has not been affected by the introduction of women into the patrol force.

Police Attitudes

1. Patrolmen doubted that patrolwomen were the equal of men in most patrol skills.

2. Patrolwomen felt that their patrol skills were as good as patrolmen's in most cases.

3. Police officials were more likely than patrolmen to say that men and women were equally able to handle important patrol situations, but officials were not as positive about patrolwomen's skills as the women themselves.

4. Patrolmen, patrolwomen and police officials agreed that men were better at handling disorderly males, that women were better at questioning a rape victim, and that there was no difference between men and women in skill at arresting prostitutes.

5. Police officials agreed with patrolmen that patrolwomen were not as likely to be as satisfactory as men in several types of violent situations.

6. Patrolmen had a definite preference for patrolling with a male partner. Patrolwomen had a slight preference for patrolling with a male partner.

7. Patrolwomen felt they received a greater degree of cooperation from the public than patrolmen did.

8. Patrolwomen felt that police supervisors were more critical of patrolwomen than of men. Patrolmen felt there was no difference.

9. Black police officials and black policemen were somewhat less unfavorable toward policewomen than white male officials and policemen.

10. Patrolmen assigned to the same two districts as the new women were slightly more negative toward them than patrolmen assigned to the two comparison districts, which had no new women.

11. Male patrol officers who said that women "should not be a regular part of the patrol force" had less formal education and were more likely to believe in arrests as a performance measurement than other patrolmen.

12. Police officials were somewhat more positive toward policewomen in 1973 than they had been during the initial months of the experiment in 1972.

13. There was little change in the attitudes of patrolmen toward policewomen between the start and the conclusion of the experiment.

ST. LOUIS COUNTY, MISSOURI

While the St. Louis study dealt with one-person rather than two-person patrol in a suburban police department, results nonetheless paralleled those of Washington, D. C. and New York City. That is, women were found to be able to perform the duties of motor patrol equally well as men. Key findings are summarized below. (Because of the small sample size of 16, however, these findings must be regarded as descriptive rather than objective and statistical.)

1. Women performed in a less aggressive fashion than comparison men.
 - a. Women made fewer arrests and engaged in less "preventive activity"—e.g. car and pedestrian stops.
 - b. Women awarded more traffic citations than men.
 - c. There was less likelihood of escalation of potentially violent situations with women than men.
 - d. Community surveys revealed that the public felt women could handle service and domestic calls better than men.
 - e. The public perceived women to be more sensitive to the human elements in the above situations and more responsive to needs expressed by citizens than men.
2. Citizens expressed unanimous satisfaction with service received from women officers in both service and non-service calls; and felt no less safe when calls were responded to by women rather than men.
3. No significant differences emerged between overall performance ratings of male and female officers.
 - a. Women received slightly (though not significantly) higher ratings than men in areas concerned with public contacts and community relations.
 - b. Men slightly (though not significantly) exceeded women in areas of accepting responsibility and initiative.
4. New women had a higher automobile accident rate than comparison men.
5. Attitudes of male officers toward accepting women on patrol, while remaining negative, became less negative after a six month period.

APPENDIX I

COURT ORDER IN *PARKINSON V. CITY OF CLEVELAND* REGARDING POLICE DEPARTMENT REGULATIONS CONCERNING PREGNANT FEMALE POLICE OFFICERS

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OHIO EASTERN DIVISION

DIANE M. PARKINSON, Individually
and on behalf of all others
similarly situated,

Plaintiff,

vs.

CITY OF CLEVELAND et al.,

Defendants.

Civil Action
No. C 73-338

Judge William K. Thomas

TRANSCRIPT OF ORDER DICTATED BY
THE HONORABLE WILLIAM K. THOMAS,
JUDGE OF SAID COURT, ON MONDAY,
APRIL 16, 1973.

APPEARANCES:

On behalf of the Plaintiff:

Mr. Charles E. Guerrier,
Mrs. Jane M. Picker, and
Mrs. Rita Page Reuss.

On behalf of the Defendants:

Mr. Malcolm Douglas, Chief Counsel,
Mr. Howard H. Fishkin, and
Mr. Steven B. Garfunkel, Assistant Law Directors,
City of Cleveland.

THOMAS, J: This matter came on for final hearing before the Court on Monday, April 16, 1973. Prior hearings were had on April 4th and April 10th, 1973, upon the complaint, statements of counsel and the parties, and the testimony of the plaintiff, medical witnesses, and the chief officer of the Women's Bureau.

After due consideration and by agreement of the parties, it is ordered:

1. Whenever a police officer becomes pregnant and receives medical confirmation of the pregnancy, she is required to report the fact of pregnancy to her commanding officer.

2. Once the fact of pregnancy of a police officer is determined as provided in paragraph 1 of this order, and upon a further determination by the Medical Director (police surgeon) after consultation with the police officer's OB-GYN, the Medical Director may order the police officer placed on either regular or restricted duty (it being understood that the term "restricted duty" includes light duty).

3. After consultation with the police officer's OB-GYN, should the Medical Director determine that a police-officer covered by preceding paragraphs is not physically fit to continue regular or restricted duty, the police officer shall be placed on leave of absence status. Upon being placed on leave of absence status, the police officer shall be entitled to:

- (a) Any sick time that she may have accumulated.
- (b) Any compensatory time (overtime) as the police officer may have accumulated.
- (c) Any furlough (vacation) time as the police officer may have accumulated.

However, when all sick time, compensatory time and furlough time are exhausted, the police officer shall continue on her leave of absence without pay or other benefits. Nothing herein, however, shall exclude her or disqualify her from the right to participate in any available group benefits at her own expense.

4. Upon either giving birth to a child or sustaining a miscarriage (or other termination of pregnancy), the police officer shall have the right to return to work once her OB-GYN approves her return and the Medical Director determines that she is physically fit to return to either regular or restricted duty. However, before determining that she may not return to work, the Medical Director shall first consult with her OB-GYN. In any event, the police officer must return to work not later than nine months from the date of delivery, miscarriage, or other termination of pregnancy.

5. The police officer shall have the right to appeal to the Cleveland Civil Service Commission any determination of the Medical Director that pertains to:

- (a) A leave of absence; or
- (b) An order that the police officer may not return to work.

6. The foregoing order shall govern prospectively all duty assignments and leaves of absence in case of pregnancy.

7. This order fully adjudicates all rights of action that the plaintiff asserts in the within complaint, said claims being based on 42 U.S.C. Section 1983. However, the Court is informed that there is now pending before the E.E.O.C. a Title VII charge (42 U.S.C. Section 2000e-2(a)), which plaintiff and others have filed. Nothing adjudicated by the order in this case is intended by either the plaintiff or the defendant to affect the foregoing Title VII matter, and it is understood by the parties and it is ordered that the within order does not bind the parties and may not be used by either of parties in any such Title VII proceeding.

8. All class action claims alleged in the complaint are dismissed without prejudice.

9. Each party expressly waives the right to appeal the order of the Court.

10. Each party shall pay its own costs.

IT IS SO ORDERED.

/s/ William K. Thomas

William K. Thomas
United States District Judge

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