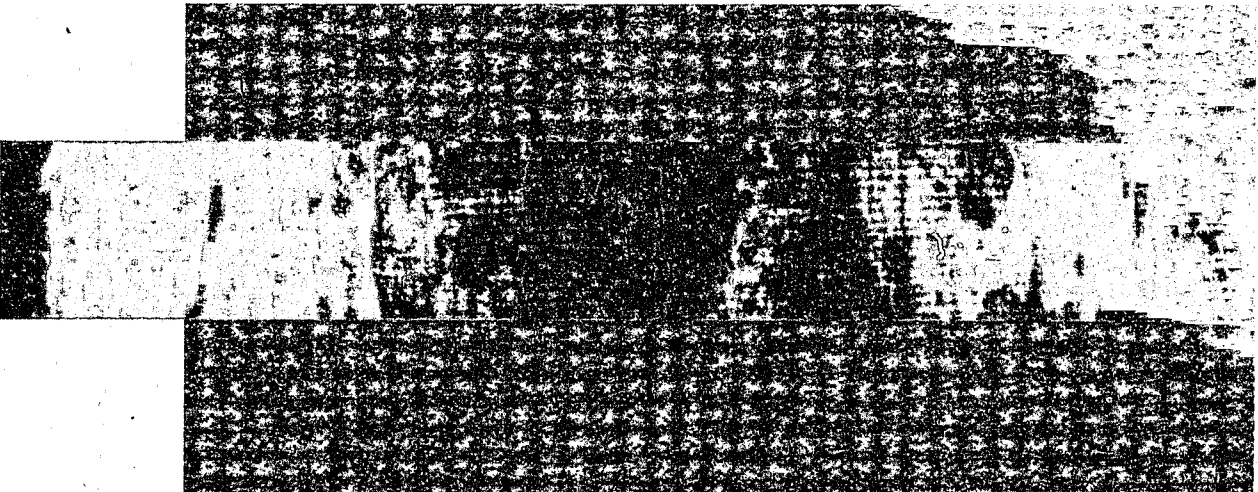




# Human Resources In Criminal Justice

153059  
153066

Florida Criminal Justice Executive Institute  
Senior Leadership Program  
Second Class



153059



# Human Resources in Criminal Justice

Florida Criminal Justice Executive Institute  
Senior Leadership Program  
Second Class

Volume One in a  
Three Part Series

*Human Resources in  
Criminal Justice*

*The Changing Nature of  
Criminal Justice*

*Criminal Justice in Context:  
Crime and the Community*

NCJRS

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Florida Department of Law Enforcement  
James T. Moore, Commissioner  
October 1994

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U.S. Department of Justice  
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# Preface

Chief A. Lee McGehee  
Ocala Police Department

## Florida Criminal Justice Executive Institute Policy Board

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Administration and Policy

Graduation of the Second Class of the Senior Leadership Program represents another step in the fulfillment of a dream. In 1989 the Commissioner of the Florida Department of Law Enforcement met with a small group of chiefs and sheriffs and asked, "What's the number one need in the State and what can FDLE do about it?" We said, "We're doing a very good job of training officers to go out on the street, we're doing a very good job of training for career development, we're doing a fairly good job of training middle managers, but we're doing nothing to develop those people that will lead our organizations in the future." And from that came the concept of an Executive Institute. The concept became reality in 1990.

FCJEI has a three-phased mission: to prepare existing and future criminal justice executives for 21st Century leadership; to conduct and sponsor research that will assist executives in leadership roles; and to disseminate research articles and other publications to Florida's criminal justice executives. I commend this class for the work it has done to help us achieve our mission.

Graduates of the Second Senior Leadership Program Class exhibit the qualities that are necessary to effectively guide Florida's criminal justice system into new and uncharted territory. They have honed their skills and abilities and are able to provide executive leadership in uncertain and, at times chaotic, environments.

These graduates are in a profession that resists change, and they can do one of two things: stand by and watch, or take what they have learned in the Senior Leadership Program -- the dream and the vision of new institutions and new ways of looking at their jobs -- and build a brighter future. If this compendium is any example, they will do the latter.

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Ocala Police Department

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# Introduction

Connie Patrick, Director  
Florida Criminal Justice Executive Institute

The Florida Criminal Justice Executive Institute (FCJEI) is charged with providing an integrated program of training, education and research to the men and women who will be tomorrow's criminal justice leaders. Among its offerings is the Senior Leadership Program, a 19-month course of study that facilitates excellence in leadership, and fosters, through an innovative futures-oriented program, the ability to influence and manage change.

The directed individual study project is an integral part of the Senior Leadership Program. It permits each participant to apply the Senior Leadership Program coursework and any corresponding knowledge and techniques acquired while achieving depth in a specific area.

The first phase of the project teaches participants to scan a variety of newspapers, journals and other materials, in order to identify problems or emerging issues. While scanning emphasizes the participant's own priorities, each participant also is expected to scan and record material to share with others in the program. This material is recorded and organized for future reference in resource files. The resource files serve as a starting point for selecting one or more concept areas for review and additional inquiry. The resource files are supplemented by library work, which is completed during the early modules of the Senior Leadership Program.

The second phase of the project requires the participant to narrow the focus of study to a particular subject or subject area on which to base the DIS paper. Each participant selects a topic using the following criteria as guidance:

- applicable to the participant's agency and position in the agency
- benefits the agency or the criminal justice system as a whole
- relevant to the goals and objectives of the program.

During the third phase of the program, the student actually completes background work and carries out the proposed methodology. This phase culminates in the preparation and presentation of a final study paper of publication quality.

This volume is one of three containing the final study papers of the Second Class of the Senior Leadership Program. The papers presented here represent the significant growth achieved by each of the participants.

The final products are not perfect. For example, citations may be incomplete or missing entirely. While we tried to address such issues during the project's development, some things we simply did not catch until this volume was underway. We apologize in advance to anyone whose work we failed to acknowledge adequately.

We are extremely proud to publish these works. We believe they are a significant contribution to criminal justice in Florida, not only because of their content, but because they demonstrate the outstanding abilities of tomorrow's criminal justice leaders.





**John J. Harris**

John Harris has been with the Florida Department of Business and Professional Regulation for 26 years and is Director of the Division of Alcoholic Beverages and Tobacco. During his career with the department, John has served as Deputy Director for Law Enforcement and Chief of the Bureau of Law Enforcement. He is a graduate of the FBI National Academy and was president of the State Law Enforcement Chief's Association for 1993-1994. John holds an associate of arts degree from Valencia Junior College and a bachelor of science in criminology from the Florida State University.

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# Picking and Keeping Law Enforcement and Corrections Officers in Florida

Director John J. Harris  
Division of Alcoholic Beverages and Tobacco

*Ability, motivation, and direct contact with the supervisor influence the performance of employees. Ability is related to the mental, physical, and emotional condition of a person to do a certain thing well. Motivation and direct contact with the supervisor have to do with goal setting, training, feedback, and removal of performance barriers. This study also found that there is a correlation between education and the ability to perform successfully as a Florida law enforcement or corrections officer. In addition, it was found that conduct most likely to be problematic to the success of these officers included: lying, stealing, physically abusing others, drugs, absenteeism, and "doing just enough to get by." This information forms the basis for recommended strategies to help criminal justice agencies hire wisely and develop star performers.*

## Introduction

Law enforcement and corrections agencies need to place a high priority on two areas:

1. Picking not only qualified officers but those who also have not developed habits that will likely result in serious discipline problems. This is related to the officer's education and past behavior.
2. Keeping officers who are physically, mentally, and emotionally able to do their jobs. This is a function of supervisor contact, direction, training, and support.

Specific strategies are available to law enforcement and corrections agencies to use in their selection of employees and in the interaction between supervisors and officers. This paper will examine a variety of strategies for selecting the right candidates to be law enforcement and corrections officers and keeping them. The paper is divided into two sections: Selection Strategies and Retention Strategies.

## Selection Strategies

Research shows that the selection process is the first place where future performance can be evaluated. If hiring is done wisely, officers enter their agencies with the mental, physical, and emotional ability to interrelate in a heterogeneous internal and external community.

Wise hiring requires a focused background investigation, which is the most accurate forecaster of success. The hiring process can be used to measure abilities, uncover habits, and gauge motivation. The investigation should cover education, behavior, truthfulness, motivation and self-respect because the best predictor of future behavior is past behavior under similar circumstances (Dwyer, 1990). A manager shows support for existing officers by bringing in new officers with the ability and motivation to do the job.

### Recommendation 1

Law enforcement and corrections officers should be required to have an Associate degree.

All newly hired law enforcement and corrections officers should be required to have completed an associate degree program. This may place a hardship on some law enforcement and corrections agencies. However, the evidence is clear that there is a correlation between misbehavior reported to the Florida Criminal Justice Standards and Training Commission

and the level of education completed by both law enforcement and correction officers.

A study of the 1988-1992 Florida Criminal Justice Standards and Training Statistical Reports on Probable Cause and Disciplinary Proceedings revealed that a majority of the law enforcement and corrections officers identified as problem performers did not have an associate degree. A total of 1,622 officers were referred for discipline in Florida between 1988 and 1992, as shown in Tables 1 and 2. Of those, 1,312 had not completed the associate degree program. That was 81% of the officers referred to the commission.

By hiring applicants with an

| Table 1<br>Educational Background of Law Enforcement Officers<br>Referred for Discipline, 1988 - 1992 |      |      |      |      |      |
|---|------|------|------|------|------|
|   | 1988 | 1989 | 1990 | 1991 | 1992 |
| Total Referrals   | 168  | 123  | 126  | 186  | 264  |
| Without AA/AS degree  | 117  | 90   | 101  | 133  | 198  |
| % Without AA/AS degree  | 76%  | 73%  | 80%  | 72%  | 75%  |

| Table 2<br>Educational Background of Corrections Officers<br>Referred for Discipline, 1988 - 1992 |      |      |      |      |      |
|---|------|------|------|------|------|
|   | 1988 | 1989 | 1990 | 1991 | 1992 |
| Total Referrals   | 152  | 144  | 98   | 154  | 207  |
| Without AA/AS degree  | 130  | 123  | 91   | 138  | 191  |
| % Without AA/AS degree  | 86%  | 85%  | 93%  | 90%  | 92%  |

associate degree, serious discipline problems may significantly decrease. This will require many agencies to revise their minimum qualifications. In Florida, legislative revision to §943.13(3), F.S., would be required. It may be possible to allow agencies to hire an officer who is actively working on an associate degree in a trainee class until the degree is awarded. This education requirement has been recommended by numerous law enforcement administrators as well as commissions (Murphy, 1985).

**Recommendation 2**

Eliminate any candidate who is untruthful or makes a misrepresentation on the application or in interviews.

An applicant's truthfulness can be fairly assessed based on the responses in the application and to interview questions. If the applicant is not truthful on every question, regardless of the reason, there is a strong correlation that the value for detail may not be characteristic of the applicant.

Untruthfulness, as reported by the Florida Criminal Justice Standards and Training Commission, is a growing discipline problem for both law enforcement and corrections officers.

The majority of discipline cases heard by the commission between 1988 and 1992 related to four general types of behavior:

1. Untruthfulness: false reports; witness tampering; perjury.
2. Stealing: larceny; scheme to defraud; stolen property; extortion; vehicle theft; embezzlement; burglary; robbery; worthless checks.
3. Abusing others: sexual assault; assault; excessive force; battery; homicide; resisting arrest; driving while intoxicated; cruelty; family offense; manslaughter; hit & run; arson; threat to kill; murder; solicit to murder.
4. Sex Crimes: sex offense; obscenity; commercialized sex; relationship with inmate; prostitution; indecent exposure.

Tables 3 and 4 summarize the information in the commission's statistical reports and show the number of officers in Florida referred for discipline in these specific categories of behavior. The total number of officers disciplined for lying, stealing, abusing others, sex crimes, and drugs was 1,249 or 77% of the total discipline cases referred to the

**Table 3  
Primary Behavior Problems Experienced  
by Law Enforcement Officers, 1988 - 1992**

| Reason for Referral | 1988       | 1989      | 1990      | 1991      | 1992       | TOTAL      |
|---------------------|------------|-----------|-----------|-----------|------------|------------|
| Untruthfulness      | 11         | 2         | 13        | 21        | 40         | 87         |
| Stealing            | 10         | 10        | 12        | 21        | 22         | 75         |
| Abusing Others      | 19         | 10        | 14        | 7         | 66         | 116        |
| Sex Crimes          | 17         | 6         | 9         | 6         | 14         | 52         |
| Drugs               | 61         | 65        | 24        | 35        | 20         | 205        |
| <b>TOTAL</b>        | <b>118</b> | <b>93</b> | <b>72</b> | <b>90</b> | <b>162</b> | <b>535</b> |

**Table 4  
Primary Behavior Problems Experienced  
by Corrections Officers, 1988 - 1992**

| Reason for Referral | 1988       | 1989       | 1990       | 1991       | 1992       | TOTAL      |
|---------------------|------------|------------|------------|------------|------------|------------|
| Untruthfulness      | 25         | 3          | 29         | 42         | 60         | 159        |
| Stealing            | 29         | 20         | 16         | 24         | 31         | 120        |
| Abusing Others      | 19         | 28         | 24         | 38         | 64         | 123        |
| Sex Crimes          | 28         | 16         | 12         | 11         | 25         | 92         |
| Drugs               | 56         | 37         | 19         | 32         | 26         | 170        |
| <b>TOTAL</b>        | <b>157</b> | <b>104</b> | <b>100</b> | <b>147</b> | <b>206</b> | <b>714</b> |

commission. This data, published in 1992, suggests that picking officers should focus on past behavior in those same areas. The tables also show that discipline for untruthfulness and abusive conduct increased between 1986 and 1992 while drug problems decreased. Decreased drug-related discipline problems may have been a result of the state's drug-testing policy for the last several years. Florida's five-year record may be used to support hiring decisions based on education and specific past conduct since it appears to be related to future success in these positions.

Since we know that the untruthful characteristic of an individual has been the third most frequent cause for formal discipline of officers in Florida, it would be wise to eliminate all applicants who are untruthful in the selection process.

**Recommendation 3**

Applications for law enforcement and corrections officer positions should include specific questions about past behavior related to abusing others and stealing.

The background investigation also should focus on self-respect and respect of others and property. Approximately 30% of discipline cases in Florida involve abusing others and stealing. While the number of stealing cases has remained fairly constant since 1988, cases of abuse have significantly increased in both law enforcement and corrections organizations (Tables 3 and 4). Learning about an applicant's past behavior in these areas requires specific questions dealing with abusing others and stealing. These questions should be

developed and added to applications and interview questions for law enforcement and corrections officers.

**Recommendation 4**

Applicants for positions as law enforcement or corrections officers should be eliminated if they have a habit of being untruthful, stealing, abusing others, committing sex crimes, or committing drug violations as found on the application, in response to interview questions, or discovered during the background investigation.

Self-respect and self-control are two more characteristics that should be checked during a background investigation of an applicant. Screening out applicants who have habits of stealing, untruthfulness, abusing others, and abusing themselves would be wise in order to avoid future discipline problems.

There may be conflicts when an applicant is totally truthful about his/her past behavior and it relates to the likelihood of future problems. While this past behavior is still a predictor of the likelihood of future problems, resolving this conflict will be a judgement call by the hiring authority. Evaluation of applicants should take into consideration the length of time since the behavior, the likelihood it is a habit, the age and maturity of the applicant then and at the time of the evaluation, the recognition of the unacceptable behavior, and any rehabilitation steps taken.

The findings of the background investigation or responses on the application or interview questions about an applicant's self-respect and values regarding life, property, and truthfulness are now shown to be a valid basis for employment decisions in Florida criminal justice agencies. Since the majority of discipline cases referred to the commission relate to dishonesty, theft, abusing others, sex crimes, and drugs, there is a likelihood that this type of behavior was characteristic of those officers before employment. By reporting past behavior the future success or failure of officers can be predicted.

**Recommendation 5**

Employment applications should include questions about absenteeism and reporting to work on time. The background investigation and interview questions also should focus on an applicant's dependability to be at work and on time.

The final step in the hiring process is to determine the

applicant's work history and motivation. In 1981 a major study was completed by surveying students who were law enforcement supervisors attending the FBI National Academy. This study, and a 1985 study, of attitudes of law enforcement supervisors revealed that most law enforcement supervisors thought that laziness, attendance, and "just getting by" were the most frequent problems they had with officers. Interestingly, the studies also revealed that keeping officers was the desired result of discipline (Robinette, 1987).

Since laziness, absenteeism, and doing just enough to get by have been identified in two national surveys of law enforcement supervisors, focusing on the work ethic of applicants prior to employment may allow agencies to predict the future behavior.

Absenteeism records are usually kept by previous employers of applicants. Work habits are also remembered by associates and supervisors of applicants. Employees who are hardly ever on time or do not go to work regularly are usually identified and such habits should be reported in the background check. This is another area of questions that should be developed for the employment application and interview process.

Laziness, absenteeism, and doing just enough to get by are characteristics that may be a shared responsibility of the employee and the employee's supervisor or work environment. Interviews can usually determine the reasons an applicant may be referred to as lazy, absent from work frequently, or arriving late and leaving early. Sometimes, employees have the mental, physical, and emotional ability to be a success, but their current work environment has contributed to performance problems.

### **Retention Strategies: Developing Star Performers**

Norman Maier and Victor Vroom (Robinette, 1986) suggest that employee performance is a function of motivation, ability, and contact with the supervisor. Thus, developing officers as performers is the primary job of supervisors, managers, and administrators. How the variables of the work environment are managed in an agency will raise or lower individual and organizational performance. When the hiring decision is made, the officer should have the ability and motivation to do the job. Performance success after employment is improved by: motivating, setting expectations, constantly providing feedback, and training for results. This is the role of the immediate supervisor. If candidates with predictable performance problems have been eliminated in the

selection process, the organization is dependent on the immediate supervisor's techniques to improve performance to help develop an officer's sense of value toward his/her work.

**Recommendation 1**

Maintain self-esteem in every contact between employees and supervisors.

From the first day of work no officer can be overlooked. Each officer must have constant contact with his/her supervisor to reinforce efforts -- good or bad. Almost no error in behavior of an officer results in a serious consequence initially, therefore, most can be informally corrected without destroying self-esteem. Performance cannot be improved by simply changing inputs of knowledge and information. It is based on a deliberate plan to build self-esteem (Byham and Cox, 1992).

Everyone enjoys power and few enjoy being oppressed. Criminal justice agencies can provide a great deal of energy to their officers or they can drain energy from their officers. Too often officers in the criminal justice system come to work, do what they are told, and at the end of the day carry themselves home. To maintain energy, people need to be moving with a purpose that is personally important to them. One characteristic of a successful supervisor is the ability to create an environment where everyone feels good about his/her work.

The kinds of things that drain energy from employees and techniques to energize people are listed below:

Drains Energy

- Confusion
- Lacking Trust
- Not being listened to
- Someone solving problems for you
- Not knowing you are succeeding
- A boss taking credit for others' ideas
- Not enough resources to do the job well
- Believing you can't make a difference
- A job simplified to the point it has no meaning
- Treating everyone the same

Charges Energy

- Direction, clear on key result areas, measurements, goals
- Trust
- Listening
- Solving problems as a team
- Praise
- Recognition
- Resources readily available
- Knowing self importance to organization
- Expanding responsibility
- Flexible control

Most of these energy drains have to do with a supervisor's lack of trust and confidence in workers and an environment where workers have little self-esteem and little control.

These lists show that more effort is required of supervisors who charge their officers with energy that produces

meaningful work and results in high self-esteem. Making an officer feel inferior and inadequate for mistakes takes away from the value of a person. Such supervision does not enhance anyone's self-esteem and should be avoided. All contact between a supervisor and an officer should include talk about job related performance. Praising employees about the way they look or play softball adds little to their self-esteem at work. All contact between officers and their immediate supervisors should include some positive statement about work performance.

**Recommendation 2**

Listen and respond with empathy to employees.

Supervisors need to be good listeners. Attentive listening, letting people finish their thoughts, and going over what was said shows officers that they are valued by the organization. One part of communication is listening; the other part is responding with respect to an officer's thoughts and experience.

**Recommendation 3**

Ask employees' help in solving problems (seek ideas, suggestions, and information).

Another step to energize people is to acknowledge their abilities, skills, and motivation by asking for help in solving problems. This places a great deal of confidence and trust in the officer as well as making the officer feel valuable. Saying to an officer, "We have a problem, I would like your help," or to a group, "We have a big problem, I'd like everyone's help," energizes people and causes movement towards a goal.

**Recommendation 4**

Train supervisors in goal setting and communications skills to build self-esteem.

Intervening to improve performance means constant feedback to officers: providing a non-stifling work environment; rewarding enterprise; and praising effort, risk taking, responsibility, and a job well done. Officers deserve a performance system that is clearly delineated and removes



potential conflicts between them and their supervisors over evaluations. This can only be accomplished through clearly stated goals and expectations of how they will be judged, defining unsuccessful, successful, and exceptional performance. Many performance appraisal systems describe only that behavior which results in successful job performance and do not set specific standards for exceptional work.

**Recommendation 5**

Offer help to employees without taking control.

Supervisors who over-control or abandon control usually drain energy from officers. However, the use of situational control will provide a charge to energize. People respond negatively to controls when they are inappropriate for the situation. They don't resent controls that add value to the organization, customer, or employee. Supervisors will always have the responsibility to:

- Know what is going on.
- Set the direction for the unit.
- Make the decisions employees can't make.
- Ensure that people are on course.
- Offer guidance.
- Open doors to clear the way.
- Assess performance.
- Be a smart manager and good leader.

### **Conclusion**

After selecting the most likely candidates to succeed as law enforcement and corrections officers, individual behavioral performance problems still may surface. They must be immediately addressed. This is more likely if there is constant contact with some value between the supervisor and officer. Officers who have erred need coaching on how to succeed or improve their performance. The coaching steps include:

1. Explain and discuss the purpose and importance of what is being taught.
2. Explain process to be used.
3. Show how to do it.

4. Observe officers practicing the process.
5. Provide immediate and specific feedback (coach again or reinforce success).
6. Express confidence in the person's ability to be successful.
7. Agree on follow-up actions.
8. People learn faster from successes than failures.
9. Provide more information about the job.

Hurdles in performance and success of officers may involve defensiveness, anger, and mistrust. Officers need direction, knowledge, resources, and support. By far, the most influential person to charge an officer with work energy is the supervisor to whom the employee directly reports. This requires law enforcement and corrections supervisors to have skills required to improve their officers and work teams. For example, they should be able to build self-esteem after selecting those candidates who are least likely to have serious discipline problems. According to a 1988 survey, potential workers ranked their values in job opportunities as follows:

- |                                |                                   |
|--------------------------------|-----------------------------------|
| 1. Challenging Work            | 7. Job Security                   |
| 2. Personal Growth             | 8. Professional Recognition       |
| 3. Pleasant Working Conditions | 9. Opportunity for Advancement    |
| 4. Good Social Relations       | 10. Pay & Other Financial Rewards |
| 5. Job Authority               | 11. Prestige                      |
| 6. Service to Society          |                                   |

Incentives other than money may be just as important to new officers and they are the responsibility of the immediate supervisors. If supervisors have knowledge about the abilities, habits, and motivation of incoming officers and constantly take steps to build self-esteem, there will be higher performance levels and fewer discipline problems among law enforcement and corrections officers.

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**Leonard A. Davis**

A native of Volusia County, Major Davis has served the citizens of Volusia County since 1972. His entire law enforcement career has been with the Volusia County Sheriff's Office. Major Davis is a graduate of the 143rd session of the FBI National Academy.

Major Davis is commander of the Law Enforcement Services Division, which encompasses Uniformed Patrol, Investigative Services (organized crime, major case investigations, narcotics, regular investigations and career criminal), Special Services (aviation, ranch and river patrol, motors and the Special Response Team). Law Enforcement Services is the department's largest division.

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# The Future of Minority Law Enforcement Executives in the State of Florida

Major Leonard A. Davis  
Volusia County Sheriff's Office

*The advantages gained by blacks, females, and Hispanics in the 1970s were lost in the 1980s and 1990s in law enforcement in Florida. The number of minority law enforcement executives in the state has dwindled. In addition, although the number of minorities in all ranks of law enforcement is higher, the percentages are lower when compared to the population.*

*Statistical data obtained through research and surveys show that minorities are losing ground when it comes to achieving executive positions in law enforcement in the state. There is a clear and identifiable profile that distinguishes the typical minority law enforcement executive.*

*Not only are there obstacles to promoting minorities to executive levels, there are still serious difficulties in recruiting, hiring and retaining. Those obstacles include hostility from within agencies that remain dominated by white males and a sociological aversion to law enforcement by minorities.*

## Introduction

A black male between the ages of 18 and 25 and living in the State of Florida has a better chance of becoming a homicide victim than he has of becoming a deputy sheriff.

Even though the number of black law enforcement officers throughout the state is higher than in the past, the percentage of the total workforce is lower as the number of deputies increases.

In regard to gender, females comprise more than one-half of Florida's population and may not be considered a minority in the population, but white males continue to dominate the law enforcement workforce. Women, therefore, hold minority status in such traditionally male-dominated fields.

A survey of sheriff's departments in the State of Florida showed the plight of minority officers and executives in law enforcement. The purpose of the study is not to criticize or condemn any agency, but rather to bring to the fore the need to draw more minorities into law enforcement, to prepare them for promotion, and to promote them into the upper ranks. The future of minorities in executive positions in law enforcement is at stake.

### **Demographics: Minority versus Majority**

For the purpose of this study, the term minority will be used to include Blacks, Females, Hispanics, Native Americans, and Asians. Blacks, Hispanics, Native Americans and Asians are generally considered to be in the minority in the United States, while females make up the largest segment of the population of the state. However, females in law enforcement are definitely in the minority category and will be treated as such for the purpose of this study.

True southern state? Geographically, Florida is the southernmost U.S. state. Generally, however, Florida is not considered a true southern state.

Florida is second only to Nevada on the list of the 12 states where the majority of inhabitants are outsiders. In Florida, 69.5 percent of the residents came from some place else. By contrast, the other southern states average 29.3% of residents who migrated from other places.

|             |       |
|-------------|-------|
| VIRGINIA    | 45.8% |
| GEORGIA     | 35.5% |
| S. CAROLINA | 31.6% |
| TENNESSEE   | 30.8% |
| N. CAROLINA | 29.6% |
| ALABAMA     | 24.1% |
| MISSISSIPPI | 22.7% |
| KENTUCKY    | 22.6% |
| LOUISIANA   | 21.0% |

It is imperative that we realize that most residents are not native Floridians if we are to understand the problems we face when we discuss the future of minority law enforcement executives in the State.

We cannot blame the low number of minority law enforcement executives on the "deep South" attitudes of the past toward minorities, particularly blacks. Even if such bias still prevails in some parts of the deep South, such attitudes would have little bearing in Florida because it is not a typical Southern state. Instead, Florida is filled with transplanted Northerners.

According to the 1990 U.S. Census, the total population of the State of Florida is 12,937,930. More than 50%, or 6,676,207 are female. Less than 15%, or 1,759,534 are black. Less than 15%, or 1,574,145 are Hispanic. Less than 2%, or 154,302 are Asian.

When is the minority the majority? When discussing minorities there is an enigma. There are instances when the "minority" is the majority.

If you live in California or New Mexico, the minority is expected to be the majority before the year 2000. That's when non-whites should outnumber whites in those states according to projections drawn from the 1990 U.S. Census.

Closer to home, Gadsden County, located in Northwest Florida, has a population of 41,105. Of those, blacks outnumber whites 23,700 to 16,686. Gadsden is the only county in the state where blacks outnumber whites.

### **Barriers to Hiring Minorities**

Although females comprise more than one-half of Florida's population, white males continue to dominate the law enforcement workforce. In particular, white males continue to dominate the positions in law enforcement that are responsible for recruiting, hiring, retraining and promoting.

Although they may not consciously block the hiring of blacks, females, Hispanics, Native Americans or Asians, research shows that executives tend to hire, retain and promote individuals who have qualities similar to themselves:

- similar economic background
- similar culture
- similar ideology
- same gender.

Even though the chief administrator of an agency may espouse his desire to hire, retain, and promote minorities, the people in positions to have an impact on hiring, retaining, and promoting may not share his commitment.

Educational Requirements. We must be aware that the trend to apply higher educational standards might be based upon criteria that are at odds with the interests of members of minority groups. Higher standards, applied to entry-level positions, will further eliminate minorities. As some agencies around the state start to require a minimum of a two-year college degree, an already meager pool of minority candidates will become smaller.

Sociological Aversion to Law Enforcement. Why aren't more blacks and Hispanics pursuing careers in law enforcement? I interviewed minority law enforcement executives from around the state and approximately 100 college-age minorities during

the Black College Reunion in April 1990 in Daytona Beach, Florida. I found that the majority of blacks and Hispanics have a learned aversion to law enforcement officers.

In black and Hispanic neighborhoods, cooperating with the police is frowned upon. Black children are taught by their parents and their peers to avoid the police. As a child growing up in Ormond Beach, Florida, I was always warned if the police asked you a question:

You didn't see anything!

You didn't hear anything!

You don't know anything!

Of the 100 college students I interviewed at random during the Black College Reunion, not one was interested in a career in law enforcement. Granted, this was an unscientific survey and was not done under the best conditions, but their responses are a sad commentary on the image of the law enforcement profession.

My personal survey also showed that Hispanics bring with them to this country a hatred and fear of police authority. Oftentimes, atrocities perpetrated upon them both in their native country and in this country are passed on to their offspring, perpetuating bad feelings towards law enforcement.

The only answer to these barriers is education. Not only should we begin formally training more prospective minority recruits, but we need to start educating our young minorities in elementary schools that it is socially acceptable to become involved in law enforcement and that it is also socially acceptable to become a law enforcement officer.

### **The Study**

This study was prepared utilizing a two-part survey. Surveys were sent to every Florida agency that has the responsibility to deliver law enforcement services to the citizens in its jurisdiction. Because some agencies failed to return the surveys, the decision was made to limit the target group to the 67 sheriff's offices, one for each county throughout the state. One hundred percent of those surveys have been completed and tabulated.

The first part of the survey was done to gather data on the number and location of minority law enforcement officers and the number and location of minority law enforcement executives (Captain, Majors, Commanders, Chiefs and

Directors, etc).

The second part of the survey identified those minority executives, where they came from, and how they were able to progress through the system to achieve the positions they now occupy.

PART I of the survey form asked for the following information:

1. The number of full-time sworn/state certified law enforcement officers the agency employed.
2. The number of those full-time sworn officers who were in the following categories:
  - A. White Male
  - B. White Female
  - C. Black Male
  - D. Black Female
  - E. Hispanic Male
  - F. Hispanic Female
  - G. Native American
  - H. Other
3. Of those minorities, how many are in the position of captain and above? The ranks of captain and above were chosen because individuals in those positions have the ability to influence policy decisions within the various departments.

PART II of the survey targeted the minority law enforcement executives who were identified in Part I of the survey. Those executives were asked to list career highlights and promotional progression. They also were asked the following questions:

1. What problems did you encounter during your law enforcement career that could be attributed to your minority status.
2. Who or what influenced you to pursue a career in law enforcement?
3. What advice would you give current minority law enforcement officers and executive candidates?

Five case histories were selected as representative of the responses of the minority executives. One case history came from



each of the five regions of the state. Those five have been included to show how such minority executives started out, and then progressed through the system to ascertain if there is a formula for success that others may follow.

To facilitate comparisons, Florida's 67 counties were divided into five regions. The results of the survey were astounding:

1. The NORTHWEST Region includes Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton and Washington Counties. In this region, there are 1,056 deputies, including 164 minorities, with only one listed in an executive position.

2. The NORTHEAST Region includes Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Gilchrist, Hamilton, Lafayette, Levy, Madison, Nassau, Suwannee, Taylor, and Union Counties. Sheriff's offices in this region employ 1,529 deputies. Of that number, 440 are minorities and eight minorities are listed in the captain or above range.

3. The CENTRAL Region includes Brevard, Citrus, Flagler, Lake, Marion, Orange, Osceola, Putnam, Seminole, Sumter, St. Johns, and Volusia Counties. There are 2,792 deputies in the central region; 535 are minorities, with six listed at the rank of captain or above.

4. The SOUTH CENTRAL Region includes Charlotte, Desoto, Glades, Hardee, Hernando, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties. In sheriff's offices in the south central region there are 3,347 deputies. Of that number, 665 are minorities. Of those minorities, six are listed in the captain or above range.

5. The SOUTHERN Region includes Broward, Collier, Dade, Hendry, Indian River, Martin, Monroe, Okeechobee, Palm Beach and St. Lucie Counties. The ten counties in the southern region employ 4,861 deputies.<sup>1</sup> Of that number, 1,914 are minorities. Of those minorities, eight are listed at the rank of captain or above.

#### **Volusia County: An Example**

Volusia County, located in the Central Region, was separated as a typical example of the low number of minorities in law enforcement. Volusia has 17 agencies that are responsible for the delivery of law enforcement services to its 370,712 residents.

There are 925 full-time sworn law enforcement officers

employed by those 17 agencies. Of those 925 officers, 130 are minorities.

- Fifteen of the 17 have no Hispanics.
- Eleven of the 17 have no blacks.
- Five of the 17 have no females.
- Four of the 17 have no minorities.

There are four minorities rated at captain or above in those 17 agencies:

1. A BLACK MALE police chief with 65 sworn officers.
2. A WHITE FEMALE police chief with three sworn officers.
3. A COMMANDER whose agency has 213 officers.
4. A MAJOR whose agency has 318 officers.

The future of minority law enforcement executives in Volusia County may be in even more of a dilemma. It is evident that although there are four minorities in executive positions now, two of those four, as chiefs, can be dismissed at any time and the other two will be eligible to retire with full benefits in the next three to five years. The irony is that there are no immediate replacements on the horizon for these four should they leave law enforcement in the foreseeable future.

Of the four agencies with minority executives, only one has a minority lieutenant that could possibly be considered for elevation to an executive position given the current guidelines of the agencies. Two agencies have minorities at the rank of sergeant and the other two agencies have no ranking minorities.

I used Volusia County as an example because I am most familiar with the situation there, but agencies all over the state are in similar situations.

Minority executives such as those in Volusia County are facing a dilemma. They need to ask themselves:

*Do I leave my position when I am eligible for full retirement benefits, knowing that in all probability I will not be replaced by a minority?*

OR

*Do I set aside my personal agenda and occupy my current position until such time that I am reasonably sure that a suitable minority candidate is in the position to be considered as a replacement?*

## **Who is Florida's Minority Law Enforcement Executive?**

Though few in number, Florida's minority law enforcement executives share similar characteristics:

Black Male

45 to 55 years of age

Married

2 to 3 children (high school to college age and above)

20-plus years in law enforcement

College education or training at institutions such as the FBI National Academy or the Southern Police Institute.

Although white females outnumber black males in law enforcement, more black males hold executive positions. White females are gaining.

Florida is not alone in its seemingly inability to attract minorities to law enforcement. On the national level, the Federal Bureau of Investigation employs nearly 10,000 agents. Of that 10,000, only 5% are black. The FBI recently acknowledged disparities in the way black and white agents were treated and announced that more blacks would be promoted to supervisory positions.

The gains made by blacks in the 1960s and 1970s have been lost in the 1980s and early 1990s. Study the profile of the Minority Law Enforcement Executives: black male, 45-50 years of age, 20-plus years in law enforcement. These individuals were hired in the 1960s and 1970s, and although the number of blacks in law enforcement are higher in the 1990s, the percentages are lower because the total number of officers has increased during the same period.

The number and percentages for white females is climbing. The number and percentages for Hispanics and Asians are climbing. The number of Native Americans is negligible. The percentage of blacks is decreasing.

### **Case Histories**

Northwest Region. MAJOR JAMES MORGAN, Leon County Sheriff's Office (200 sworn officers). Major Morgan has 26 years in law enforcement, all with Leon County:

Hired as deputy, 1967

Promoted to sergeant, 1974

Promoted to lieutenant, 1977

Promoted to captain, 1982

Promoted to major, 1991

Major Morgan advises minorities to be willing to start at the bottom and work their way through the organization. He believes there are always problems, but officers must be willing to work to overcome obstacles. He was encouraged to pursue his career by a law enforcement officer.

Major Morgan is not sure what the future holds for minority law enforcement officers. "The number seems to be dwindling," he said.

Northeast Region. CAPTAIN DELLA SHEALY, Alachua County Sheriff's Office (198 sworn officers). Captain Shealy has more than 20 years as a sworn officer and another two years as a cadet for a total of 22 years with the Alachua County Sheriff's Office:

Hired as a deputy, 1973  
Promoted to sergeant, 1974  
Promoted to lieutenant, 1984  
Promoted to captain, 1987

Captain Shealy has the distinction of being the first female lieutenant and the first female captain of the Alachua County Sheriff's Office. She said she was not aware of any problems she had encountered during her career that could be attributed to her minority status.

She said she would give minorities the same advice she would give anyone interested in a career in law enforcement:

- 1) Be professional.
- 2) Be aggressive, but not pushy.
- 3) Improve your weak areas.
- 4) Get all the training you can to enhance career development.

There was nothing specific that led Captain Shealy to a career in law enforcement. "It was just something that happened."

Central Region. MAJOR LEONARD A. DAVIS, Volusia County Sheriff's Office (318 sworn officers). Major Davis has 22 years in law enforcement, all with Volusia County:

Hired as a deputy, 1972  
Promoted to sergeant, 1977  
Promoted to lieutenant, 1984  
Promoted to captain, 1989  
Promoted to major, 1993

Major Davis' advice to minorities in law enforcement or prospective candidates for positions in the field is "preparation." He gave these suggestions:

- 1) Prepare yourself mentally and physically for the long haul.
- 2) Education is the key to success.
- 3) Establish short-term and long-term goals and continually work towards those goals.

"I am not sure that any of the problems would be attributed solely to my minority status or to the usual competitiveness associated with promotions and specialized assignments," he said. "I decided to pursue a career in law enforcement because of my desire and the belief that I could make a difference. Now, more than 20 years later, I am confident that I have made a difference. Role models are very important."

Major Davis said the future of minority executives in the field depends largely on those currently serving in law enforcement. "If minorities are going to ascend to executive positions," he said, "it is incumbent upon those of us currently in those positions to hold the door open so that others may follow."

Southern Region. CAPTAIN ARTHUR OWENS, Palm Beach County Sheriff's Office (811 sworn officers). Captain Owens has more than 20 years in law enforcement in Palm Beach County:

Hired as a deputy, 1970  
Promoted to sergeant, 1980  
Promoted to lieutenant, 1983  
Promoted to captain, 1986

Captain Owens advises minorities not to depend on status as a minority to get hired or promoted. He says hard work and perseverance are the keys to successful law enforcement careers. He also advises prospective employees to make sure they really desire to be a law enforcement officer. "It is thankless and rewards are few," he said.

Captain Owens said he always wanted to be a law enforcement officer, nothing else was acceptable to him. He said he was influenced by a deputy with the Palm Beach County Sheriff's Office. His role model was the first black hired as a deputy in Palm Beach County.

South Central Region. CAPTAIN GEORGE MONTESINO, Lee County Sheriff's Office (325 sworn officers). Captain Montesino has been in law enforcement for more than 23 years, including

19 with Lee County:

Hired as a deputy, 1974  
Promoted to sergeant, 1980  
Promoted to lieutenant, 1983  
Promoted to captain, 1988

Captain Montesino had this advice for minorities seeking careers in law enforcement:

- 1) Don't expect to gain any advantage because of your minority status.
- 2) Expect to be treated fairly.
- 3) Hard work is your ally.

Captain Montesino does not attribute any work-related problems to his minority status but did mention that he had to face a stereotyped perception by his own peers during his early years in law enforcement.

Captain Montesino believes that minorities have an aversion to law enforcement largely due to such peer pressure. He said that he believes few minorities, particularly in Hispanic and black communities, are attracted to law enforcement because minorities traditionally live in high crime areas and the peer pressure and alienation of the residents of those neighborhoods is a deterrent to minorities.

Captain Montesino is the only ranking Hispanic officer in the Lee County Sheriff's Office.

### **Conclusion**

Traditionally, minorities are trapped in entry-level jobs. Although there may be no blatant discrimination, minorities tend not to get promoted at the same pace as their white male counterparts. Promotions into supervisory and policy-making positions are infrequent. The question at this point is how to get minorities hired, how to retain minorities, and how to get them promoted through the system to positions on the executive level that have been dominated by white males.

Hiring in most law enforcement agencies is done by personnel divisions within the department. The people in positions in those divisions to influence hiring are predominately white males. Because the hiring process, including testing and physical examinations, can take several months, a good number of minority candidates pursue other options in the job market.

Retaining minorities is another problem in law

enforcement. The training process in most agencies is supervised by white males. Before we can get minorities into executive positions, we have to retain them through the training process and prepare them for promotion. Such a retention method is based upon observations and recommendations by training officers who are predominately white males.

Promotions are the next hurdle minorities have to clear in their quest to become law enforcement executives. In the average sheriff's office in Florida, a 3- to 5-year period of service is required before a sworn employee is eligible to participate in his first promotional examination. Future participation in exams for higher level promotion is based on more stringent education requirements and time in grade.

Consider this scenario: If a minority candidate for an entry-level law enforcement position is hired today, that candidate would have to invest approximately 15 to 20 years in his career to get to an executive level position, if, and only if, the candidate is promoted at each initial opportunity. A foot in the door doesn't always guarantee a step up.

A large percentage of minorities languish in entry-level positions their entire law enforcement careers, and the forecast for any change is bleak. Although some progress is being made by white females, the percentage of other minorities in executive positions is dwindling.

Without mentoring programs and organized support groups, minorities seeking promotions to executive positions will continue to fight for equal status. Minority executives in law enforcement have a moral obligation to mentor promising young minority officers. Once in a position to influence hiring, retaining, and promotions, the minority executive has an obligation to hold the door open for other minorities to walk through. If they don't, who will?

### **Suggestions for Success for Minorities in Law Enforcement**

- 1) Be prepared to take advantage of opportunities when they occur. Education and career development training are the keys to successful careers in law enforcement.
- 2) Be prepared to make sacrifices. Pursue career enhancement opportunities vigorously. Many careers have been sidetracked because recreational activities interfered with career development.
- 3) Do not expect to gain any advantages based on your

minority status. Expect and demand to be treated equally. Race, gender or ethnicity are not excuses to settle for mediocrity.

- 4) Do not allow negative influences to burden you with negativity. Associate with individuals who are positive, optimistic and enthusiastic about their work.
- 5) Give 100% at all times. Put forth your best effort even when the return on the investment is less than the energy expended. Service is the key to success.
- 6) Endeavor to persevere. Don't ever give up or sell yourself short. Remember the cliché: "When the going gets tough, the tough get going."

#### **Endnotes**

1. Broward County was not included in the 4,861 number because there were discrepancies in the figures the Sheriff's Office provided. However, the county is included in the number of minorities listed at the rank of captain or above.





**Alma R. Cornish**

Alma Cornish has been a corrections officer since 1977, and is a Captain with the Escambia County Department of Corrections. Prior to her work in corrections, Alma had a career as a licensed practical nurse. She holds two associate's degrees from Pensacola Junior College, where she now teaches part-time as an adjunct instructor in the law enforcement department. During 1993, Alma received a bachelor's degree from Troy State University; she is now studying for a master's degree. Alma also is a graduate of the National Academy of Corrections.

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# The Impact of the "Glass Ceiling" on Women Employed in Florida Jails

Captain Alma R. Cornish  
Escambia County Corrections

*Gender inequity in the workplace is deeply ingrained, fueled by social orientation and societal expectations. Despite some progress, women still face major obstacles in such male-dominated areas as law enforcement and corrections and find it difficult to break into the ranks of management. This paper, in a review of related literature, found that women are denied training, lack agency-sponsored opportunities for networking and get stopped by traditional organizational behavior. Surveys show that more than half of the professional and support staff in jails are women, which means women hold the majority of nursing, counseling and secretarial positions. But women comprise just 22 percent of the total number of corrections officers and about 11.5 percent of senior managers, such as directors, captains and lieutenants. Even in the lower rank of first-line supervisor, women hold just 17 percent of the posts compared to men with 84 percent. Yet, by the year 2000, demographic studies show women will comprise 52 percent of the total population. They already are the majority in Florida. Thus, it is necessary, not from a feminist viewpoint but from a human resource perspective, to develop more women to take executive positions in the area of corrections. It is essential that the nation's jails not only make women officers welcome but nurture them and prepare them for leadership roles. The workplace must change organizational cultures that present subtle and not-so-subtle barriers to women managers.*

## Introduction

"Nature intended women to be our slaves. They are our property. What a mad idea to demand equality for women."

Napoleon

The Emperor Napoleon Bonaparte, well known for his triumphs and defeats, did not always make rational decisions as was evident by the tragedy at Waterloo. Perhaps he also wasn't being rational when he made his statement about women more than a century ago, but such a perception of women seems to have endured through years of stereotypical role definition, socialization and misunderstanding. Such thinking has created many social, political and emotional barriers for today's working woman.

This paper will address: (1) the history of women in the workplace, (2) the social, political and emotional barriers they

encounter, (3) the status of women working in jails, (4) the final frontier: pushing through the glass ceilings, and (5) the American workplace in the year 2000, beyond gender.

The American workplace has never provided an equal playing field for males and females in the private or public sectors. Constitutional guarantees to correct inequities have been in effect for two decades, but gender discrimination continues to build invisible barriers that severely limit the playing field for women. The rules of the game were written by men for men.

In the United States, the first crack in the impenetrable male fortress was achieved through a series of government guidelines. Since the early 1970s, a succession of judicial decisions established equal employment for women as a legitimate, enforceable premise. Now that the barriers used to exclude women from the workplace have been breached, women are pouring into the fray (Harragan 1972).

A large number of women have moved into the traditionally male-dominated area of Law Enforcement/ Corrections. Even stereotypical role definitions have not altered or diminished their desire to excel and direct the agencies. They are among the multitudes of women wrestling with the question of self-definition and seeking changes that will give them greater justice, dignity and power. Everyone who truly believes in "Justice for All" will embrace their plight.

### **Historical Perspective**

During the Depression, discrimination against women in the workplace intensified. Most government relief and recovery programs were designed for men. The growth of the labor union movement in the 1930s closed out even more women. The Depression forced postponement of marriage and contributed to a declining birth rate. The consensus hardened around the position that married women should not work outside the home.

The majority of adult women experienced the depression as wives rather than paid workers. More than 90% of all women married, and only 15% of married women were in the labor force. Women were economically dependent upon men in the family unit. They had limited opportunities to influence policies and decisions in the public realm. Their domestic responsibilities and systematic discrimination outside the home sharply limited women's participation in the public sphere.

The critical events of the 1940s reshaped women's lives in as many ways as they did those of men. Women had unprecedented opportunities for employment, making

integration of the labor market a reality by performing or trying to perform almost any task in defense work that men could perform (Gorgon 1970).

The post-war period brought a sharp reduction in employment prospects for women. As Johnny came marching home, back to the labor force, Rosie the Riveter marched home to be a wife and mother, even if she did so protesting all the way. Political, economic and social forces wouldn't let her stay in the workforce (Gerber 1998).

During this period, few women publicly admitted to considering Law Enforcement/Corrections as a career. Those women who dared to enter the field were assigned to housekeeping and secretarial duties or became matrons and caretakers for juveniles.

The 1960s was a decade of political confrontation over values and institutions and of protest and preoccupation with injustice, prejudice and presumption. After almost 40 years of political quiescence and anonymity, women found voice and cause (Johansen 1984).

Female pioneers struggled for women's rights:

- In 1960, the National Commission for Women was formed solely to address women's issues,
- In 1964, the women's rights act was passed, and
- In 1966, NOW was formed to fight sex discrimination.

These efforts were instrumental in providing a platform to champion gender equality.

In one decade from 1970 to 1980, a few occupations became female dominated. In 1980, women comprised 60% of insurance adjusters and examiners and 59% of computer operators. In other fields the number of women steadily increased. In 1985, the Bureau of Labor Statistics calculated that women made up 36% of executive, administrative and managerial workers, 44% of accountants and auditors, 36% of financial managers, 48% of underwriters, and 44% of public relations specialists (Trost 1986).

In Law Enforcement/Corrections, many states, including Florida, separated Law Enforcement officers from Jail/Correction officers. This created employment advantages in local jails and prisons. In the decade from 1980 through 1990, women started making greater strides into every level of employment.

## **Social, Political and Emotional Barriers**

The glass ceiling isn't glass -- it's a thick layer of men doing things their way. Those "things" define gender imbalance in the workplace (Jardim and Henning 1990).

A 1992 study by Dr. Marg E. Guy of the University of Alabama in Birmingham revealed: 1) women in state and local government in Alabama got fewer jobs than men, 2) when the same number of men and women were hired for government jobs, women had a more difficult time progressing, and 3) although women have federal legal protection, the unequal practices continue.

Five professors from Arizona, California, Texas, Utah and Wisconsin helped Guy expand the study to determine if there were regional differences in how women are treated, but the results were the same in every state. The six researchers surveyed 1,289 state and local workers over two years and found:

1. On the national level in the past decade, men have been paid increasingly more than women. Men on the average earned \$3,475 more a year than women in 1980 and \$5,439 more a year in 1990.
2. Part-time jobs go more to women. In 1980, 20% more women than men worked part-time. In 1990, women held 10.6% of part-time government jobs.
3. Women in the upper echelon of government jobs were better educated than their male coworkers but held less prestigious positions.

In the 1993 United Nations Human Development report, recently published by the Associated Press, researchers gathering information about the world's status of women said they have not found one country that treats women as well as men. Based on a statistical study of 33 countries throughout the world, women are the neglected majority. Despite a spreading struggle among women for equality that includes changes in national laws to decrease gender bias, no country treated its women as well as it treats its men.

The United States ranked in the lowest percentile, dropping from sixth to ninth place because of the treatment of women. Discrimination against women in industrial countries is most important in employment and wages, with women usually earning less salary than men.

The same issues were cited two decades ago in the 1972 report of the Florida Commission on the Status of Women. The commission identified two particular women's issues that

Florida needs to address: gender balance and pay equity.

Pay Inequity. There is increasing evidence that women's occupations are dominated by sex-segregated characteristics and wage differentials despite the Equal Pay Act of 1963 and Title VII of the Civil Rights Act of 1964. Proponents see working women increasingly caught in a spiral of image and status deflation, holding responsible jobs for less pay because they cannot obtain equal but higher paying positions (Johansen 1984).

Overall, women's average wages are about 60% of men's for full-time jobs. A recent National Academy of Science Reports found that as much as 40% of the earning gap is caused by segregation of women and men into different occupations. However, economists say the newest U.S. Census numbers show a narrowing of the income gap for the first time in three decades.

Some people insist there are several legitimate reasons for women's lower wages:

1. Women's own choice of, or investment in, education and training.
2. Their decision to select jobs that allow them to enter and leave the labor market easily to complement roles as wives and mothers.
3. Women are not part of a competitive labor market; they lack marketable skills and concentrate on a narrow band of low-pay occupations labeled "women's work."

Other commentators assert that women always have worked, but have been segregated by gender into menial or low status occupations, and have been turned into victims of pervasive, systematic, institutionalized discrimination in employment.

In the 1992 edition of The Economics of Women, Men, and Work, economist Francine Blau and Marianne Feber took a close look at the new human-capital theory (that women have been paid less because they've been less educated, less experienced and less committed). Their findings: less than 50 percent of the pay gap can be readily explained by differences in schooling and experience. Instead, says Blau, "the evidence suggests that discrimination may explain half or more of the pay difference between men and women" (Working Woman, April 1993).

In Florida; Judge A. Plunkett reported in The Miami Herald that women's salaries across the state increased from

62 cents for every dollar men made in 1980 to 70 cents in 1992, compared to the nationwide increase from 60 cents to 68 cents. That represents significant progress.

According to Blau, women had been stuck-at about 60 cents on the dollar since 1960, the year the census began reporting women's salaries. "In the last 10 years, we've seen a burst of real change, and its continuing into the '90s," she said.

Metropolitan areas within Florida show vast differences in pay for men and women. In Dade County, women earned 76 cents for every dollar men made; compared to 70 cents in Broward and 68 cents in Palm Beach County. Miami is larger than its northern neighbors and has more low-paying service jobs, which would bring its average salary down for both genders.

The evidence of continuing discrimination isn't just anecdotal. Research shows that the wage gap for nearly all women was actually narrower in 1955 than it was in 1984. In 1955, women were earning, on an average, 63.9 cents for every dollar a man made; in 1984, they earned 63.7 cents. If you compare white women with white men, women didn't come close to their 1955 position until 1987.

How Female Managers Are Perceived By Other Women. In a poll by Working Woman magazine in February 1993, with 2,250 readers participating, the most significant findings showed not only how far women have come but how the experience, performance and finally the sheer numbers of women bosses are shattering many of the stereotypes.

Even before there were career women, there were negative images of women with power. They were dragon ladies, iron maidens, temptresses; evil manipulators who schemed and connived their way to the top. In the 1970s when women began entering management in significant numbers, it wasn't surprising that many women consistently said in surveys that they would rather work for a man.

A decade later, as management experts discovered the "female management style," a more flattering picture of women bosses emerged: they were kinder, gentler, more flexible and less ego invested. A majority of those surveyed by Working Woman in 1993 said they did not prefer male bosses. In fact, 61% said a supervisor's gender made no difference. Eighty-five percent of the readers surveyed have had women bosses, and the experience has made about one-third of them more negative. The most common gripes among women who had at least one female supervisor were that women are tougher on female employees (34%) and they are picky (38%). Those who disparaged women bosses most were at the bottom of the pay, job and education scales. Perhaps some women, consciously or

unconsciously, associate men with power and professionalism.

Though the Working Woman survey revealed that attitudes toward female bosses are changing, another finding showed clearly that, fair or not, there are higher expectations of women managers. Living with that double standard, even for women who fully agree with it, can be complicated.

#### The Attitude Toward Women in Law Enforcement/Corrections.

Prior research has shown that the attitudes of police and civilians toward women in Law Enforcement/Corrections include the following:

- distrust and hostility
- they intrude into an all-male domain
- they're unable to physically perform necessary tasks
- they're inferior to males
- they're too emotional, irrational, illogical and lacking in objectivity to deal with the day-to-day problems of the profession (Lichtman 1981).

Such stereotyping comes from a deeply ingrained view of life, often with little relation to reality. Thus, when a woman succeeds in Law Enforcement/Corrections, she still has little chance of gaining recognition of her professional competence. She may be regarded by her coworkers as bitchy, castrating or lesbian (Janus, Janus, Lord, Power 1990).

In the past, as a condition for employment, activities requiring brute strength were part of the entrance exam. The ploy eliminated most females. Case studies and pending legislation have been instrumental in removing such barriers, making intellect, skill and physical fitness the qualities sought in candidates for Law Enforcement/Corrections.

But trying to rise in the ranks and bumping into the glass ceiling could be excruciatingly painful, especially for women who were early pioneers in local jails. Women who evolved from matrons into highly educated, well-trained professionals were often viewed as threats by the male ego. When attending conferences, training and professional meetings, such women were usually ignored or patronized. Their input, if solicited, wasn't seriously considered.

Today's major policy changes are still being decided mostly by men, regardless of the woman's title or position. Some women who are just beginning their management careers, or who have climbed quickly through the ranks, believe that changing times eventually will shatter the glass ceiling.

Table.A  
**Number and Percent of Jail Employees  
 by Gender and Rank**

|    | RANK   | MALE            | FEMALE         |
|----|--|-----------------|----------------|
| 1. | Chief Administrators<br>(Jail Directors/Workers) | 90%<br>(211)    | 10%<br>(24)    |
| 2. | Mid Level Managers<br>(Captains/Lieutenants)     | 87%<br>(1,040)  | 13%<br>(153)   |
| 3. | First Line Supervisors<br>(Sergeants)            | 84%<br>(2,290)  | 17%<br>(450)   |
| 4. | Correction Officers<br>(Deputies)                | 79%<br>(19,457) | 22%<br>(5,335) |
| 5. | Professional Staff<br>(Counselors/Nurses)        | 41%<br>(1,250)  | 59%<br>(1,793) |
| 6. | Support Staff<br>(Secretaries/Cooks, Janitors)   | 40%<br>(1,997)  | 60%<br>(3,043) |

## Status of Women in Local Jails

In a survey designed to provide a more comprehensive picture of the women employed in jails, data was collected from counties with a population of 250,000 or more (Zupan 1991). Prior to this study, substantive data on female jail workers were practically non-existent. Fortunately, the Bureau of Justice collected and published a census of local jails in 1988. This report contained the first data on the number of women employed in jails. These statistics, and others to follow, will be invaluable in monitoring and forecasting the changing

role of women employed in the nation's jails.

Of 143 jails or jail systems sent surveys, 75% returned completed and usable data.

Table A lists the number and percent of males and females by rank. Women comprise more than half of the professional and support staff in the jails that responded to the survey. This fact is not surprising, given that women comprise a large majority of workers in nursing, counseling and secretarial occupations outside the jail cells.

In the traditionally male positions involving security, the percent of women is much smaller. Women constitute 22% of the total corrections officer force. The percent of women corrections officers in the jail is higher than the percent of women in other uniformed criminal justice occupations.

The proportion of women corrections officers in individual jails and jail systems varies considerably. In one jail system in Georgia, a full 42% of the correction officer force is female. In 14 (13%) of the jails, women comprise more than 30% of the officer force. Interestingly, many of these facilities are located in the southeast region of the country. On the other end of the spectrum, one jail employs no female officers. In eight jails, women comprise less than 10% of the total force of corrections officers.

The number of female inmates housed in a jail appears to have only a weak influence on the number of women officers employed at a jail. There are a number of anomalies. For example, one jail that houses no female inmates has women making up 38% of its corrections officers.



Table A also demonstrates that the percentage of women in uniformed positions decreases with rank. In the sampled jails, 17% of the first line supervisors, 13% of mid-level managers, and 10% of top administrators are females. In 22 (21%) jails, there are no first-line supervisors. There are no female administrators in the top ranks in 41% of the jails (Zupan 1991).

In the field of corrections, women are frequently confronted by special problems: sex discrimination, double standards, lack of confidence from male coworkers to respond and react appropriately to danger, perceived lack of femininity, accused of taking jobs away from males and being hired because of gender to meet quotas, and accused of inappropriate sexual behavior with male inmates and male officers.

The female corrections officer must constantly prove she is not only a matron, a term generally applied to women having care and supervision of women and juveniles. Other females in law enforcement sometimes believe themselves smarter and better trained than the female corrections officer.

Changes in the Jail Workplace. Despite the intense interest in the employment of women in the criminal justice system, the status of women employed in local jails has been all but ignored. Women workers in jails are neither a recent nor novel innovation, contrary to their history in police and prison organizations. Women have worked in jails, often performing custodial duties, from as far back as the 1800s. (Gerber, 1988; Zupan, 1991).

There is evidence to suggest that employment and promotional opportunities for women in the nation's jails are slowly expanding. Women corrections officers employed by the New York City Department of Corrections, for example, were only assigned to work at the women's house of detention and the jail ward of Elmhurst Hospital prior to 1980. They were prohibited from working in the city's male-only facilities. The restrictions in assignment severely limited the number of entry-level and promotional possibilities for women.

In 1981, the department instituted a policy that allows female correction officers to work in all positions, even in the jails that house only male inmates. The only restrictions instituted keep women out of areas where male inmates shower and where they are strip-searched. The policy change came as a result of a court decision requiring the New York State Department of Correctional Services to deploy females in male prisons.

Following the ruling, the percentage of women in uniformed positions in the New York City Department of Corrections increased from 10% of the total officer force to

**Table B**  
**Number and Percent of Employees**  
**by Gender and Race in Selective Florida Jails**

| COUNTY       |        | OVERALL | SENIOR MANAGEMENT |
|--------------|--------|---------|-------------------|
| Orange       | Male   | 75%     | 74%               |
|              | Female | 25%     | 26%               |
| Escambia     | Male   | 70%     | 85%               |
|              | Female | 30%     | 15%               |
| Leon         | Male   | 73%     | 90%               |
|              | Female | 27%     | 10%               |
| Hillsborough | Male   | 73%     | 75%               |
|              | Female | 28%     | 25%               |
| Alachua      | Male   | 80%     | 93%               |
|              | Female | 20%     | 7%                |
| Pasco        | Male   | 80%     | 90%               |
|              | Female | 20%     | 10%               |

almost 25%. By 1989, the percentage of uniformed women employees in corrections exceeded all other uniformed New York City departments. Women comprised only 11.8% of the New York City Police Department's uniformed officers, 9% of the transit police, and 1% of the fire department's officers.

The change in the New York City policy also affected the number of women hired by the department. Between October 1987 and October 1988, 417 women and 898 men were hired, about one woman for every two males. Although New York City is

certainly one of the largest jail systems in the country to revise employment policies regarding female correction officers, it is not the only jurisdiction to do so.

Recent surveys show that a majority of male officers believe women made special contributions, increased the livability of the facility and increased their own enjoyment of the job. Likewise, a majority of inmates think that the presence of the women officers increased the livability of the institution.

### **The Final Frontier**

According to statistics compiled by the Florida Department of Law Enforcement, there are 12,000 women employed in Florida's jails, prisons and police departments. Many have progressed rapidly to middle management, but less than one-tenth of one percent has succeeded in breaking through the last frontier of management. Repeated studies have shown that women in this profession equal or surpass their male counterparts in job performance (Balkin, 1988; Kipnis, 1992).

In the state of Florida, as well as most states in America, the biggest obstacles women face are also the most intangible. Men at the top in Corrections/Law Enforcement tend to feel uncomfortable with women beside them (Zupan, 1991).

A caste system exists in the jails with men at the top and women lower down. Women who seem very close to the top concede that they don't have a shot at sitting in the chief executive chair. The caste system is difficult and slow to crack.

Most females hit a barrier at the middle-management level. It often happens when a woman approaches a key management position where she will affect departmental

policy. Up to a certain point, brains and competence are enough, but "fitting in" becomes more important as women reach toward the CEO level.

Often, people who have achieved the highest ranks want to know that their achievements -- the work they have done and the reputation they have built -- will remain intact. They want their successor to be almost an extension of themselves, someone they have bonded with through the years. For most men, this has meant another man, and for many it always will. Their traditions are rooted in hierarchical organizations, in rituals and dominance and masculine competition, in status and differentiation and the rewards of both. And their fears? Their worst fear may be that women will make them look ridiculous (Jardim & Henning, 1990).

There are male executives capable of making the psychic transition to female successors. These executives often seem to be men with daughters or men known to be unconventional in their actions and choices.

In spite of what some researchers term extraordinary progress, female managers frequently find themselves pressing up against a glass ceiling. They also find themselves on display under the glass. Often the lone woman at the top level, the management woman worries not just about job performance but about political views and even the jokes she tells or laughs at on the job (Gerber, 1988) (Wickhan, 1993).

Behind every senior woman manager is a man who thinks she got the job only because she's a woman. As men find themselves competing with more women and minorities for choice management jobs -- and sometimes losing to them -- backlash is inevitable. Most men have grown up in an environment which described the competition as being other white males. Losing a promotion to a woman or a minority can be a bigger blow than losing out to another man. Some male managers haven't accepted that a woman might be better qualified; as a result, the man blames his failure to succeed on the affirmative action program.

Truly significant numbers of women will not reach the very senior levels of American business until the end of the 1990s, if then. This is because the men currently in charge will have to retire, take their traditions and fears to the sidelines with them as they go, and be replaced by others who have had quiet different sets of experience.

The ability to acknowledge the value in the way women manage can make the difference in whether or not women are able to make the leap into the male territory -- the top level of senior management. Women entering the realm of chief executive must be strong and accept their roles as pathfinders and all the challenges that attach to that role.

Women Managers in Florida Jails. Out of 67 county jails in the state of Florida, only three are managed by females. The Florida Department of Law Enforcement Executive and Leadership Development programs, whose vision and purpose is to prepare criminal justice executives for the future, has graduated three females out of a total of 60 participants as of 1992. A very low number of females ever have been recommended to attend by mostly male chief executive officers.

Women in jail management must be empowered through training, mentoring programs and other education to be equipped to enter the final frontier. Some think it's just a matter of time before enough qualified women are lined up to take over top positions. Others argue that sexism, pure and simple, is to blame. If there is a shortage of experienced women, they say, it's because so many women have left the organizations after realizing important positions were reserved for men.

Nationally, 50,000 women represent nine percent of the country's Law Enforcement officers. According to statistics from the Florida Department of Law Enforcement, there are more than 12,000 females employed in the state in Law Enforcement/Corrections. Less than two percent have transcended the last frontier into the executive realm.

### **Year 2000, Beyond Gender: A Conclusion**

Gender inequity in the American work place is deeply ingrained, fueled by social orientation and societal expectations. Gender stereotype traits are typically assigned to men and women, with the male as the leader. This inequity mirrors the status of female workers in American jails.

If America is to successfully compete in the global economy in the year 2000 and beyond, it must utilize all of its resources. Our country cannot continue to jeopardize its strength by persisting in its present posture of gender discrimination. Unless we begin training larger numbers of women to be able to compete successfully with men, equality cannot be obtained.

Women must remain optimistic. They must continue to use their special skills, talent and expertise to ultimately prove to anyone that women can achieve and survive in the executive realm. The thaw has begun, but meltdown will be painfully slow and mentally taxing. Women are cracking the glass ceiling, but with relatively few exceptions, they pale in number and influence compared with the majority of those who manage and make decisions: older white males.

To reach top positions around the year 2000, women in

their late 30s and 40s must begin now to think like the CEOs they never planned or dreamed they could be. Regina Henzlinger points out that it takes 35 years of business experience to sit in the CEO chair (Naisbitt & Aburdene, 1990).

For women to successfully compete, they must be trained. In Law Enforcement/Corrections, an organization that has been among the last to accept women as equal to men, women officers must not only be welcomed but nurtured and prepared for leadership roles. The workplace must change organizational cultures that present subtle and not-so-subtle barriers to women managers.

Such change is essential, not from a feminist viewpoint but from a human resource perspective. Intense recruiting and a growing labor shortage means women will take two thirds of the new jobs created in the 1990s (Naisbitt & Aburdene, 1990). How prepared they will be depends on how managers train them to compete in an environment that favors men.

There is no logic in discrimination and legal precedents have produced minuscule progress. Resolution must be sought through raised consciousness and activism. Women must assume an activist role, at the risk of being labeled militant, to enlighten an otherwise dimly lit world about their contributions, worth and constitutional rights to be treated equally by all elements of society.

Naisbitt and Aburdene in Megatrends 2000 say that in the first decades of the third millennium we and our children will look back at the last half of the 20th Century and remark on how quaint were the days when women were excluded from the top echelons of business, political and organizational leadership, much as we today recall when women could not vote. "How naive were the men and women of the 1980s and early 1990s," we will say, "those people who believed in something called a 'glass ceiling' and thought it would forever exclude women from the top."

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**George V. Robinson**

In 1971, after serving in the United State Marine Corps as a First Lieutenant, George joined the Miramar, Florida, Police Department. While there, he attained the rank of sergeant, and commanded the detective bureau.

Captain Robinson joined the Ocala Police Department in 1981 and was promoted to captain in September of 1991. He previously served as a patrol sergeant and as a sergeant with the Ocala/Marion County Narcotics and Vice Task Force.

George received a Bachelor of Science degree in criminal justice from Florida International University and was a member of the Second Class of the Senior Leadership Program. He teaches several topics in the recruit training academy, instructs in narcotics identification and investigation courses, and teaches Interpersonal Skills I in the associate's degree program at Central Florida Community College.

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# Sexual Harassment in Florida Law Enforcement: Panacea or Pandora's Box?

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*The major purpose of this project was to determine the existence and/or extent of sexual harassment in Florida law enforcement agencies. A survey was sent to each of the 3,790 female police officers listed by the Florida Criminal Justice Standards and Training Commission as actively employed by a Florida law enforcement agency as of February 18, 1993. The survey found that sexual harassment is a common experience among women in law enforcement. The results parallel studies in both the public and private sectors. In addition, this study found a widespread perception that enduring sexual harassment is a price females must pay if they desire careers in law enforcement. Other issues identified include the lack of understanding of the subject by Florida law enforcement professionals and the adverse effect of sexual harassment on the work environment. The study calls for law enforcement agencies to take action to eliminate sexual harassment and promote a more positive work environment.*

## Introduction

Historically, the relatively few years between 1985 and today have had a dramatic impact on the relationships between men and women in the workplace. Changes in the relationships have been forced by the record number of women leaving the confines of the home and entering the workforce. In 1985, just eight years ago, women comprised 44% of the American workforce. Between 1985 and the millennium, 65% of all new entrants to the workforce will be women (Johnston and Packer, 1987). By the turn of the century, it is anticipated that women will replace men as the majority of the American workforce with 85.7% of all working-age women holding jobs outside the home. (Jamison and O'Mara, 1991). With such an influx, it is only natural that positions once thought to be "men's jobs" are actively sought and accepted by women. There is no evidence to indicate any reversal of this trend. The dynamics of these new working relationships have, in many cases, created chaotic situations.

Some actions that were once common in the male-dominated work place are now considered offensive to a growing portion of the workforce. Off-color jokes, language, and activities that were once acceptable, or at least accepted, can be



cause for legal suits.

American public opinion on such actions seemed to crystalize with the 1991 Senate confirmation hearings on the Supreme Court nomination of Clarence Thomas. During the hearings, the public came face-to-face with the type of activity that could be considered sexual harassment. The public chose sides based on whether they believed Clarence Thomas or Anita Hill. Even when unable to decide definitively wherein lay the truth, most agreed that the alleged behaviors were totally unacceptable in the workplace. The Senate chose to believe Thomas' denials but, for the first time, America had a public definition of what could constitute sexual harassment.

Still reeling from the Thomas-Hill controversy, America was again shocked by the Navy "Tailhook" convention scandal. Reports surfaced that the behavior of many of the Naval and Marine aviators, officers and other men at the September 1991 convention was being investigated. Allegations of sexual harassment were being levied by some of the female aviators. Could it be possible that those charged with the responsibility of protecting and defending America, its people, and its Constitution had behaved in a reprehensible manner? Or was this just a case of "boys will be boys?"

As the Navy continued to sort through the charges and allegations, the Secretary of the Navy was replaced and several admirals were retired or reassigned for failure to attach proper significance to the complaints and the subsequent investigation. The probe put other high-level careers in jeopardy and prompted the military to review its policies on sexual harassment.

Since law enforcement agencies are often termed "para-military" organizations, the Tailhook investigation prompted law enforcement officials to question the existence of sexual harassment in their agencies. After all, as in the military, the female role in law enforcement has expanded rapidly only in recent years. Although the first record of a female full-time sworn police officer in the United States dates back to 1910 (Schrader, 1990), it was not until the 1960s that women began entering the ranks of sworn police officers in significant numbers. In fact, it was only 25 years ago that the Indianapolis Police Department became the first agency in this country to assign a woman officer to full-time patrol duty (McDowell, 1992).

The latest statistics show women hold between 8% and 13% of the sworn police positions in the United States (McDowell, 1991). Figures published in 1993 by the Federal Bureau of Investigation show that women comprise 9.1% of the 544,309 police positions. There are, therefore, approximately 49,530 female police officers in this country (Department of

Justice, 1993). One-thirteenth, or 7.65% of them, are certified in Florida.

On September 23, 1993, a broadcast by the syndicated television program, *A Current Affair*, reported allegations of sexual harassment in several police departments in Orange County, California. The program showed video tape of the "delivery" of a hired "strip-o-gram" at the Orange County Law Enforcement training facility. The facility staff and coordinator were present. The video showed an assembled formation of trainees watching a scantily clad stripper as she dressed in a doorway at the completion of her appearance. Some people alleged a relationship between the acceptance of such activities and what they claimed was a high incidence of sexual harassment in area police agencies. According to the broadcast, the chief and a captain of one of those agencies were terminated earlier in 1993 when several female employees filed sexual harassment complaints.

### **Sexual Harassment Defined**

Before any problem can be accurately assessed, the problem first must be defined. But defining sexual harassment is not an easy task. The term is ambiguous, at best. One of the great debates of our time will be the answer to the question: "What is sexual harassment?" In fact, there are almost as many definitions of what constitutes sexual harassment as there are authors who have written on the topic. In many instances, sexual harassment is mistakenly considered an issue of sex, just as rape or sexual battery often are incorrectly identified as a crime motivated by sex. The real motivation in both is power, not sex or gender. That power may be real or perceived (Harrison, 1993). Sexual harassment is an abuse of power. Under Title VII of the 1964 Civil Rights Act, it is a form of discrimination based on gender -- a form of sexual discrimination.

In simple terms, the two broad classifications of sexual harassment are "quid pro quo," and "hostile environment." The quid pro quo case is, in essence, the proverbial casting couch scenario. The hostile environment theory is that the conditions in the workplace make the worker feel cheapened, demeaned, or uncomfortable. Factors that contribute to the creation of a hostile work environment include:

- Unwanted touching or hugging
- Persistently asking for dates
- Pin-up photographs
- Sexually oriented jokes or comments

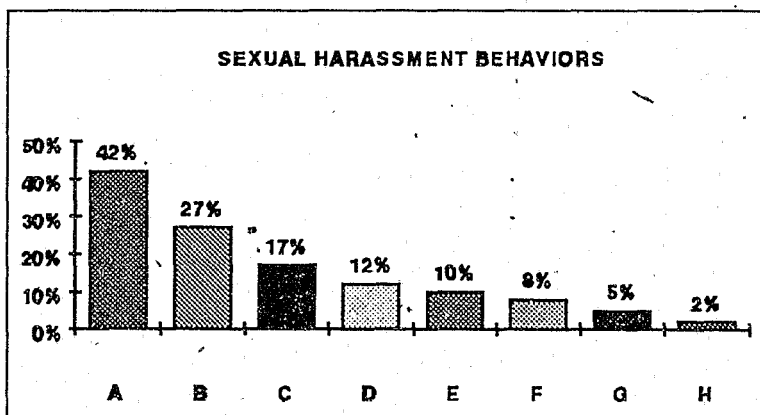
- Whistles or cat calls
- Asking personal or intimate questions
- Bosses' personal relationships with workers (Harrison, 1993).

The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as: "Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment." (Friedman, Boumil, & Taylor, 1992).

The operative word in the EEOC guidelines is "unwanted." Many males in the workplace have been heard to say that they are afraid to compliment any female co-worker for fear of being accused of sexual harassment. There is no provision in the EEOC doctrine designed to prohibit common courtesy or the offering of genuine compliments.

Some commonly reported examples of sexual harassment are: (A) inappropriate or offensive gender comments; (B) sexual comments; (C) looks or gestures; (D) touching or cornering; (E) continued pressure for dates; (F) unwanted/unsolicited letters or phone calls; (G) pressure for sexual favors; (H) sexual assault. The frequencies of the reports of these behaviors are depicted in Figure 1. The total number of reported incidents exceeds the normally expected 100 percent because some of the victims reported multiple behaviors.



One of the first cases deliberated during the 1993-94 session of the United States Supreme Court concerned the issue of sexual harassment. The case involved a female factory employee who reported that her boss "among other things, had asked her to retrieve coins from his front pants pocket, suggested they go to a local motel to negotiate her pay raise ..." The unanimous ruling on November 9, 1993, enhanced protection

against sexual harassment. The opinion alerted employers that they may now face payment of monetary damages even when the victim does not claim psychological harm. The opinion followed precedent in similar rulings and legislation (Appendix A) toward more sensitivity to women in the workplace.

### **Literature Review**

Much research has been published on sexual harassment, but relatively little relates directly to law enforcement. In a multi-state survey of 541 female police officers in 1988, 24% of the respondents reported a "constant atmosphere of crude or subtle and snide jokes and comments toward police women" as a problem they faced on a daily basis (Timmins & Hainsworth, 1989). This survey was conducted prior to the increased national attention, concern, and focus on the issue.

In research on the general population in 1992, Klein found that 15% of the women and 5% of the men in the workforce reported some type of sexual harassment during the previous year. Other researchers have published reports indicating that as many as 88% of the women in the workforce have experienced some form of sexual harassment on the job (Kaplan, 1991).

### **Methodology**

To assess the existence and/or extent of sexual harassment in Florida law enforcement agencies, a survey of female officers was undertaken with assistance from the Florida Statistical Analysis Center. Given the relatively small number of female law enforcement officers in the state, the survey was sent to all 3,874 women listed as certified on February 18, 1993, in the Automated Training Management System of the Florida Department of Law Enforcement. These women listed as actively employed law enforcement officers were with a municipal, county, or state agency. While acknowledging that a victim of sexual harassment may be of either sex, researchers believed that a more focused and manageable study group would yield more useful data.

The survey examined three areas related to sexual harassment: 1) agency activities, 2) individual experience and reactions and 3) attitudes about the issue of sexual harassment. The respondents were asked to provide some basic demographic information, but the survey did not ask them to identify themselves or their agencies. To gather the most reliable information, total anonymity was guaranteed by

preprinting the survey forms with the same return and receiving mailing addresses. Even so, some refused to enter their ranks, for fear they could still be identified during analysis.

The original mailing included a questionnaire and a cover letter; a reminder postcard was mailed two weeks later. Some envelopes were returned as undeliverable, i.e., the officer had changed law enforcement agencies, found other employment or retired, but these surveys were forwarded if possible.

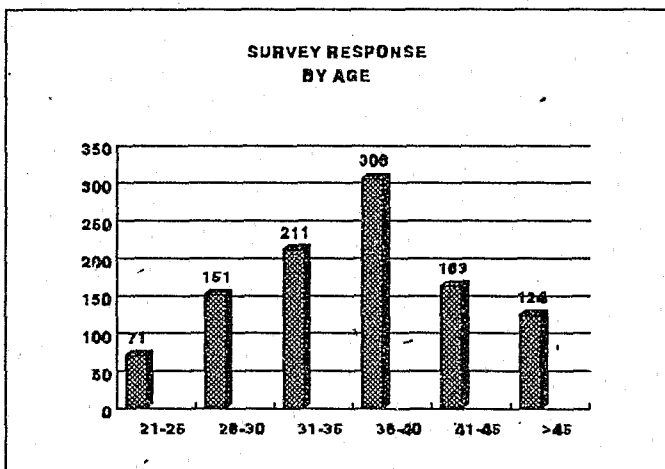
### Data Analysis

In the end, 3,790 officers were contacted for the sexual harassment study and 1,269 officers returned a survey form for a return rate of 33%. Some respondents did not answer every question on the survey, so the total replies do not equal 100% of the survey base. A comment section was included at the end of the questionnaire. While these comments were visually scanned for information, they were not coded or formally analyzed in any way.

The returns represented a broad spectrum of Florida law enforcement agencies. Replies came from women in some of the largest agencies in the state and some with only a few officers. Officers from state, county, and municipal agencies responded. About one-half described their jurisdictions as "metropolitan," and fewer than 20% said they came from "rural" jurisdictions. The others, about 30%, reported they came from "suburban" jurisdictions.

Returns were received from all levels of the law enforcement hierarchy, from police-certified clerks and dispatchers to beat officers and from first-line supervisors to watch commanders and upper management, including at least one chief of police. Responses came from women in their first year of law enforcement to women in the field for 35 years. The average level of experience was 10.3 years in law enforcement and nine years with their present agencies.

A question on rank was open-ended, but knowledge of equivalent law enforcement ranks makes it possible to collapse more than 30 categories into more generic ranks. The researcher determined that more than three-quarters (76.4%) gave a rank equivalent to patrol officer, with the remaining respondents categorized as sergeant (15.5%), manager (7.2%), or commander (0.9%). The respondents ranged from 21 to 62 years of



age (Figure 2), with an mean age of 35.8 years.

A comment section was included at the end of the questionnaire. While these comments were visually scanned for information, they were not coded or formally analyzed in any way.

## Findings

Many respondents wrote that they did not care to be anonymous and willingly offered their names, addresses, and telephone numbers for future contact. But immediately after the survey forms were mailed, a protectionist attitude manifested itself in follow-up telephone calls. There was a certain reluctance to admit that law enforcement might have a problem.

Such an attitude was exemplified by a telephone call from a high ranking member of an agency in Northwest Florida who called to voice his concern. "Some of *my girls* just got this survey of yours and they were wondering if it's legitimate," he said. "Do we have a problem with this?" Another colleague, a high ranking officer in a very large department, looked at the researcher and said, "Boy, are you opening Pandora's Box!" An associate in the law enforcement field retired from a large metropolitan police force in South Florida shortly after she received the questionnaire. As she discussed the survey, she recalled her initial assignment when she became one of the first female sworn officers in her South Florida agency. She said the women's patrol uniform included a skirt, stockings, and high heels. When she first got into the patrol car, her male partner told her, "Just sit there, and look good. Don't touch anything!" Perhaps those old attitudes, products of the socialization process, die hard...and slowly.

Of the 1,269 officers who returned the survey, 775 or 61.1% said they had been sexually harassed in the workplace. Twenty-one respondents did not answer the question: "Have you ever been the victim of sexual harassment?" The survey then listed some commonly reported examples of sexual harassment and asked the respondents to indicate whether they had experienced any of these a) in the last six months; b) six months to a year ago; or c) more than one year ago, as shown in Table 1.

Table 1 shows the respondents had, on more than 1,000 occasions in the six months prior to the survey, endured an experience that others would define as "sexual harassment." More than 40% of the officers surveyed indicated that sexually oriented materials or sexually oriented jokes are a daily occurrence. One in five said "yes" they work in a "hostile"

**Table 1**  
**Sexual Harassment (SH) Experiences of Female Law Enforcement Officers**

| Experience                    | Last 6 Months          |               | 6 Months to 1 Year |               | More Than 1 Year |               | Total        |
|-------------------------------|------------------------|---------------|--------------------|---------------|------------------|---------------|--------------|
|                               | SH <sup>1</sup> Victim | Not SH Victim | SH Victim          | Not SH Victim | SH Victim        | Not SH Victim |              |
| Inappropriate Gender Comments | 368                    | 14            | 75                 | 2             | 194              | 5             | 658          |
| Inappropriate Sexual Comments | 342                    | 10            | 60                 | 1             | 228              | 5             | 646          |
| Inappropriate Touching        | 78                     | 1             | 36                 | 0             | 209              | 2             | 326          |
| Letters/Phone Calls           | 32                     | 1             | 20                 | 0             | 135              | 3             | 191          |
| Pressure for Dates            | 47                     | 0             | 20                 | 0             | 193              | 3             | 263          |
| Pressure for Sexual Favors    | 34                     | 1             | 14                 | 0             | 142              | 3             | 194          |
| Hostile Work Environment      | 174                    | 2             | 60                 | 1             | 245              | 4             | 486          |
| <b>TOTALS</b>                 | <b>1,075</b>           | <b>29</b>     | <b>285</b>         | <b>4</b>      | <b>1,346</b>     | <b>25</b>     | <b>2,764</b> |

<sup>1</sup> SH victim includes all officers who answered "Yes" on the previous question, *Have you ever been the victim of Sexual Harassment?*

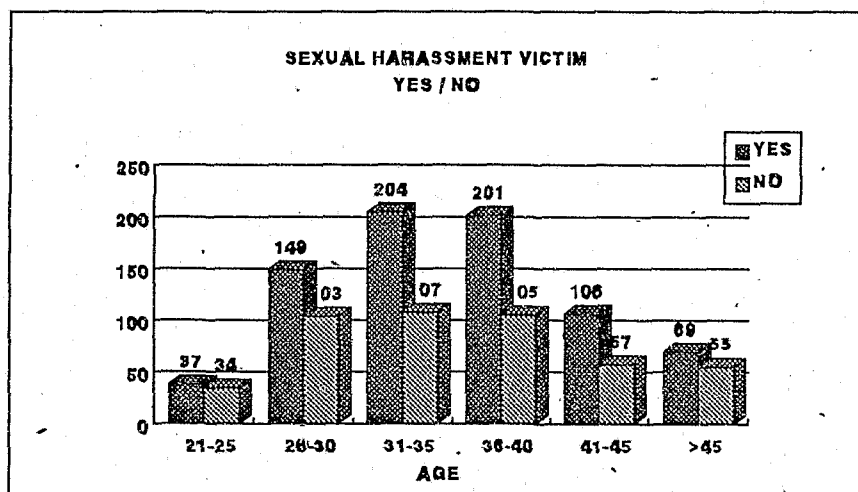
environment.

The total number of "yes" answers seems staggering (Figure 3). Disregarding the implications if the survey is representative of women in law enforcement throughout the nation, even the best case scenario is that 785 or 20.7 percent of all women law enforcement officers in the State of Florida perceive themselves as having been victims of sexual harassment. Additionally, several of those who said they had not been victims of sexual harassment indicated by answers to related questions that they, too, have been victims. For example, they said they had experienced inappropriate sexual comments and/or pressure for sexual favors.

Many of those responding said they believe it is their plight to endure otherwise unacceptable working conditions if they want to maintain a career in law enforcement. "I tolerate

a great deal of inappropriate behavior and comments," one woman wrote. "I have come to accept my colleagues' behavior as something I must live with being a woman in what is still believed to be a man's profession."

Another officer reported: "I was called at home, paged on my pager, invited on all-expense trips and was told that I would not regret it if I accepted but I may regret it if I didn't take the



offer." Was she alone? No, 106 respondents indicated they had been offered a position, promotion, or other special consideration by a man in return for sexual favors. A few respondents said they had complained about such behavior, either to someone in the agency (22.9%) or to someone outside the agency (14.7%). The survey did not ask about the outcomes of the complaints.

Accepting the theory that ones' perception is ones' reality, these numbers indicate that a significant proportion of the workforce in law enforcement is dissatisfied to some degree. Dissatisfaction caused by being a victim of sexual harassment often translates to reduced morale, diminished performance, increased absenteeism, and a high rate of turnover (Cohen, 1991). Some research indicates that up to 75 percent of the victims of sexual harassment simply and quietly quit their jobs (Kaplan, 1991).

The results of this survey and the related comments convey a wide-reaching lack of understanding about what constitutes sexual harassment. This information gives rise to great concern. If the stereotypical victim, the female in the workplace, does not have a clear understanding of the concept, does it naturally follow that the stereotypical perpetrator, the male, would be equally ignorant?

This lack of understanding was demonstrated in the responses to a question regarding the frequency of sexually oriented materials or jokes in the workplace. Of those answering the question, 43% reported that such activity is a daily occurrence, and 48% said that it seldom occurs. Yet, only 19% reported experiencing a hostile environment within the last year. Perhaps many of the respondents do not take offense at such jokes or materials. But the important question may be whether they are aware they do not have to tolerate such activity if they are offended by it.

Another common mistake was the confusion between what constituted sexual harassment and what would be considered gender bias or sexual discrimination (e.g. not being considered for a promotion or assignment simply because of being female). Although by definition all sexual harassment is sexual discrimination, not all sexual discrimination is sexual harassment.

There was evidence of skepticism in some of the replies. Several comments asked "Why is a male doing this?" or "Typical, a man doing the study about men's attitudes." One caller said that it was quite coincidental that, immediately on returning home from filing a sexual harassment suit against her department, she should find this survey in her mail. The most bewildering finding of the survey is that there are still law enforcement agencies that have no policy regarding



sexual harassment. Respondents who said their agencies had no such policy numbered 196. In some cases, the respondent said she did not even know if the agency had a policy. The majority of the respondents (81.7%) said their agencies had adopted a written policy, and 61.5% said they believed the policy was being enforced as written.

However, how can a policy be enforced and inappropriate behavior eliminated without training on what is appropriate and what is not? More than one-half of the respondents said their agencies provide no formal training on sexual harassment. Of the 40.7% who said their agencies do provide some training on sexual harassment, most training sessions were one-half day (4 hours) or less (75.1%). Another 21.1% indicated that sexual harassment training lasted an entire day (8 hours). Almost one-half (49.1%) did not know when the training was last offered, but 42.3% said training had been offered since 1991.

When asked about the public attention given to sexual harassment, one half (49.9%) of the respondents indicated that sexual harassment was being given an appropriate level of attention. They did not equate this with an improvement in the work environment, however. Many (499) said that the attention being given to sexual harassment has increased tension in the workplace. A slightly larger group (563) said there had been no effect on working relationships.

### **Recommendations**

On October 14, 1993, during the television program *Eye to Eye*, CBS anchorwoman Connie Chung reported that 40 percent of the women who file sexual harassment lawsuits win. The potential for the awarding of damages is great; and the number of cases being filed is increasing.

In the nine months following the Clarence Thomas hearings, Florida saw a 51% increase in the number of sexual harassment complaints filed.

Any agency that has not yet done so should implement a policy and provide training on sexual harassment. It has been suggested that to have no policy prohibiting sexual harassment is to, by default, have a policy that allows it (Mechling, E.W., & Mechling, J., 1985). The policy should be clearly understandable to the worker, not just a verbatim quote of the previously mentioned EEOC guidelines and definitions.

Training is a must. To forestall potential problems, a progressive law enforcement agency must implement a proactive training program to educate all personnel on sexual harassment. The benefits of such training are multi-faceted.

First, at least in the eyes of the governing bodies, such training lessens the potential of liability and culpability. More importantly, however, such training has a positive effect on the workforce. Most studies show that there is a direct relationship between job satisfaction and job performance. Training on the topic of sexual harassment correlates with the current emphasis on diversity awareness.

A well-conceived training program explains the nature, effect, and ramifications of sexually harassing behavior. How can the agency expect employees to modify their behaviors without explaining how the behaviors are offensive?

An example of training is the Navy's action following the Tailhook incident. The Navy sent a single-page handout to all personnel, officers and enlisted men, defining and explaining sexual harassment. The 1993 handout uses traditional traffic signal colors to give examples of behaviors that are allowed (green light), potentially sexual harassing behaviors (yellow), and behaviors that are unquestionably sexual harassment (red). The document discusses intent and perception, clearly states that sexual harassment will not be tolerated, and provides a toll free telephone number for a Sexual Harassment Advise and Counseling service. Perhaps it is a simple tool and it is too soon to evaluate its effect, but sometimes the best solutions are often the simplest.

Once an organization has issued a policy and completed the training, the policy must be clearly enforced. An often-voiced complaint in the survey was that agencies failed to uniformly enforce their sexual harassment policies. In this enlightened era of respect for individuals, empowerment, and total quality management, it is no longer acceptable that substantial numbers of ranking officers do not believe they have the respect of the members of their organizations. As professionals, we have a responsibility to ourselves, our associates, and our organizations to provide and maintain a workplace where employees can enjoy high levels of self-esteem and job satisfaction.

This survey, then, is a call to action for law enforcement and other criminal justice agencies. Given the reported pervasiveness of the sexual harassment problem, it is time for change.

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## Appendix A

### Legislation and Court Decisions

1964 Civil Rights Act

- prohibited *discrimination* in employment based on color, national origin, race, religion, or sex
- harassment is not even mentioned, but 1980 Equal Employment Opportunity Commission guidelines recognize sexual harassment as discrimination based on sex

1983 *Katz v. Dole*, 709 F.2d 251, 31 FEP Cases 1521 (4th Cir)

- allows that sexist names create hostile work environment
- rules company can be liable for failure to follow own policy

1985 *McKinney v. Dole*, 765 F.2d 1129, 38 FEP Cases 364 (D.C. Cir)

- rules that conduct does not have to be *sexual*, merely based solely on gender

1986 *Meritor Savings Bank v. Vinson*, 477 U.S. 57, 40 FEP Cases 1822

- 1st sexual harassment case to *Supreme Court*
- places emphasis on bosses unwelcome conduct not employee voluntary compliance or submission
- establishes the employer *knew or should have known* theory

1988 *Hall v. Gus Construction Co.*, 842 F.2d 1010, 46 FEP Cases 57 (8th Cir.)

- reaffirms that conduct need not be sexual, only based on gender
- 1990 EEOC Policy Statement
- establishes sexual favoritism as form of sexual harassment

1991 *Robinson v. Jacksonville Shipyards*, 740 F.Supp. 1486, 57 FEP Cases 971 (M.D. Fla)

- company allowed pin-ups, sexual graffiti, and crude language constitute hostile work environment

1991 *Ellison v. Brady*, 924 F.2d 872, 54 FEP Cases 1346 (9th Cir.)

- replaces "reasonable person" standard with "*reasonable woman*" recognizing differences in the perceptions of men and women

1991 Civil Rights Act

- amends CRA of 1964 Sexual harassment victim allowed jury trial allows for damages due to emotional stress allows for *punitive* damages



**Bernard Charette**

Captain Charette began his law enforcement career with the Metro-Dade Police Department in 1978. Currently he is a Captain in the Special Investigations Division, North Narcotics Section. Previously he was the Bureau Captain in the Internal Affairs and Staff Inspections area. Through his many promotions he has served in Communications, Administration and General Investigations.

Captain Charette's educational background includes an A.A. degree in education from Miami Dade Community College, and A.S. in criminal justice from Broward Community College, and a B.S. in criminal justice from Florida International University.

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# Early Identification of Police Brutality and Misconduct: The Metro-Dade Police Department Model

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*The identification and management of police misconduct is a top priority in law enforcement today. The Metro-Dade Police Department, in 1981, instituted a formalized tracking system to identify police misconduct and incidents of excessive force involving its personnel. The Early Identification System (EIS) gives management the opportunity to review records to find officers who have used force enough times to show a pattern and then to take action to determine the cause and offer assistance or specialized training to prevent future incidents. Research on the Early Identification System of the Metro-Dade Police Department found the program had a significant impact on the frequency of incidents involving use of force, complaint ratios and departmental growth from 1981-1992. The research showed a dramatic decrease occurred in the personnel identified per reporting quarter after the initial first four reporting quarters. This trend continued for the next 11 years while the department grew 96 percent in sworn personnel strength during the same period. The creation of an Early Identification System within the Metro-Dade Police Department has acted as a deterrent on police misconduct.*

## Introduction

The use of force by law enforcement personnel to accomplish lawful duties is, unfortunately, an everyday occurrence in the United States. This use of force may range from a loud vocal command to deadly force, depending on the circumstances. Occasionally, an officer uses more force than required to effect a lawful, or in some instances, an unlawful order (U.S. Department of Justice 1991). Some of these cases receive little, if any, public attention, while a limited few receive intense media and community coverage.

The application of unauthorized use of force and/or serious misconduct will occur at some time in every sizeable police agency. If the community realizes that such behavior contradicts the police agency's organizational values, will not be condoned or accepted, and will be identified and appropriate corrective sanctions imposed, such incidents will not damage

the relationship between the public and the police agency. If that confidence does not exist such incidents will do great harm to that fragile relationship and trigger volatile tensions and reactions within the community.

Law enforcement leaders have an obligation to control unauthorized force, no matter how frustrating or costly the task. The problem of misconduct must not be viewed as unmentionable but rather as a challenge to the profession's ability to police itself.

The goal of identifying misconduct and imposition of administrative sanctions should not be portrayed as a closed system that responds to the immediate incident. The process should have a more lasting goal. The entire process should focus on remedial measures to correct illegal and unprofessional conduct and to identify contributing factors within the organization.

The law enforcement community has been challenged to formulate innovative systems and procedures to help guide an agency to accomplish its mission with minimal use-of-force and misconduct incidents. Implementation of proactive measures to identify and control these incidents will help chief executives to tactfully and diplomatically handle controversial uses of force as they occur.

### **Research Review**

Misconduct: A Definition. The identification and management of police misconduct must initially draw a distinction between corruption and misconduct. Traditionally, corruption is defined as the sale of official authority for personal gain or reward (Hale, 1989). Misconduct, on the other hand, involves wrongful acts committed without personal gain or reward. In 1982, the term "police occupational deviance" incorporated police corruption and misconduct into a broad category (Barker & Wells, 1982). This new definition included all deviant acts which occur during the course of occupational activity and are related to employment as a police officer. A broader, more recent classification identified "police deviance" to include brutality, discrimination, sexual harassment, intimidation, and illicit use of weapons (Barker and Carter, 1986). Other researchers define police misconduct as police officers' violations of: (1) formally written normative rules; (2) traditional operating procedures; (3) regulations and procedures of both the police and other public service agencies; and (4) the criminal and civil laws (Lynch and Diamond, 1983). This specific breakdown lends itself to a more contemporary application by police managers. A majority of police organizations have formalized specific departmental policies, rules of conduct, and standard operating procedures. This sets

a foundation for development of methods to identify and deal with employees who may display "deviant" organizational behavior:

Historical Perspective. In the late nineteenth and early part of the twentieth century, most police misconduct was either ignored or dealt with informally within the police department (Jolin and Gibbons, 1984). The gradual public concern and demand for agency accountability reached a pinnacle during the 1960s. The emergence of federal civil rights legislation and resultant civil disobedience, pushed the issues of police brutality and excessive force incidents to the forefront. Various congressional committees held hearings and made recommendations for improved police community relations. This led to the establishment of "Internal Affairs" units to investigate allegations of misconduct. Brutality incidents reached a breaking point nationally as a result of the Miami racial disturbances that occurred in the 1980s. These disturbances moved the public into demanding full accountability and review of internal investigations of police misconduct.

Evolution of Early Identification Models. In an attempt to retain control of an agency's ability to police itself, innovative methods and procedures were created to assure public confidence and integrity within the criminal justice community. When a pattern of unauthorized force was identified, police executives often proceeded against the guilty and took steps to deal with the exposed practice (U.S. Department of Justice, 1991). This action usually resulted in a "band-aid" approach and did not address causative factors or initiate preventative measures.

The increased public scrutiny of police misconduct has led to the emergence of "early identification systems" to point out patterns that may be developing and seek to identify causative factors that lead to deviant police behavior. In addition, such systems provide command level personnel with information about incidents that are not normally investigated as complaints. The review of use-of-force application and its formalized reporting put agency personnel on notice that their actions are subject to critique.

Published information about early identification systems within the law enforcement field is virtually nonexistent. Progressive law enforcement agencies have instituted early identification systems across the nation, but few have published results of these systems and their impact on police behavior. A functional operating model has been developed within the Metro-Dade Police Department, Miami, Florida,

since 1981. This early identification system has had an important impact on use-of-force incidents, unauthorized force, and complaint frequency within the organization.

### **The Metro-Dade Early Identification System**

The Metro-Dade Police Department, formerly the Dade County Public Safety Department, dealt with several racial disturbances that rocked Miami, Florida, in May and July 1980. These disturbances were primarily precipitated by two incidents involving significant excessive force. The first incident was the police brutality charge leveled by a black school teacher. The second was the fatal beating of a black insurance executive. Both occurred in 1979. The fatal beating incident was investigated and several members of the Metro-Dade Police Department were indicted in the murder of Arthur Lee McDuffie. Racial and ethnic tensions peaked on May 17, 1980, when the indicted officers were acquitted by an all-white jury in Tampa, Florida. The community erupted with lethal violence, primarily within the black inner-city areas of Dade County. The ensuing three days of violence left numerous innocent civilians dead and caused millions of dollars in property damage. The disturbance was, at that time, the costliest racial incident in United States history.

As a result of these incidents, the Metro-Dade Board of County Commissioners enacted on January 22, 1980, local legislation mandating public access to internal investigations conducted by the Metro-Dade Police Department. In addition to access to investigative files, an Employee Profile System was adopted. The Employee Profile System tracked complaints, use of force incidents, commendations, discipline, and dispositions of all internal investigations. This local mandate was based on Florida's Public Records Law adopted in 1979 under Florida State Statute 119.07. In essence, the mandate opened any and all public records to review, and, upon their completion, investigations relating to excessive force, police brutality, and misconduct.

The Metro-Dade Police Department implemented the Early Identification System in 1981. The responsibility for tracking use-of-force incidents and complaints was under the purview of the Metro-Dade Police Department's Internal Review Bureau. The Early Identification System produces quarterly and annual reports for command level review and response.

The Early Identification System (E.I.S.) is a tracking system implemented to identify employees who meet established reporting criteria regarding complaints and use-of-force incidents, defined as follows:



Complaint. A minor personnel complaint or an internal affairs complaint of a more serious nature which may include criminal misconduct.

Use of force incident. Any application of force that may result in injury, complaint of injury, or complaint that unnecessary force was utilized.

Using the E.I.S: assists the Department in addressing the concerns of management and the community. The E.I.S. generates three reports for command staff review:

1. Monthly Early Identification Report (Created 1992): lists employees who have received two or more formal complaints during the previous 60-day reporting period.
2. Quarterly Early Identification Report (Created 1981): lists employees who have received two or more complaints that have been investigated and closed or who have been involved in three or more use-of-force incidents during a three-month reporting period.
3. Annual Early Identification System Report (Created 1981): lists employees who have been identified in two or more quarterly reports.

The Early Identification Reports are disseminated to the involved employee's supervisory chain of command. These reports are used by supervisors as a resource to determine if job stress or performance problems exist. They are designed as a resource in evaluating and guiding an employee's job performance and conduct.

The command review of the Quarterly and Annual Reports requires a summary of findings and administrative recommendations to be filed and retained within the Professional Compliance Bureau, Internal Affairs Section.

The Early Identification System supervisory review and response can activate individual referral to the following departmental programs: Psychological Services Programs; Stress Abatement Programs; and Specialized Training Programs.

The Early Identification System formally began tracking and reporting statistics in June 1981. These statistics show a dramatic decrease in the number of employees identified after this program was initiated in 1981:

- The Department received 101 unauthorized force complaints in 1980 as compared to 16 in 1992, an 85% decrease.

- The number of employees identified for review decreased 70% in the 18 months between June 1981 and December 1982.

- 150 employees were identified in the initial two reporting quarters of 1981, but only 46 employees were identified in all of 1982.

- An average of 7.6 employees were identified each quarter during 1982-1992, as compared to an average of 37.5 per quarter in 1981.

These figures are particularly significant considering that in ten years since E.I.S. was implemented, the Department's sworn personnel strength grew a total of 96% (from 1466 to 2614 sworn officers), or 9.6% per year.

### **Conclusion**

The implementation of a formal process to track incidents involving force and monitor complaints of misconduct has had an impact on the frequency of such incidents. Since 1981 when the Metro-Dade Police Department initiated the Early Identification System, statistical records show a decrease in the number of incidents involving use of force and/or misconduct complaints.

Other factors that may have affected the decrease were not analyzed in this research. Such extenuating factors as rank, seniority, employee job assignment, and geographic work location were not available for this review. Future research into these qualifying factors, could shed more light on external causes that impact on incidents of misconduct and the use of force.

Overall, the Metro-Dade Police Department's Early Identification System has had a significant impact on complaint ratios and personnel identified by the process. The E.I.S. is an innovative and proactive administrative tool that can be utilized to manage a serious issue confronting law enforcement executives throughout the nation. A department's ability to monitor and control its employees conduct with a formalized tracking system instills confidence in the employees, the organization and the public it serves.

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**W.C. Brown**

W.C. Brown is a lifelong Jacksonville resident and a twenty year veteran of the Jacksonville Sheriff's Office. Director Brown began his career riding a beat in the core city area and was soon transferred to the Detective Division where he served for several years as a Robbery/Homicide Detective. As a sergeant, lieutenant, and captain, W.C. had the opportunity to serve in both operations and administrative positions. In 1989, Sheriff Jim McMillan appointed him to the rank of Chief where he has served as Chief of Traffic Special Operations, Chief of Patrol, Chief of Services and Deputy Director of both the Services and Operations Divisions. He currently holds the #3 position within the Jacksonville Sheriff's Office as Director of Operations. Director Brown is a graduate of Florida State University, the FBI National Academy and the Florida Criminal Justice Executive Institute.

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# Managerial Perspectives in the Development of a Physical Fitness Program

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*Law enforcement agencies around the country are comprised of men and women who are willing to subject themselves to injury and death, while protecting the rights of a free society. The number one killer of police officers is not a criminal's bullet, but heart disease. Heart disease is brought on by the stress of the job, shift work, improper diet (fast foods), and little physical exercise. Although this fact is widely known, few agencies have initiated mandatory physical training requirements. This paper argues that mandatory physical training is essential in police work, helping officers stay alive on the streets, reducing absenteeism and lowering turnover rates. Studies revealed that many line officers are in such bad physical condition that they are a statistic waiting to happen. The paper also describes the physical fitness program of the Jacksonville Sheriff's Office, which uses reinforcement and motivational techniques to keep officers active.*

## Introduction

The Jacksonville Sheriff's Office, like many law enforcement agencies in this country, is constantly attempting to identify and reduce areas of high occupational stress within the agency. Scientific studies have established that occupational stress has a causal relationship with disease, and increased stress has led to poorer physical and mental health. Police work has been ranked second only to Air Traffic Controllers as the most stressful occupation and some researchers rank it first. The suicide rate for police officers is two to six times the national average and the divorce rates are twice as high (O'Neill & Cushing, 1991).

The toll exacted by stress-related illnesses and conditions in the United States is staggering. In 1988, the American Heart Association reported the total estimated cost for cardiovascular disease alone to be \$83.7 billion (Rippe, 1989). As the work environment becomes more complex and demanding, the sources and consequences of stress proliferate. Alcoholism, high blood pressure, insomnia, and post-traumatic stress disorder are but a few examples of common stress disorders with serious consequences (Bryant, 1990).

The sources of stress for law enforcement officers are

numerous and immediate. They include: (1) the wearing of a uniform and being "on display," (2) job under/overload; (3) economic pressures forcing the need for outside employment; (4) conflicting social values; (5) administrative pressures; (6) varying work shifts; (7) continued responsibility for others; (8) perpetual crisis situations; (9) fear of failure; and (10) family or social life sometimes perceived as unsatisfactory (Bryant, 1990).

The sources of stress are perhaps more compelling because they are often beyond the officer's control. A law enforcement officer may, however, face even more stress from internal sources, such as the officer's own inactivity and poor diet. Officers' fitness levels and diets can dictate the course of their careers and perhaps their lives as well (Baumener, 1991).

On some level, most officers realize they are going to encounter external stressors such as workloads, hostile criminals, and administrative pressures. These problems are part of the job and most officers can deal with them constructively and effectively. Other officers however, for a variety of reasons, cannot. One demonstrated way of minimizing the effect of these external stressors is to emphasize physical fitness as a primary method of stress reduction (Bryant, 1990). The role physical fitness programs play in reducing instances of heart disease, hypokinetic diseases and orthopedic disorders is well known. Tracy (1992) has stated that these conditions are less likely to occur in physically fit individuals.

The health and fitness of police officers are most important issues, ones that can save lives and make them more satisfying and productive. Physical fitness programs give something positive to employees and improve morale. These healthier, more fit workers will then be more productive. The turnover rate as well as absenteeism can be reduced by implementing a physical fitness program (Rippe, 1989). Communication can also be enhanced by a physical fitness program within the department. Meeting, running and exercising with coworkers and supervisors give employees a chance to discuss work topics in an informal setting.

The establishment of a physical fitness program requires reinforcement and motivation. Skinner's theory (Peters & Waterman, 1982) asserts that regular reinforcement loses impact because it comes to be expected. Thus, unpredictability and intermittent reinforcements work better. Moreover, small frequent rewards are more effective than large ones. One example of a small reward could be the "awarding" of a designed tee shirt, proclaiming the officer's physical fitness achievements. Positive reinforcements can be successful. Yet, intrinsic motivation of the employee remains a key factor to a

successful program (Peters & Waterman, 1982).

Management needs to be aware of the stress officers face and sensitive in dealing with them. Adding a physical fitness program that is run smoothly, fairly and efficiently can help officers deal with stress in a more healthful way. The program should emphasize proper diet and nutrition as well as exercise. Such a physical fitness program will enable workers and management to function more efficiently, both physically and emotionally, enabling all to lead healthier and happier lives.

### **Managerial Perspectives in the Development of a Physical Fitness Program**

Stress is a constant companion of a police officer whose day-to-day duties mean he or she must make decisions quickly. Police officers carry guns and make life or death sentences in a split second. Stress can be generated by merely wearing a conspicuous uniform and being "on display." Other factors that cause stress include the need for outside employment to pay bills, conflicting social values, administration, varying shifts, responsibility for others, crisis situations, fear of failure and poor family or social life.

Stress can be managed by learning to relax, taking vacations, scheduling proper exercise, paying attention to diet and sleep needs, counseling and "talking-out" anger and frustrations, setting realistic goals and tasks for the day, and employing biofeedback to control physical reactions to stress (Bryant, 1990).

On some level, most officers realize they are going to encounter stress, understand they are part of the job and deal with them constructively and effectively. Other officers, however, cannot. Stress reactions can develop into physical and mental disorders. Alcoholism, high blood pressure, insomnia, and even more serious illnesses can develop if stress disorders are not dealt with appropriately.

Help for stressed officers is becoming more available through awareness of the signs and symptoms of stress, but not enough is being done. According to the National Institute of Justice, only about 100 of the 17,000 police departments in this country offer psychological counseling for stressed officers (Bryant, 1990). That statistic must change.

## **Stress-coping Programs**

A National Police Survivors Seminar is held annually by Concerns of Police Survivors (COPS). The seminar attempts to help survivors pick up the pieces of their lives and turn tragedy into personal/family fulfillment. There are explanations of the grief process and ideas on coping; counselors are available for one-on-one sessions. The seminar is for the surviving family of the police officer as well as the officer's friends and partners (Sawyer, 1990).

Various other counseling and support groups exist within individual police departments. For example, the Jacksonville Sheriff's Office provides marriage counseling and alcohol/drug dependency programs.

Police departments also hold sporting and fitness events as stress reducers. Such events include an annual snow-skiing competition conducted for law enforcement officers from the United States, Canada and other countries. The racers compete against persons of the same sex, age and ability. The competition features both Alpine (slalom and giant slalom) races and Nordic (5K and 10K cross country) races. All sworn and retired law enforcement officers are eligible for the race ("Police Ski Championships", 1990). This competition not only gives officers an opportunity to display athletic ability; it also provides healthy, fun and stress-releasing activities.

Marksmanship competitions are held year-round, providing for stress release as well as a chance to improve shooting skills. The Bianchi Cup and The Masters Competition, for example, include both physical and accuracy components (Ayood, 1988). If competitions do not appeal to an officer, many departments have firing ranges. For example, the Jacksonville Sheriff's Office has a firing range which can be used for shooting practice.

The Police Olympics are held annually for law enforcement officers. Events include everything from weight lifting to horseshoes. The events are not only healthy, they prove to be great stress releasers for participants as they prepare for the competition throughout the year.

## **Physical Fitness for Healthy, Productive Careers**

In order for a police officer to survive in an overstressed/dangerous world, three key factors must be remembered: (1) Be and stay alert; (2) Trust your senses; and (3) Acquire the knowledge, skills and the equipment necessary to ensure that the officer has the advantage in a deadly force situation. Law enforcement officers may face more threats than the obvious array of criminals who may want to kill them.

Their own inactivity and poor diet could do the same. The kind of shape officers are in and the kind of food they eat not only dictates the course of their careers, but perhaps their lives, according to Baumener (1991).

Tracy (1992) maintains that being stronger helps the police officer on the street. An officer's competence in physical arrest techniques enhances survival skills. Injuries are less likely to occur in physically fit individuals. Individuals who are physically fit perform assigned duties and responsibilities with greater ease and take fewer sick days. Physical fitness can alter risk factors such as blood pressure, cholesterol, obesity, stress, smoking, and inactivity.

Self-esteem and confidence are improved by gaining physical strength, resulting in a decreased likelihood of physical altercation with a suspect. Muscular strength is also important in day-to-day activities. In later years, many people suffer loss of structural integrity, leading to reliance on devices such as canes, walkers, or wheelchairs, and greatly diminishing quality of life. Tracy (1992) believes that beginning a lifelong program of physical fitness training now can provide the officer a longer, healthier career and life.

Robert Bragg, coordinator of defensive tactics and physical fitness training for the Washington State Criminal Justice Training Commission, and Kregg Jorgenson, a member of the U.S. Customs Service Contraband Enforcement Team, list five areas of fitness that relate directly to law enforcement:

- (1) Aerobic capacity, the ability to perform physical work for sustained periods of time.
- (2) Anaerobic power, the body's ability to produce or sustain a high level of energy output over a short period of time.
- (3) Muscular strength, the muscle's ability to develop tension or force in a single effort or contraction.
- (4) Muscular endurance, the muscle's ability to sustain tension or repeated contractions, of less than maximum effort for a long period of time.
- (5) Flexibility, the amount of movement around a given joint, and is specific to that joint (1992).

These categories play a large part in the physical agility/fitness tests administered to law enforcement applicants as well as during the officer's career. Such tests are especially important for officers in special units such as the S.W.A.T. team, dive and rescue unit, K-9, mounted patrol and bicycle



and foot patrol.

Such tests have not always been required. Recently, the Jacksonville Sheriff's Office implemented a physical fitness plan for every member of the police force. Much research was conducted to develop a program to best meet the needs of the department. The results of the program have been studied in several other departments as well.

The program is being tested by employees on a one-year trial basis. Since its conception, several components have been changed or altered, partly because of legal ramifications. The test, according to state law, must consist only of tasks relevant to the police officer's job tasks.

Prior to testing, a briefing is conducted and officers are asked to complete a health questionnaire. To determine if the officer should participate in the physical fitness test, his or her blood pressure is taken in a resting position and then after a three-minute step test. After the test, a performance evaluation is provided to each participant and a debriefing session is held to discuss the results.

A growing number of corporations have similar physical fitness programs for their employees and some companies have full-time fitness directors. It is time for law enforcement departments to follow the lead of such corporations to better prepare police officers for the tasks they face.

### **Advantages of Physical Fitness Programs**

First and foremost, the health and fitness of the police officer is the most important issue. Fitness saves lives and makes people's lives better and happier. Physical fitness programs give something positive to employees and improve morale. Healthier, more fit workers will be more creative and more productive.

A study of Teneco's corporate fitness program revealed that participants are less likely to leave the company than non-participants. Therefore, Rippe (1989) states that turnover rate as well as absenteeism can be reduced by implementing a physical fitness program.

While reduced absenteeism and lowered turnover rates are decided benefits, the important gain achieved by companies that have established fitness facilities is improved morale. Improved employee morale results at least in part on the fact that company fitness facilities provide a symbol of how employers feel about their employees.

Communications also can be enhanced by a physical fitness program within the company/department. Meeting, running, and exercising with co-workers and supervisors give

employees a chance to discuss work topics in an informal setting (Rippe, 1989).

A less humanistic benefit can also be gained by an employee physical fitness program. A study of corporate programs conducted by the Washington Business Group on Health and Arthur D. Little found long-term savings on health costs amounted to three to six dollars for every one dollar spent on physical fitness programs.

The American Heart Association reports that in 1988 the total estimated cost for cardiovascular disease was \$83.7 billion. One heart attack costs as much as \$50,000 to \$60,000 and one by-pass surgery can cost approximately \$60,000. Obviously, helping an employee reduce the risk of developing heart disease can be a cost-effective strategy. Also, employees who exercise regularly use approximately half of the health care dollars that a non-exercising employee uses.

One of the main goals of implementing a physical fitness program within the police department is to reduce the number one killer of police officers. The No. 1 killer is heart disease. The United States Department of Health conducted a study of 149 occupations and ranked law enforcement highest in heart disease. It has been estimated that one in every four Americans has underlying coronary artery disease and that approximately 40 to 50% of the deaths due to heart disease occur before the age of 65 years. Although there has been a slight decline in recent years, it is estimated that more than 54 million Americans have coronary artery disease and do not know it (Rippe, 1989).

### **Setting Up a Physical Fitness Program: Reinforcements and Motivators**

Overall, the benefits of physical fitness appear significant, but there can be problems when a law enforcement agency seeks to implement a physical fitness program. One problem can be employee resistance. Most police departments offering physical fitness programs make participation mandatory. But many police officers, like employees elsewhere, display resistance not only to a "new" idea but a "do it or else" concept. Management is faced with not only designing and implementing a physical fitness program but enforcing it.

One method of managing such a program is to empower the officers. The Jacksonville Sheriff's Office's fitness program was initially researched by the police academy staff, which is made up of police officers. This initial action, delegated by management, gave the officers responsibility to develop a program for themselves and their coworkers. This provided the

officers greater control over their own careers and a sense of contribution to the department. Kanter (1983) has found that employee participation can be very important when an innovation is implemented.

Once the program is implemented, some type of positive reinforcement may be introduced. According to Peters and Waterman (1982), the reinforcement should have immediacy. A system of positive feedback mechanisms can take account of physical fitness achievements. Verbal commendations are common in the prestigious companies. Feedback also may come in the form of tangible rewards and incentives. Skinner's theory asserts that regular reinforcement loses impact because it comes to be expected. Thus, unpredictability and intermittent reinforcements work better. Moreover, small rewards are frequently more effective than large ones. Although the concept of positive reinforcement is important, intrinsic motivation of the employee remains a key factor to successful organization (Peters & Waterman, 1982).

Egoistic needs may be the best motivator of all. An egoistic need is when an individual has the need for a high evaluation of him or herself, and the term includes such needs as knowledge, achievement, competence, independence, self-respect, respect of others, status and recognition. To maintain a high estimate of ourselves, most of us never stop needing assurance that we are held in esteem by others. Thus, if we satisfy our egoistic needs today, we continue to seek satisfaction tomorrow and the day after. Sutermeister (1969) asserts that the continuing satisfaction of egoistic needs would seem to offer the best opportunity to motivate employees to better job performance.

Therefore, if the management of the Jacksonville Sheriff's Office can provide opportunities for feedback during the physical fitness program, participating officers most likely will fulfill their egoistic needs.

It is a well known but little used fact that a person will continue to engage in an activity which provides him or her opportunities to feel good about him or herself. It can safely be said that every normal human being wants to feel good about himself or herself, wants to stand well in the eyes of others as well as in their own, and wants the significance and potency associated with competence and achievement. A manager can foster the all-important commitment of the members in the organization by enabling them to find personal significance in what they do. Albrecht (1978) proposes that this basically means placing the individual worker and, collectively, all of the workers in job situations where they can experience a sense of accomplishment.

This sense of accomplishment will lead to the development

of high morale and self-esteem. If introduced and carried out properly, the Jacksonville Sheriff's Office's physical fitness program can provide employees with the elements and tasks to obtain not only a sense of accomplishment but also a healthier body. This, in turn, can make the officer's job easier. A healthier officer may well live longer.

One key element of job design which can enhance the feelings of self-esteem is closure. Closure is the process of completing a task in such a way that one can see a well-defined final result which is of value. It involves responsibility for a complete process, and an opportunity to get feedback about its successful completion. By communicating the "big picture" to the employee and by defining the task in performance terms, the manager can offer the employee an opportunity to experience a sense of closure and to feel good about accomplishing something specific and worthwhile. In many ways, this is the strongest, simplest, easiest, and least costly approach to human motivation available to the manager.

Another simple but profoundly important factor about motivation is that most people tend to work hard and well when their morale is high. Managers who make a habit of paying attention to individuals as human beings, in addition to giving them work to do and evaluating their results, tend to maintain relatively high levels of morale. Albrecht (1978) states that the accomplished manager can recognize the employee's need for human contact and can add a more humanistic quality to the organization.

### **Management Concepts to Overcome Employee Resistance to Change**

The Jacksonville Sheriff's Office physical fitness program allows an individual officer to strive for his or her own goals within a predetermined scale. Therefore, while participating in the program, the individual employee has an individual goal versus a competing goal with coworkers.

Although meeting those individual goals will substantially benefit the officers, there can be reluctance to participate merely because the program changes the status quo. Much of the resistance comes from those who will have to work a little harder to reach the requested goal. Some severely out-of-shape officers, along with others, resist the idea of a physical fitness program for the following reasons:

(1) Fitness is a personal issue and as long as I do my job, I should not have to participate.

(2) I passed the pre-employment physical test, why do I need to do it again?

(3) It is not in my contract.

Unfortunately, it is especially the overweight and out-of-shape employees who desperately need a physical fitness program. Apparently, for one reason or another, they are not successfully improving their own health or career.

In studying the various ways of bringing about change, Levin has identified "helping forces," which act to facilitate the change in question, and "resisting forces," which act to impede the change (Albrecht, 1978). This kind of analysis clarifies the major change processes within an organization and suggests approaches managers can use to accelerate a desired change. (See Figure 1). Any change process involves a force field of helping forces and resisting forces.

This view of the nature of organizations suggests that top

managers must do several things to bring about an adaptive change, according to Albrecht (1978). First, managers must have a clear and specific idea of the change they want to bring about. They must clarify the benefits of the proposed change, and they must be prepared to minimize the undesirable impacts the change may have.

Second, managers must combine their ideas and energies and concentrate their organizational

resources to make the change come about. They must develop a strong sense of group commitment to a clearly stated goal.

Third, they must gain the general commitment of the work force to the prospective change. They must be prepared to compromise, to move at a controlled pace, to re-evaluate the objectives from time to time, and to develop employee attitudes which will help the change come about.

Fourth, managers must keep their collective attention focused on the organizational processes involved in the change and keep doing the necessary things until the change has become acceptable and permanent.

The fitness program at the Jacksonville Sheriff's Office is being implemented slowly. The initial fitness/agility test scores are for orientation purposes only for the first year. The scores are provided as a means to let the officer know his or her level of performance in comparison to the desired performance. This first year is a developmental year and is open to employees'

Figure 1  
**The Organization as a Force Field**

Some helping forces,  
which cause change, are:

People  
Economic benefits  
Environmental forces  
Employee needs & desires

Some resisting forces,  
which impede change, are:

People  
Organizational politics  
Employee attitudes  
Costs

critique of the program and possible changes. After each test, the sheriff or director meets with the officer to seek feedback about the test and ideas to modify the program. The officers also are asked for their ideas for rewards and incentives to keep employees motivated to perform well on tests. This discussion gives employees a forum to convey their ideas and opinions and allows management a chance to communicate with employees.

Once the program has been successfully implemented, the newer worker will meet future changes with less resistance. A University of Michigan researcher (Lawler, 1980) has determined that a "new worker" entering the work force for the initial start of a career has certain characteristics. One of these characteristics is that change and personal mobility are not feared. Another is that the new worker wants greater influence in decisions, showing openness and a willingness to confront issues. Perhaps the majority of employees will adapt these attitudes once they realize the program creates positive results.

### **Results of the Jacksonville Program**

Our program for evaluating the physical fitness of police officers in Jacksonville has proven to be beneficial to the well-being of our personnel. It has resulted in positive peer pressure among our police officers to get in shape and maintain an effective and sustained personal physical fitness routine. We have determined that the composition of a physical agility test is not as crucial as its applicability and its job-relatedness. What we have found suitable and acceptable in Jacksonville might not be appropriate for other jurisdictions.

The components of our physical agility test are a body drag for 50 feet with a 175-pound weight, an officer mobility exercise, and a 440-yard run. These are conducted under timed conditions with different breakpoints for different qualification levels. A vehicle push and an obstacle course round out the physical agility test. The push is measured by distance and the obstacle course is measured by the number of obstacles surmounted.

The first year of the administration of our physical fitness testing produced the following results: 883 police officers attempted the test; 76 percent of the males passed and 61 percent of the females for an average of 70 percent.

Physical agility testing for 1994 will be enhanced to reward outstanding performance. This reward may range from a physical fitness uniform service pin to additional leave time. All officers unable to successfully complete the physical agility test will receive special guidance. Officers will be given a

physical fitness program to follow and will be tested on a quarterly basis until the physical agility test is successfully completed. Officers not physically able to take the fitness test will be pulled off the street and put behind a desk. Nine out of 10 such officers have severe back problems but have been reluctant to notify supervisors because they didn't want desk jobs. But health, safety and liability reasons make it essential to provide them with different duties.

### **Conclusion**

A physical fitness program for police officers can benefit them physically and emotionally. Such a program can run smoothly and efficiently if handled with expertise and sensitivity as demonstrated by the management of the Jacksonville Sheriff's Office.

A properly implemented program can teach officers techniques to relieve stress, provide diet and nutrition guidance and lead to better mental and physical health. The physical fitness program will enable workers and management to not only function more efficiently but also lead healthier and happier lives.

Such a fitness program should be mandatory in police work. Studies have revealed that many line officers are in such bad physical condition that they are a statistic waiting to happen. It is essential that police departments take steps help officers stay physically fit.

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# Executives Can Take Action to Reduce the Number of Officers Murdered in the Line of Duty

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*Law enforcement executives can take significant action that would reduce the number of officers killed in the line of duty. This paper makes specific recommendations after an analysis of statistics on the number of officers killed, how they were killed and the location of wounds. Strong evidence is provided to answer the question: "What can law enforcement executives do to reduce the number of officer deaths?" Law enforcement executives committed to providing the safest working conditions for officers will follow the recommendations. In fact, the proposals should be mandated through policy, contract and/or state legislation.*

## Introduction

One alarming statistic which keeps surfacing in the data reported by the Federal Bureau of Investigation (FBI) is the number of law enforcement officers killed in the United States and U.S. territories. The National Law Enforcement Memorial in Washington, D.C., is a perpetual reminder of this fact. The memorial was dedicated in 1991 and at that time 12,561 names were etched upon it.

"Killed in the line of duty" falls into two general categories: Accidental Deaths and Felonious Deaths (death by the hand of another). The purpose of this report is to examine possible causative factors related to felonious deaths of law enforcement officers, and to recommend actions executives may take to reduce the number of felonious deaths.

While the study addressed a number of questions, the key question in this paper is: *What can law enforcement executives do to reduce the number of officer deaths?*

## Officers are Being Murdered

The number of officers murdered between 1962 through 1991 totaled 2,578, as shown in Table 1. In the first decade, 1962-1971, there were 722 deaths. During the following decade, 1972-81, the death rate dramatically increased 35% to 1,110.

Table 1  
**Law Enforcement Officers Feloniously Killed  
 1962-1991**

| Year         | Officers Killed | Year | Officers Killed | Year | Officers Killed |
|--------------|-----------------|------|-----------------|------|-----------------|
| 1962         | 48              | 1972 | 117             | 1982 | 92              |
| 1963         | 55              | 1973 | 134             | 1983 | 80              |
| 1964         | 57              | 1974 | 132             | 1984 | 72              |
| 1965         | 53              | 1975 | 129             | 1985 | 78              |
| 1966         | 57              | 1976 | 111             | 1986 | 66              |
| 1967         | 76              | 1977 | 93              | 1987 | 74              |
| 1968         | 64              | 1978 | 93              | 1988 | 78              |
| 1969         | 86              | 1979 | 106             | 1989 | 66              |
| 1970         | 100             | 1980 | 104             | 1990 | 65              |
| 1971         | 126             | 1981 | 91              | 1991 | 75              |
| <b>Total</b> | <b>722</b>      |      | <b>1110</b>     |      | <b>746</b>      |

*Source: Crime in the United States, (1971); Law Enforcement Officers Killed and Assaulted, (1972-1990).*

The third decade, 1982-91, there were 746 deaths, which closely mirrored the total deaths recorded during the first decade. It is beyond the scope of this paper to examine the possible social and political events which may have led to these deaths. The lowest number of deaths in the past 26 years was recorded in 1992, with 59 officers killed in the line of duty. Although this decrease is encouraging news, it will be years before we are able to determine if this is a benchmark and whether there is actually a downward trend in officer deaths. The problem, however, continues to exist regardless of the

social and political climate of the nation. Officers are being murdered.

Many of the studies involving officer deaths are compilations of data, providing information on victim profile, offender profile, situational circumstances, type of weapon, location of incident, and time of incident. Some studies regarding police murders focus on other areas in an attempt to deduce why these killings occur. These reports contain such information as:

- Correlation of environmental variables with the dynamics of the incident
- Correlation of the officer-assailant variables
- Region specific reports
- Cultural explanation for regional violence
- Climatic and temporal variables which impact on violent crime
- Correlation between general murder rate and police officer murder in cities

Although we have a great deal of information to peruse, there are no prescriptions that offer practical solutions to reduce officer deaths. The Uniform Crime Reports (UCR) Section of the Federal Bureau of Investigation publishes the most comprehensive reports in the area of police murders. A review of these reports will identify variables which must be

**Table 2**  
**Number and Percentage of**  
**Officers Killed Feloniously, By Region**

| Region                   | Number of Deaths | Percentage  | States/Territories Comprising Region |
|--------------------------|------------------|-------------|--------------------------------------|
| Northeast                | 87               | 11%         | 9                                    |
| Midwest                  | 138              | 18%         | 12                                   |
| West                     | 139              | 18%         | 13                                   |
| South<br>(includes D.C.) | 355              | 47%         | 17                                   |
| Territory                | 42               | 6%          | 5                                    |
| Foreign                  | 1                |             |                                      |
| <b>Total</b>             | <b>762</b>       | <b>100%</b> | <b>56</b>                            |

(Note: All figures are rounded to nearest zero)

Source: *Law Enforcement Officers Killed and Assaulted, 1990.*

**Table 3**  
**Rank By Number of**  
**Law Enforcement Officer Deaths**

| Ranking | Area        | Region         | Total |
|---------|-------------|----------------|-------|
| 1       | Texas       | South          | 71    |
| 2       | California  | West           | 63    |
| 3       | Florida     | South          | 58    |
| 4       | New York    | Northeast      | 44    |
| 5       | Puerto Rico | U.S. Territory | 37    |
| 6(tie)  | Illinois    | Midwest        | 29    |
| 6(tie)  | Mississippi | South          | 29    |
| 7(tie)  | Michigan    | Midwest        | 26    |
| 7(tie)  | Georgia     | South          | 26    |
| 8       | Virginia    | South          | 23    |

Source: *Law Enforcement Officers Killed and Assaulted, 1990.*

considered in order to reduce such deaths.

One recent UCR publication, titled "Killed in the Line of Duty," is a compilation of data relating to officers who were feloniously killed from 1981-1990. This UCR publication dissected a sample of incidents during this period. The research examined the police officer, the offender, and the circumstances which brought about the encounter.

This paper will examine the data in this UCR publication and other FBI reports to get a better understanding of the variables which may contribute answers to the question: "Why are law enforcement officers being murdered?"

**Geographically, where is the least safe place to work as a law enforcement officer?**

The number of law enforcement officers murdered between 1981 and 1990 totaled 762, as shown in Tables 2 and 3. While the data in Tables 2 and 3 suggest that the southern states, and Texas in particular, are more

dangerous, consider the following (Killed in the Line of Duty, 1992).

1. The number of states/territories assigned to each region is as follows: South, 17; West, 13; Midwest, 12; Northeast, 9; territories, 5.

2. The number of law enforcement officers employed in the South from 1981-1990 represented 33% of all the officers in the United States. By comparison, the West employed 19%, the Midwest 23% and the Northeast 25%.

3. The South accounted for 34% of the total U.S. population from 1981-90. By contrast, the West represented 20% of the total population, the Midwest 25% and the Northeast 21%.

4. The South represented 43% of all homicides reported between 1981 and 1990. By contrast, the West accounted for 21%, the Midwest 19% and the Northeast 17%.

Of the 762 deaths, 406 (53%) occurred within 10 areas. Table 3 provides a ranking, high to low, of these 10 areas.

To say that one can unequivocally determine the reason(s) for the disparity in the number of officers slain in the South is purely speculation. We can, however, say there is a strong correlation between the general homicide rate and officer murders in the South.

#### **What profile does the victim officer fit?**

The "typical" officer killed in the line of duty is a white male between 31 and 40 years of age with nine years of law enforcement experience as shown in Table 4 below. This table shows that it is not youth or inexperience, but age and experience that are factors to be considered in officers' deaths. Examination into law enforcement demographics would provide facts regarding the victim officer, but such a study goes beyond the breadth of this paper.

#### **What weapon is most frequently used to kill officers?**

The most frequently used murder weapon is a firearm, in particular a handgun, as shown in Table 5. The ease of obtaining firearms and the concealment of handguns are factors which must be considered. Controlling the proliferation of firearms is the task better left to Methuselah. But the knowledge of this proliferation should inspire continued training in the area of "street survival" tactics.

Table 4  
Victim Profile

|                           |        |     |
|---------------------------|--------|-----|
| Gender:                   | Male   | 744 |
|                           | Female | 18  |
| Race:                     | White  | 666 |
|                           | Black  | 93  |
|                           | Asian  | 3   |
| Age:                      | < 25   | 68  |
|                           | 25-30  | 181 |
|                           | 31-40  | 298 |
|                           | > 40   | 215 |
| Years of Service:         | < 1    | 39  |
|                           | 1-4    | 216 |
|                           | 5-10   | 235 |
|                           | > 10   | 272 |
| Average Years of Service: |        | 9   |

Source: *Law Enforcement Officers Killed and Assaulted, 1990.*

Table 5  
Types of Weapons Used to Kill Officers

|                     |     |
|---------------------|-----|
| Handgun             | 536 |
| Rifle               | 100 |
| Shotgun             | 60  |
| Total Firearms:     | 696 |
| Knife               | 17  |
| Bomb                | 0   |
| Personal            | 7   |
| Other               | 42  |
| Total Non-Firearms: | 66  |
| Grand Total:        | 762 |

Source: *Law Enforcement Officers Killed and Assaulted, 1990.*

### What parts of the body receive fatal firearm wounds?

Table 6 shows that of the 696 officers slain, 365 (52%) received fatal firearm wounds to the upper torso. In table 6, the head is the next frequent are fatally wounded; the lower torso is the third area most likely to be hit when an officer is fatally shot.

### Where were the fatal wounds to officers wearing protective body armor?

Reports reveal that 156 (22%) of the 696 slain officers wore protective body armor and 49 of these officers received fatal wounds to their upper torso, as shown in table 7. The protective body armor failed in 49 deaths for several reasons:

\* Bullets entered between the panels of the vest or through openings of the vest.

\* Wounds were suffered above the vest.

\* Bullets from high-powered weapons penetrated the vest.

Unfortunately, the number of reported incidents where vests saved an officer's life were not available for review.

It becomes apparent that protective body armor may have prevented 365 (52%) officer deaths if body armor was worn and if the vests were designed to:

- prevent armhole entry
- eliminate panel spaces
- cover neck openings
- prevent high-powered bullet penetration.

An earlier article published by this paper's author, "Firearms and Law Enforcement Officers Killed: An Alternative," examined semi-automatic handguns

**Table 6**  
**Enforcement Officers Killed by Firearms**  
**Location of Fatal Wounds**

| Year         | Total      | Point of Entry |             |             |
|--------------|------------|----------------|-------------|-------------|
|              |            | Head           | Upper Torso | Lower Torso |
| 1981         | 86         | 38             | 45          | 3           |
| 1982         | 82         | 24             | 56          | 2           |
| 1983         | 74         | 29             | 42          | 3           |
| 1984         | 66         | 33             | 32          | 1           |
| 1985         | 70         | 27             | 43          | 0           |
| 1986         | 62         | 26             | 33          | 3           |
| 1987         | 67         | 31             | 32          | 4           |
| 1988         | 76         | 37             | 36          | 3           |
| 1989         | 57         | 27             | 24          | 6           |
| 1990         | 56         | 31             | 22          | 3           |
| <b>Total</b> | <b>696</b> | <b>303</b>     | <b>365</b>  | <b>28</b>   |

*Source: Law Enforcement Officers Killed and Assaulted, 1990.*

**Table 7**  
**Location of Fatal Firearm Wound By Officers Wearing**  
**Body Armor**

| Year         | Total      | Point of Entry |           |             |
|--------------|------------|----------------|-----------|-------------|
|              |            | Lower Torso    | Head      | Upper Torso |
| 1981         | 10         | 6              | 4         | 0           |
| 1982         | 13         | 5              | 7         | 1           |
| 1983         | 20         | 9              | 9         | 2           |
| 1984         | 17         | 13             | 4         | 0           |
| 1985         | 13         | 8              | 5         | 0           |
| 1986         | 14         | 6              | 6         | 2           |
| 1987         | 16         | 13             | 3         | 0           |
| 1988         | 20         | 15             | 3         | 2           |
| 1989         | 18         | 9              | 6         | 3           |
| 1990         | 15         | 11             | 2         | 2           |
| <b>Total</b> | <b>156</b> | <b>95</b>      | <b>49</b> | <b>12</b>   |

*Source: Law Enforcement Officers Killed and Assaulted, 1981-1990.*

(1982). This earlier study revealed that approximately 19% of the officers killed by handguns from 1973-1979 were killed with their own handguns. The study revealed that almost all of the handguns used in these deaths were revolvers.

For that study, it was hypothesized that the time it took to shoot depended on how familiar the gunman/woman was with the weapon. There was a significant time delay required to activate a semi-automatic handgun as opposed to activating a revolver. As children, most people have handled toy guns which resemble a revolver. To activate a toy gun, one simply pulls the trigger and the gun is "fired." The closest most children come to anything which resembles a semi-automatic handgun is either a water pistol or dart gun. The functional dissimilarities between water pistols and dart guns are considerable when they are compared to a genuine semi-automatic handgun.

In order to test the hypothesis, a certified police firearms instructor was enlisted. To control all variables for this study, the following testing procedure was established:

1. The same weapons were used throughout the entire testing process. The weapons used were a standard .45 caliber single action semi-automatic weapon

and a standard .38 caliber six-shot police revolver with a 4" barrel. It should be noted that the semi-automatic weapon selected was one of the least complicated semi-automatic handguns available and was a model used extensively by the U.S. military forces.

2. Each weapon was placed on a table, lying on its side. The semi-automatic handgun was in the locked and cocked carrying mode. To activate the weapon, one had to disengage the thumb-lock safety and pull the trigger. The subjects tested were viewing the right side of the weapon from the rear of the grips.

3. The subjects were instructed that the weapons were not loaded; however, subjects were to handle them as if they were being carried in an officer's holster. The subjects were instructed to pick the weapons up one at a time and to attempt to discharge them, as if they had just removed the weapon from an officer's holster and they were going to shoot him. No instructions were given with regard to the status of the weapon's firing system or mode of operation.

4. A stop watch was used for timing all subjects. The watch was started when the subject made contact with an individual weapon and stopped when the hammer fell.

5. Two random test groups were studied: One group consisted of 20 sworn law enforcement officers. The second group consisted of 17 civilians.

6. The maximum time allotted for each weapon was 30 seconds.

In this study, the average time it took for civilians to pull the revolver and shoot was 1.77 seconds, compared to 16.2 seconds for the semi-automatic weapon. The statistical results of this test are quite impressive and are quite meaningful for the officer on the street.

Based on the civilian population tested, an officer would have an average of 16.2 seconds to take action after losing control of his semi-automatic compared to 1.77 seconds if he were equipped with a revolver. If the officer was unable to regain control of his weapon or incapacitate the assailant, the officer would have 16 seconds on the average to escape or retreat.

In the years since this study, a number of agencies have gravitated towards semi-automatic weapons or, at the very least, permitted officers the option of carrying semi-automatic weapons. It is important to note the locked and cocked carrying mode must be utilized to produce similar test results. Unfortunately, not enough changes have been made. Table 8 reveals statistics which indicate that the problem of officers killed with their own handguns is still a significant one.

**How many and what percentage of officers are killed with their own handguns?**

Table 8

reveals that 103 or 19 percent of the 536 officers killed between 1981 and 1990 were killed with their own handguns. Furthermore, revolvers accounted for 96 deaths, while semi-automatic handguns accounted for the remaining 7 or 1 percent of the total.

Table 8  
Law Enforcement Officers Killed With Their Own Handguns

| Year  | Slain With Handgun | Slain With Own Handgun | Type Handgun |                |
|-------|--------------------|------------------------|--------------|----------------|
|       |                    |                        | Revolver     | Semi-Automatic |
| 1981  | 69                 | 12                     | 12           | 0              |
| 1982  | 60                 | 5                      | 5            | 0              |
| 1983  | 54                 | 11                     | 11           | 0              |
| 1984  | 46                 | 12                     | 11           | 1              |
| 1985  | 58                 | 10                     | 10           | 0              |
| 1986  | 51                 | 15                     | 13           | 2              |
| 1987  | 49                 | 13                     | 13           | 0              |
| 1988  | 63                 | 12                     | 11           | 1              |
| 1989  | 40                 | 10                     | 8            | 2              |
| 1990  | 48                 | 3                      | 2            | 1              |
| Total | 536                | 103                    | 96           | 7              |

Source: *Law Enforcement Officers Killed and Assaulted, 1981-1990.*

**Are line of duty benefits enough?**

Line-of-duty death benefits vary from agency to agency. The Federal Government, through the Public Safety Officers Benefit Act, provides a \$50,000 line-of-duty death benefit. State, county, and municipalities may also provide additional benefits. In addition, private foundations may provide such help as college or vocational training for dependent children.

The financial impact on an agency resulting from a line-of-duty death generally is not significant when compared to litigation which may be brought against an agency by the victim's survivors. Litigation should not be the driving force behind action to reduce officer deaths, but law suits often are costly for agencies. Law enforcement executives should examine the current line-of-duty death benefits and determine if these benefits are suitable or need revision based on the current economic conditions in our country.

Although this paper has focused only on officer deaths, we should be cognizant of the tremendous emotional and financial impact whenever an officer is seriously injured. The medical expenses incurred from a debilitating injury can far exceed the dollar amount paid out in a line-of-duty death benefit.

Felonious officer deaths rarely are encountered with any degree of frequency by any one agency. Because of the infrequency of these incidents, executives are seldom forced to concentrate on the goal of preventing officer murders.



However, procedural and training matters normally are addressed during debriefings following an officer's death. Changes may occur within the affected or neighboring agencies to insure that similar incidents do not occur.

Following the death of an officer, publicity inundates the community for a few days and then vanishes. The pain and suffering for the families, friends and relatives of the deceased officer continue long after the media blitz.

### **Conclusion**

Executive officers from every agency need to evaluate their commitment to providing the best working conditions for their officers. It should be the responsibility of the state standards and training agency to examine conditions relative to officer safety and encourage compliance with any state standards.

The law enforcement community as a whole must take a critical look at reducing officer murders. This critical look should include, but not be limited to, mandating through policy, contract and/or state legislation the following remedies:

1. Provide and require that at least all uniform officers wear protective body armor.
2. Require that protective body armor meet state specifications and pass a yearly quality control inspection.
3. Provide for exceptions to the rule based on medical, environmental or situational events.
4. Reduce Workers Compensation for failure to wear protective body armor which could have prevented death or injury.
5. Provide mandatory training and retraining in weapon retention, handcuff use, defensive tactics, survival tactics.
6. Permit officers the option to carry semi-automatic handguns and carry the weapon with the safety on.

In closing, this paper has presented strong evidence that there are, in fact, executive remedies to the question: "What can law enforcement executives do to reduce the number of officer deaths?" The Law Enforcement Officers Memorial can hold 29,233 names. Unless specific measures are taken to reduce the current rate of 153 deaths per year, the monument will be filled to capacity by the year 2100. It is hoped that

proper training, technological advances, education and research will mean another memorial need never be erected to provide additional space for names.

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