



**NAVAL  
POSTGRADUATE  
SCHOOL**

**MONTEREY, CALIFORNIA**

**THESIS**

**LEVEL THE PLAYING FIELD:  
ARE LAW ENFORCEMENT POLICIES AND PRACTICES  
RIGGED AGAINST WOMEN AND MOTHERS?**

by

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September 2019

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<b>REPORT DOCUMENTATION PAGE</b>			<i>Form Approved OMB No. 0704-0188</i>
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.			
<b>1. AGENCY USE ONLY (Leave blank)</b>	<b>2. REPORT DATE</b> September 2019	<b>3. REPORT TYPE AND DATES COVERED</b> Master's thesis	
<b>4. TITLE AND SUBTITLE</b> LEVEL THE PLAYING FIELD: ARE LAW ENFORCEMENT POLICIES AND PRACTICES RIGGED AGAINST WOMEN AND MOTHERS?			<b>5. FUNDING NUMBERS</b>
<b>6. AUTHOR(S)</b> Dione A. Neely			
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> Naval Postgraduate School Monterey, CA 93943-5000			<b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>
<b>9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b> N/A			<b>10. SPONSORING / MONITORING AGENCY REPORT NUMBER</b>
<b>11. SUPPLEMENTARY NOTES</b> The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.			
<b>12a. DISTRIBUTION / AVAILABILITY STATEMENT</b> Approved for public release. Distribution is unlimited.			<b>12b. DISTRIBUTION CODE</b> A
<b>13. ABSTRACT (maximum 200 words)</b>  Over 109 years after the United States swore in its first female officer, women still constitute only 13.3 percent of law enforcement personnel. Women have always been, and continue to be, a minority in law enforcement careers. The numbers are disproportionate because female officers face challenges that negatively affect gender equality in law enforcement career paths. These challenges involve law enforcement culture, gender perception, gender role expectations, balancing motherhood, and a disparity in promotion opportunities. This thesis set out to answer the following question: How can law enforcement agencies modernize human resources policies and practices to improve the career paths of women in law enforcement, in an effort to ensure retention? This research demonstrated that female officers leave their law enforcement careers prematurely for reasons associated with policies and practices in their agencies. Law enforcement culture and the discriminatory manifestations of those within the sector discourage longevity for the female officer. Gender perception and gender role expectations continue to exhibit the historical masculine traditions that do not embrace the benefits of having the female officer on the force. Additionally, the issues surrounding current policies or the lack thereof that would allow equality in career assignments continue to stifle the law enforcement career progression of women.			
<b>14. SUBJECT TERMS</b> women, policing, challenges, culture, mothers, parenting, under-representation, recruiting, hiring, retention, gender, integration, leadership			<b>15. NUMBER OF PAGES</b> 123
			<b>16. PRICE CODE</b>
<b>17. SECURITY CLASSIFICATION OF REPORT</b> Unclassified	<b>18. SECURITY CLASSIFICATION OF THIS PAGE</b> Unclassified	<b>19. SECURITY CLASSIFICATION OF ABSTRACT</b> Unclassified	<b>20. LIMITATION OF ABSTRACT</b> UU

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**LEVEL THE PLAYING FIELD: ARE LAW ENFORCEMENT POLICIES  
AND PRACTICES RIGGED AGAINST WOMEN AND MOTHERS?**

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**MASTER OF ARTS IN SECURITY STUDIES  
(HOMELAND SECURITY AND DEFENSE)**

from the

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## **ABSTRACT**

Over 109 years after the United States swore in its first female officer, women still constitute only 13.3 percent of law enforcement personnel. Women have always been, and continue to be, a minority in law enforcement careers. The numbers are disproportionate because female officers face challenges that negatively affect gender equality in law enforcement career paths. These challenges involve law enforcement culture, gender perception, gender role expectations, balancing motherhood, and a disparity in promotion opportunities. This thesis set out to answer the following question: How can law enforcement agencies modernize human resources policies and practices to improve the career paths of women in law enforcement, in an effort to ensure retention? This research demonstrated that female officers leave their law enforcement careers prematurely for reasons associated with policies and practices in their agencies. Law enforcement culture and the discriminatory manifestations of those within the sector discourage longevity for the female officer. Gender perception and gender role expectations continue to exhibit the historical masculine traditions that do not embrace the benefits of having the female officer on the force. Additionally, the issues surrounding current policies or the lack thereof that would allow equality in career assignments continue to stifle the law enforcement career progression of women.

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## LIST OF ACRONYMS AND ABBREVIATIONS

BCG	Boston Consulting Group
CCPD	Corpus Christi Police Department
CHP	California Highway Patrol
DG	director general
DoD	Department of Defense
EEO	equal employment opportunity
EEOA	Equal Employment Opportunity Act
EEOC	Equal Employment Opportunity Commission
FEPLA	Federal Employee Paid Leave Act
FMLA	Family Medical Leave Act
GCHQ	Government Communications Headquarters
ISC	Intelligence and Security Committee of Parliament
MI5	Military Intelligence, Section 5
MI6	Military Intelligence, Section 6
PAT	physical abilities test
PDA	Pregnancy Discrimination Act
TPD	Tuscaloosa Police Department
UK	United Kingdom

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## EXECUTIVE SUMMARY

The majority of law enforcement departments are predominantly white—and male. Women have always been a minority in law enforcement careers. Fast forward 109 years, and there are still only 98,738 women in law enforcement compared to 645,936 men.<sup>1</sup> According to 2016 statistics from Data USA, women constitute only 13.3 percent of law enforcement personnel.<sup>2</sup> Those numbers are disproportionate because women in law enforcement face several challenges—of both external and internal nature—that negatively affect gender equality in a law enforcement career path.

These challenges involve the retention of women in law enforcement due to gender perception, gender role expectations, balancing motherhood, and a disparity in promotion opportunities. Additionally, police who are mothers deal with implicit cultural biases—from male coworkers, supervisors, and other women who have opted not to enter into motherhood—which sometimes force them to leave this career. Under these circumstances, while balancing motherhood becomes a challenge in any career, the demands of being a female member of the law enforcement community poses additional challenges. Moreover, along with the negative stigma attached to pregnancy and motherhood in law enforcement comes indirect discrimination.

Unlike anything their male colleagues will experience, pregnant law enforcement officers may undergo an automatic loss of professional gains made before pregnancy—often not reversed once they return to the force. Further, there is the perception that a mother in law enforcement has childcare responsibilities that make her less dedicated to the law enforcement mission. Nonetheless, turnover in any agency as a result of personnel leaving is problematic. Recruiting and training new personnel to replace those who resign prematurely are quite expensive. Moreover, losing skilled and knowledgeable employees lowers productivity and possibly employee morale. Retaining the women and mother law

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<sup>1</sup> “Police Officers,” Data USA, accessed January 10, 2019, <https://datausa.io/profile/soc/333050/>.

<sup>2</sup> Data USA.

enforcement personnel in the workplace is beneficial to law enforcement agencies and promotes the diversity needed to retain and recruit additional women to the field.

## **A. RESEARCH DESIGN**

This thesis set out to answer the following question: How can law enforcement agencies modernize human resources policies and practices to improve the career paths of women in law enforcement in an effort to ensure retention? A comparative analysis of women in U.S. law enforcement vis-à-vis women in the U.S. military and the United Kingdom's intelligence community was used to compare, evaluate, and review existing U.S. laws and policies, including state and local anti-discrimination laws related to the career paths of women in law enforcement. Specifically, Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, the Pregnancy Discrimination Act of 1978, the U.S. Family and Medical Leave Act of 1993, and the Federal Employee Paid Leave Act (FEPLA) were reviewed and evaluated. This thesis also addressed bureaucratic, gender, and cultural biases and other issues that might hinder organizational growth and retention of women, mothers in particular.

## **B. ON CULTURE AND LAW ENFORCEMENT**

A discussion of culture, whether positive or negative, is relevant when considering how to retain women in law enforcement. The behaviors and actions of police professionals are shaped by experiences throughout their careers, coupled with personal values. From the training academy to the streets, this combination of traditions shapes how they “protect and serve” their communities and peers. Male officers may opt to be members of the “good ole boys club,” neglecting female officers who are not part of the group or, based on their personal values, take the high road, fighting against organizational inequalities and personal prejudice suffered by their female colleagues. Each type of male officer still prevails in law enforcement. The female officer hopes her department has the latter.

This thesis found that an officer's values determine whether he or she enforces a code of silence or speaks up against actions that bring shame to his or her department. Finally, when an officer is promoted through the ranks and begins to lead others, the question is whether one will exhibit an organizational culture that reflects one's personal

values or be influenced by negativity learned in a culture that promotes a system of inequality. The answer to this question differs for many. For the sake of policing, one must hope that law enforcement culture is evolving. This evolution should reflect an increasingly diverse law enforcement population that acknowledges its diverse community and leads the way for inclusiveness and fairness within the profession.

### **C. ON GENDER DIVERSITY**

The male-dominated profession of law enforcement has a long-established concept of “male” versus “female.” Masculinity in policing is a traditional concept that affects attitudes and beliefs. It should not come as a surprise that few women find themselves in the roll-call room, breakroom, or conference room participating in the male-dominated, decision-making assemblies for which policies are eventually made. Often, policewomen are simply not invited, or those assemblies exclude their participation because they are held at male-only locales.

Gender diversity and gender role discussions should become common in law enforcement. While almost every business strives to reflect diversity, from the composition of the personnel hired to the construction of the workplace, the business of policing finds difficulty in adhering to these norms. Gender neutrality in policing workplaces does not exist. While law enforcement agencies have adopted zero-bias policies, biases have survived in the world of policing. Given their intention to recruit and retain more female officers, departments must embrace gender diversity. Organizational leaders must change the conversations from “Why would a woman want to do that?” to “Why would she *not* want to do that?”—regardless of what *that* happens to be. A workforce that accepts and champions diversity and inclusion will be a workplace where gender diversity is no longer a women-only issue.

### **D. COMPARATIVE ANALYSES OF WOMEN IN THREE GOVERNMENT SECTORS**

This thesis examines two other male-dominated professions that have difficulties recruiting and maintaining their female employees. The U.S. military and the United Kingdom’s intelligence and security sector have the same aspirations to recruit, hire, and

retain personnel who align with the agencies' missions and goals while also trying to reflect diversity. Akin to women in law enforcement in the United States, each sector has specific concerns related to recruitment, retention, and career advancement. Taking a page from the U.S. military's opening the door for women in combat, law enforcement could provide opportunities and training for policewomen to participate in tactical units and promotional processes that are normally geared toward men. Law enforcement leaders in the United States could also adopt the attitude of those in the United Kingdom's intelligence community by acknowledging the diversity problem in the sector, especially among the female population, and publicizing the issue, which shows they are committed to addressing the problem by taking aggressive actions to correct it.

In addition, U.S. law enforcement could start applying consistent policies to dissuade discriminatory practices. It is imperative for law enforcement leaders to dispel any negative perceptions associated with a flexible work schedule and do so by offering work-life balance options for all employees and supporting those options openly. In a majority-male profession like law enforcement, leadership should research the best maternity, paternity, and parental policies for their employees. U.S. law enforcement ought to follow the United Kingdom's lead to ensure that law enforcement leaders and employees understand current U.S. policies, including the Family and Medical Leave Act as well as local policies. They should also make an effort to guarantee consistency in how those policies are applied to ensure equal treatment.

## **E. CONCLUSION**

The research in this thesis demonstrated that female officers leave their law enforcement careers prematurely for reasons associated with the policies and practices in their agencies. Law enforcement culture and the discriminatory manifestations of those within the sector discourage longevity for the female officer. Gender perception and gender role expectations continue to exhibit the historical masculine traditions that do not embrace the benefits of having the female officer on the force. Additionally, the issues surrounding current policies—or the lack thereof—that would allow equality in assignments continue to stifle the career progression of women in law enforcement.

Moreover, two essential facts cannot be ignored by U.S. law enforcement management and must be acknowledged for true change to be realized: (1) women and men are not the same, and (2) there is still bias in law enforcement. Law enforcement leaders need to grow comfortable discussing these truths within their own ranks and with those they supervise. When law enforcement officials openly acknowledge that differences exist between the sexes, they present opportunities for discussing why those differences should not mean unequal treatment. Those same leaders must acknowledge that biases still exist in law enforcement, and after they do, they must assert that their departments will neither tolerate nor uphold prejudices against anyone.

In conclusion, while obvious barriers to women in law enforcement have declined and more women are joining the force, retaining those policewomen will continue to remain a problem until law enforcement agencies take the initiative to modernize human resources policies and organizational practices. Career progression in policing is often limited because of gendered work cultures that do not include women. True progress will come about when law enforcement leaders recognize and put a stop to the limitations on their female workforce.

To be clear, as Micah Ables says, “changing a culture is never without headache or heartache.”<sup>3</sup> When female officers see their male coworkers standing up for them, those policewomen will feel more valued. They will pass on those instances to others, both female and male. When female officers see other women on the force getting promoted to positions and assignments normally reserved for men, they will applaud the agency’s leaders and begin believing there is hope for them, too. When policewomen are asked their opinions and invited to sit at the conference room table to participate in and help establish policies for inclusion, recruitment, and retention, they will show up and speak up. All in all, when a woman in law enforcement knows that she is playing on a level playing field and has the same opportunities for advancement during her career as her male colleagues, she, too, will work to ensure retention within her chosen career.

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<sup>3</sup> Micah Ables, “Women Aren’t the Problem. Standards Are,” *Modern War Institute* (blog), February 5, 2019, <https://mwi.usma.edu/women-arent-problem-standards/>.

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## ACKNOWLEDGMENTS

I write for those women who do not speak, for those who do not have a voice because they were so terrified, because we are taught to respect fear more than ourselves. We've been taught that silence would save us, but it won't.

—Audre Lorde

I write for my colleagues. A law enforcement career is both challenging and rewarding. I hope my work on this thesis helps you and encourages you to stay the course.

I write for my grandmother, who told me that a young black girl should not be a cop. God rest her soul—I know she's proud that I followed my heart. I write for my little sister, who had cerebral palsy and never spoke a word in her life. In your 22 years on this earth, who knew your silent strength would teach me more than I could have ever learned on my own?

I write for my mother—a single parent—who made balancing look easy, capable look common, and strong look natural. Thank you! I write for my husband, who has both inspired and encouraged me since the day we met. You have always applauded my strengths and cheered my accomplishments. You make me a better me! I write for my daughter, who knows that she can be or do anything her heart desires. Essence, you are the core of whom I have become. You are my inspiration.

Thank you, Paul Smith and Cris Matei. You pushed me to write about the facts and forced me to keep my emotions out of this. Your enthusiasm boosted mine! Thank you, Renee Triplett, for taking time out of your schedule to read my work and offer constructive criticism. Thank you, Malcolm Wiley, for your continued motivation! Thank you, Jennifer Vines and Stephanie Stradley, for being the best friends anyone could ask for.

Thanks go to my classmates. Cohorts 1801/1802, you are my family now; you cannot get rid of me! Thanks also go to the entire CHDS faculty and staff for making this an unforgettable educational experience.

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## I. INTRODUCTION

The majority of law enforcement departments are predominantly white—and male. Women have always been a minority in law enforcement careers. Alice Stebbins Wells was sworn in as the country’s first “policewoman” in 1910.<sup>1</sup> Fast forward 109 years, and there are still only 98,738 women in law enforcement compared to 645,936 men.<sup>2</sup> According to 2016 statistics from Data USA, women comprise only 13.3 percent of law enforcement personnel.<sup>3</sup> Those numbers are disproportionate because women in law enforcement face several challenges—both external and internal—that negatively affect gender equality in a law enforcement career path.

One of these challenges involves the retention of women in law enforcement. The author of this thesis—a mother and Secret Service agent with over 27 years of law enforcement experience, who has personally recruited numerous women for this prestigious field—has found that women often resign when the challenges of motherhood outweigh those of work and life in a law enforcement career. As a small agency with approximately 4,500 agents and uniformed division officers combined, the Secret Service cannot afford to lose any of the women who represent 10 percent of the agency’s workforce. This population consists of women who are subject-matter experts in several law enforcement tracks, including investigation, intelligence, cyber, and protection. These women perform meaningful work and enjoy doing so; however, they must deal with implicit cultural biases from male coworkers, supervisors, and other women who have chosen not to become mothers—the conditions of which sometimes force them to leave this career.

While balancing motherhood becomes a challenge in any career, under these circumstances, the demands of being a female member of law enforcement pose additional obstacles. For instance, when a woman in law enforcement announces her pregnancy, she

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<sup>1</sup> Betsy Brantner Smith, “Police History: The Evolution of Women in American Law Enforcement,” *Police One*, June 30, 2015, <https://www.policeone.com/police-history/articles/8634189-Police-History-The-evolution-of-women-in-American-law-enforcement/>.

<sup>2</sup> “Police Officers,” Data USA, accessed January 10, 2019, <https://datausa.io/profile/soc/333050/>.

<sup>3</sup> Data USA.

is regarded as an operational liability and most likely placed in a position normally reserved for those with temporary disabilities. Moreover, along with the negative stigma attached to pregnancy and motherhood in law enforcement comes indirect discrimination. Unlike their male colleagues' experience, pregnant law enforcement officers may undergo an automatic loss of professional gains made before pregnancy—often not reversed once they return to the force. Further, there is the perception that a mother in law enforcement has childcare responsibilities that make her less dedicated to the law enforcement mission. Nonetheless, turnover in any agency as a result of personnel leaving is problematic. Recruiting and training new personnel to replace those who resign prematurely are quite expensive. Moreover, losing skilled and knowledgeable employees lowers productivity and possibly employee morale. Retaining the women and mother law enforcement personnel in the workplace is beneficial to law enforcement agencies and promotes the diversity needed to retain and recruit additional women to the field.

Another challenge involves promoting women in law enforcement. While women in law enforcement have performed the same types of work as men for years, it still takes women longer to rise through leadership ranks. It took 75 years from the swearing-in of the first policewoman to promote Penny Harrington as the first woman chief of police for a major city, Portland, Oregon.<sup>4</sup> Nearly 10 years later, Atlanta, Georgia, promoted Beverly J. Harvard as the first African American woman chief of police for a large city.<sup>5</sup> While these accomplishments are proof of the tenacity that women have shown, women have historically been defined primarily by their sex rather than work ethic and contribution to the law enforcement field. Even now, women still comprise less than 2 percent of all police chiefs in the United States.<sup>6</sup>

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<sup>4</sup> “About Us,” National Center for Women and Policing, accessed October 26, 2018, <http://womenandpolicing.com/default.asp>.

<sup>5</sup> National Center for Women and Policing.

<sup>6</sup> “Increase in Female Police Chiefs Helps to Better Reflect Communities,” Capitol Broadcasting Company, June 28, 2017, <https://www.wral.com/increase-in-female-police-chiefs-helps-to-better-reflect-communities-/16791659/>.

## **A. RESEARCH QUESTION**

How can law enforcement agencies modernize human resources policies and practices to improve the career paths of women in law enforcement in an effort to ensure retention?

## **B. LITERATURE REVIEW**

Three distinct factors contribute to female officers leaving their law enforcement careers prematurely: current law enforcement culture, gender perception, and maternity policies. This literature review considers the existing relevant literature in these areas, relying on the primary sources of legal and other official federal and state documents as well as secondary sources such as books, journal articles, reports, and newspaper articles.

### **1. On Culture and Law Enforcement**

Whether positive or negative, a discussion of culture is relevant when considering how to retain women in law enforcement. There is relatively robust literature that addresses what culture means to law enforcement and how its people respond to it. Angela Workman-Stark, for one, contends that police culture is a combination of informal practices and ideas developed over time.<sup>7</sup> She holds that culture influences “individuals, groups, and organisational behaviors.”<sup>8</sup> Her research suggests that an organization’s “culture is significantly associated with psychological strain, employee retention, job satisfaction, and organizational commitment.”<sup>9</sup> Barbara Armacost agrees with Workman-Stark that organizational culture influences a police officer’s decisions. Her academic work provides that an organization has “shared understandings,” defined by its values and norms and carried over to officer behaviors, which are often tolerated, encouraged, or rewarded by the

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<sup>7</sup> Angela L. Workman-Stark, “Understanding Police Culture,” in *Inclusive Policing from the Inside Out: Advanced Sciences and Technologies for Security Applications* (Cham, Germany: Springer, 2017), 19–35, [https://link.springer.com/chapter/10.1007/978-3-319-53309-4\\_2](https://link.springer.com/chapter/10.1007/978-3-319-53309-4_2).

<sup>8</sup> Workman-Stark, 19.

<sup>9</sup> Workman-Stark, 19.

organization.<sup>10</sup> These behaviors, she explains, shape the organization's future actions because they "become part of [its] informal norms and values."<sup>11</sup> Likewise, Tom Cockcroft explains that the attitudes and behaviors displayed by police are a result of a commonly accepted culture.<sup>12</sup> He expresses that because "the essence of culture" is revealed in its "visible manifestations," it is often difficult for those outside the cultural group to interpret.<sup>13</sup> Therefore, the consensus of this corpus of literature is that law enforcement culture cannot be simply defined. Instead, such a culture is a collection of behaviors and relationships.

A body of literature discusses the peculiarities of law enforcement culture at length. The consensus among scholars is that people likely associate law enforcement or police culture with the "good ole boys club." Audrey Nelson, for example, explains that the club is a means "through which men use their positions of influence by providing favors and information to help other men."<sup>14</sup> This club excludes the out-group, which most likely comprises female officers or other male officers who do not adhere to the club's mentality.<sup>15</sup> This mentality of inherent, unwritten, and unspoken rules make up a value system of sorts. In the same vein, Armacost suggests that police culture has been defined by a "code of silence," whereby police protect and defend each other.<sup>16</sup> She reasons that law enforcement culture either encourages or discourages certain values, goals, and behaviors.<sup>17</sup> Moreover, when a law enforcement agency tolerates a culture that promotes morally or legally offensive behavior, the agency is part of the problem.<sup>18</sup>

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<sup>10</sup> Barbara E. Armacost, "Organizational Culture and Police Misconduct," *George Washington Law Review* 72, no. 3 (2004), 506, <https://doi.org/10.2139/ssrn.412620>.

<sup>11</sup> Armacost, 506.

<sup>12</sup> Tom Cockcroft, *Police Culture: Themes and Concepts* (New York: Routledge, 2013).

<sup>13</sup> Cockcroft, 5.

<sup>14</sup> Audrey Nelson, "Women and the Good Ole Boys Club," *Psychology Today*, March 28, 2017, <https://www.psychologytoday.com/us/blog/he-speaks-she-speaks/201703/women-and-the-good-ole-boys-club>.

<sup>15</sup> Nelson.

<sup>16</sup> Armacost, "Organizational Culture and Police Misconduct," 534.

<sup>17</sup> Armacost.

<sup>18</sup> Armacost.

The work of Brian F. Kingshott, Kathleen Bailey, and Suzanne E. Wolfe describe police “cultures and sub-cultures [as] part of the normal evolution of an organization.”<sup>19</sup> They explain that culture sculpts officers’ actions, beliefs, and values. As the scholars point out, “It has been suggested that one of the most powerful aesthetics of police culture is the sense of solidarity shared by its members.”<sup>20</sup> The bonding and protective nature among officers form a loyalty enhanced by the dangerousness of the profession. Intellectuals Steve McCartney and Rick Parent agree that when law enforcement officers find themselves in a potentially risky environment, they trust and rely on each other for their safety.<sup>21</sup> It is during these dangerous moments that loyalty is particularly critical because a fellow officer “will be willing to ignore danger and assist [his partner] regardless of the peril.”<sup>22</sup> The loyalty and camaraderie that accompany police culture, as expressed by these scholars, are effective and viewed as positive characteristics of police culture.

Another group of scholars brings the discussion of the culture of law enforcement to a new level, arguing that the profession of law enforcement is transforming and becoming more diverse. Eugene Paoline, for example, explains that while police culture has been studied for over 40 years, current research challenges “many of the assumptions of a single police culture.”<sup>23</sup> Paoline reasons that the composition of law enforcement has changed in that current police departments now have “more racial minorities, females, and college-educated officers.”<sup>24</sup> Maria Haberfeld agrees with Paoline that the role of higher education has caused a cultural shift. She asserts, “Education gives [police] a certain perspective on life and sometimes demystifies certain biases and concepts or preconceived

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<sup>19</sup> Brian F. Kingshott, Kathleen Bailey, and Suzanne E. Wolfe, “Police Culture, Ethics and Entitlement Theory,” *Criminal Justice Studies* 17, no. 2 (June 2004): 188, <https://doi.org/10.1080/0888431042000235020>.

<sup>20</sup> Kingshott, Bailey, and Wolfe, 189.

<sup>21</sup> Steve McCartney and Rick Parent, “Discretion, Supervision, and Leadership: Loyalty,” in *Ethics in Law Enforcement*, B.C. Open Textbook Project (Victoria, BC: BCampus, 2015), <https://opentextbc.ca/ethicsinlawenforcement/chapter/7-4-loyalty/>.

<sup>22</sup> McCartney and Parent.

<sup>23</sup> Eugene A. Paoline, “Shedding Light on Police Culture: An Examination of Officers’ Occupational Attitudes,” *Police Quarterly* 7, no. 2 (June 1, 2004): 205–36, <https://doi.org/10.1177/1098611103257074>.

<sup>24</sup> Paoline.

notions about people, situations, and how to handle situations.”<sup>25</sup> Cockcroft explains that the structure of law enforcement culture changes as the profession changes.<sup>26</sup> He argues, “Cultural discrepancies” arise when police officers are promoted within their departments, thereby undermining the “perceived solidarity” of the department.<sup>27</sup>

Another school of thought links the study of culture to the study of people. John Crank stresses that “culture is neither bad nor good, but rather is a central organizing principle of social life.”<sup>28</sup> If police culture as defined by the early works of Elizabeth Reuss-Ianni in 1976 holds true, then there are “two distinct cultures, a street cop culture and a management culture.”<sup>29</sup> Hence, it is necessary to understand how law enforcement professionals transition through the ranks with a set of learned behaviors and how those transitions have crafted the organization’s culture—for the better or worse. Therefore, as the research reveals that retention problems stem from cultural issues, those problems can be addressed by changing the formal and informal culture of the law enforcement agency.

## **2. On Gender Perception**

The male-dominated profession of law enforcement has a long-established concept of “male” versus “female.” Masculinity in policing is a traditional concept that impacts attitudes and beliefs. To study attrition and retention of women in law enforcement, as defined earlier, is also to examine gender awareness. This section examines the literature on the relationship among three types of female law enforcement officers—masculine, feminine, and androgynous—to determine similarities and differences that affect the way their careers are defined. An evaluation of peer-reviewed and published literature explores gender diversity in law enforcement to establish whether there are gender role expectations or the segregation of duties in policing.

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<sup>25</sup> Willa Frej, “U.S. Police: Education Levels and the Use of Force,” MSNBC, December 9, 2014, <http://www.msnbc.com/ronan-farrow-daily/us-police-education-levels-and-the-use-force>.

<sup>26</sup> Cockcroft, *Police Culture*.

<sup>27</sup> Cockcroft, 80.

<sup>28</sup> John P. Crank, *Understanding Police Culture*, 2nd ed. (Cincinnati: Anderson, 2004).

<sup>29</sup> Elizabeth Reuss-Ianni, *Two Cultures of Policing: Street Cops and Management Cops* (New York: Routledge, 2017), <http://public.ebookcentral.proquest.com/choice/publicfullrecord.aspx?p=4785147>.

A blossoming corpus of literature discusses gender perception in the law enforcement profession. One scholarly camp argues that the female law enforcement viewpoint differs quite a bit from the male perspective. Along this line, Corina Schulze declares that “women of United States police departments challenge traditional gender role expectations by exhibiting equal competence in a job with a masculine identity.”<sup>30</sup> Angela Swan agrees that female officers’ experiences are different from their male coworkers, owing to dynamics relating directly to their gender.<sup>31</sup> Swan argues that the male-dominated job of a police officer banks on methods and traditions that segregate women and make it hard for them to feel accepted or even capable of surviving in the profession.<sup>32</sup> R. W. Connell and James Messerschmidt solidify these points when they describe “*hegemonic masculinity*: the pattern of practice (i.e., things done, not just a set of role expectations or an identity) that [have] allowed men’s dominance over women to continue” (original emphasis).<sup>33</sup> All in all, this body of literature agrees that gender perception in law enforcement makes it challenging for female law enforcement officers to feel equal and accepted.

A different scholarly camp argues that women and men have different roles and expectations in the workplace. Gabriela Elroy developed a training manual that discusses the concept of gender for both civilian and military personnel of the European Union. A review of Elroy’s manual illustrates why gender is an important perspective in work and how conflict affects men and women differently. She explains that when people think of gender, they usually think about women; however, gender is about the expectations, roles, and responsibilities of both men and women.<sup>34</sup> This view is illustrated in Jordan Tama’s

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<sup>30</sup> Corina Schulze, “Family Leave and Law Enforcement: A Survey of Parents in U.S. Police Departments,” *Critical Criminology* 19, no. 2 (June 2011): 137–53, <https://doi.org/10.1007/s10612-010-9108-6>.

<sup>31</sup> Angela A. Swan, “Masculine, Feminine, or Androgynous: The Influence of Gender Identity on Job Satisfaction among Female Police Officers,” *Women & Criminal Justice* 26, no. 1 (January 2016): 1–19, <https://doi.org/10.1080/08974454.2015.1067175>.

<sup>32</sup> Swan.

<sup>33</sup> R. W. Connell and James W. Messerschmidt, “Hegemonic Masculinity: Rethinking the Concept,” *Gender & Society* 19, no. 6 (December 2005): 829–59, <https://doi.org/10.1177/0891243205278639>.

<sup>34</sup> Gabriela Elroy, *A Gender Perspective in CSDP* (Stockholm: Folke Bernadotte Academy, 2016).

work, which emphasizes both the role and treatment of women in the U.S. military. Tama describes the 1991 political debate surrounding women being prohibited from combat positions as well as gender-segregated and gender-integrated training requirements.<sup>35</sup> Tama cites a group of scholars who discusses how women's roles in the military have mostly "been framed around the values of military effectiveness and/or equal rights, and that stereotypes and mistreatment of women remain prevalent in many military institutions."<sup>36</sup> Both Elroy's and Tama's bodies of work are significant to research related to human resources policies and practices associated with the attrition of women in policing, seeing as they offer a comparison of European and U.S. gender perceptions and imply similarities in gender integration.

### **3. On Maternity Issues within the Security Sector**

The literature specific to maternity in law enforcement is sparse; however, maternity programs in all government sectors and local law enforcement agencies were reviewed and explored. The challenges, organization, program descriptions, costs, and benefits of any existing programs were reviewed to determine the feasibility of adopting or reproducing a similar program on the federal law enforcement spectrum.

One particular body of literature discusses maternity issues and challenges that women in security-sector professions face. For example, Debra Langan, Carrie Sanders, and Julie Gouweloos assert that pregnancy presents diverse experiences of gender relations in policing.<sup>37</sup> The words *pregnancy* and *maternity*, the authors stress, are rarely discussed in law enforcement.<sup>38</sup> Their findings speak to the different responses to fatherhood vis-à-vis motherhood and how motherhood and pregnancy are "contrary to police culture and

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<sup>35</sup> Jordan Tama, "Independent Commissions as Settings for Civil–Military Deliberation: The Case of Women in the Military," *Armed Forces & Society* 42, no. 2 (April 2016): 407–26, <https://doi.org/10.1177/0095327X15572872>.

<sup>36</sup> Tama.

<sup>37</sup> Debra Langan, Carrie B. Sanders, and Julie Gouweloos, "Policing Women's Bodies: Pregnancy, Embodiment, and Gender Relations in Canadian Police Work," *Feminist Criminology* 14, no. 4 (2019), <https://doi.org/10.1177/1557085118763083>.

<sup>38</sup> Langan, Sanders, and Gouweloos.

organizational operation.”<sup>39</sup> While fatherhood, as explained in their article, is often applauded in any career, motherhood in a law enforcement career often comes with a certain negative stigma.<sup>40</sup> In a male-centered environment like policing, pregnancy gives the impression that a woman’s body is malfunctioning and cannot handle police work.<sup>41</sup> Langan, Sanders, and Gouweloos proclaim, “Mother and officer are incompatible roles” in the context of policing.<sup>42</sup> The authors highlight both structural and cultural barriers mothers encounter compared to those of “ideal” officers.<sup>43</sup>

Similar to Langan, Sanders, and Gouweloos, the scholarly work of Cara E. Rabe-Hemp and Gail Sears Humiston, who examine pregnancy policies in U.S. police departments, highlights how pregnancy complicates a female officer’s job because of its dangerous nature. The authors capture organizational pressures and conflicts associated with the implementation of maternity policies. On the one hand, according to Rabe-Camp and Humiston, many administrators believe that the pregnant female officer might embrace being placed on limited duty assignments that “continue [their] working but not in danger.”<sup>44</sup> Fabrice Czarnecki disagrees, recommending that the pregnant officer’s physician should help the officer decide what is safe for her and her unborn child.<sup>45</sup> Nonetheless, Rabe-Hemp and Humiston suggest a policy change: “A national paid policy for maternity leave would have a significant impact on internal police policy adoption and implementation.”<sup>46</sup> Regardless of opposing opinions, the fact remains that pregnancy and

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<sup>39</sup> Langan, Sanders, and Gouweloos.

<sup>40</sup> Langan, Sanders, and Gouweloos.

<sup>41</sup> Langan, Sanders, and Gouweloos.

<sup>42</sup> Langan, Sanders, and Gouweloos.

<sup>43</sup> Langan, Sanders, and Gouweloos.

<sup>44</sup> Cara E. Rabe-Hemp and Gail Sears Humiston, “A Survey of Maternity Policies and Pregnancy Accommodations in American Police Departments,” *Police Practice and Research* 16, no. 3 (2015): 239–53, <https://doi.org/10.1080/15614263.2013.872988>.

<sup>45</sup> Fabrice Czarnecki, “The Pregnant Officer,” *Clinics in Occupational and Environmental Medicine* 3, no. 3 (August 2003): 641–48, [https://doi.org/10.1016/S1526-0046\(03\)00078-5](https://doi.org/10.1016/S1526-0046(03)00078-5).

<sup>46</sup> Rabe-Hemp and Humiston, “A Survey of Maternity Policies and Pregnancy Accommodations,” 250.

maternity are unique in a law enforcement profession, as policewomen have to consider themselves, their unborn children, and the inherent dangers of the profession.

#### **4. Conclusion**

In summary, scholars and practitioners seem to agree that the role of women in law enforcement positions has not been easy due to gender and cultural biases—particularly because maternity brings different challenges for female officers compared to their male colleagues. These viewpoints are often uneven—some declare that law enforcement culture is part of the problem while others exclaim that gender perception is a driving force. Nonetheless, this thesis aspires to expand on the existing literature with additional research focused on law enforcement culture, gender perception, and maternity issues in the security sector. Additional sections discuss current laws specific to pregnancy, maternity, and paternity. Another section compares maternity-related issues for women in the United Kingdom’s intelligence community to those of women in the U.S. military sector. Together, this conglomeration of topics provides the foundation for this thesis.

### **C. RESEARCH DESIGN**

This thesis presents a comparative analysis of legislation and policies on women in law enforcement. It begins with a review of existing U.S. laws and policies—including state and local anti-discrimination and desegregation laws—related to the career paths for women in law enforcement, specifically Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, the Pregnancy Discrimination Act of 1978, and the U.S. Family and Medical Leave Act of 1993.

Next, this thesis examines legislation and policies related to career paths for women in the U.S. military and the United Kingdom’s intelligence community. Comparable to women in U.S. law enforcement, each unit explores specific concerns related to recruitment, education, training, maternity, childcare, gender biases, and career advancement. It also investigates how these organizations have addressed bureaucratic, gender, and cultural biases to improve the career paths of each entity’s female employees.

Finally, based on the findings of this comparative analysis, this research proposes policy recommendations aimed specifically at improving the current career path for women in law enforcement—in terms of recruitment, education, training, and retention. These recommendations also address gender perception, cultural and behavioral issues, and other matters that might hinder organizational growth and retention of women, mothers in particular. This thesis relies on the primary sources of laws and official federal and state documents as well as secondary sources such as books, journal articles, reports, and newspaper articles.

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## II. THE EVOLUTION OF LAW ENFORCEMENT CULTURE

The presence of women in the law enforcement profession is as vital to the vocation as a police officer's essential duty gear. Modern-day policing has progressed to include women who bring as many benefits to the line of work as their male equivalents. This chapter provides insight into law enforcement culture and guides the reader through an assessment of how that culture has evolved and affected women in that career.

### A. BACKGROUND ON THE DEVELOPMENT OF LAW ENFORCEMENT CULTURE

Law enforcement careers are demanding, dangerous, and rewarding. Many in society have great respect for the women and men who swear to uphold the U.S. Constitution in protecting and defending their communities. This oath provides that they ought to act honorably and follow the rules.<sup>47</sup> While high standards are expected in all professions, the public tends to hold law enforcement officers to a higher standard because they are presumed to protect and defend citizens. Indeed, as Inspector Robert G. Hall noted, "An integral part . . . of this higher standard is understanding the police culture, while retaining the resilience to both resist the negative and champion the positive."<sup>48</sup> Culture means something different to everyone and is defined differently for each person. It is an accumulation of experiences, values, beliefs, attitudes, and many other attributes acquired over time and expressed by each individual.

Culture is not generic. It is learned based on experiences. It is how people reason and interact with things or other people. A person's culture decides whether something is perceived as good or bad, right or wrong. In 2004, John Crank declared that to study culture

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<sup>47</sup> This author personally swore the following oath twice: "I . . . do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." Oath of Office, 5 U.S.C. § 3331 (1966).

<sup>48</sup> Robert G. Hall, "A Brief Discussion of Police Culture and How It Affects Police Responses to Internal Investigations and Civilian Oversight" (Winnipeg, Manitoba: Winnipeg Police Service, September 19, 2002), <http://www.cacole.ca/resource%20library/conferences/2002%20Conference/2002%20Presentations/Hall,%20R.%202002.pdf>.

is to study people. Arguing that “culture is neither bad nor good,” he further acknowledges that “sometimes culture is presented as a set of blinders, such as worn by a horse so that it will not be distracted.”<sup>49</sup> This analogy suggests—where female officers are concerned—that male police might want to see neither what is beside nor behind them, so their view is limited. Perhaps, on the other hand, no particular blinders limit views; rather, police look at the world through emotions, values, and learned behaviors. Crank further suggests, “Police see themselves as outsiders, different from citizens, apart and special.”<sup>50</sup> This dynamic is described as an us-versus-them (i.e., officers versus the general public) attitude.

This type of attitude could be both beneficial and detrimental. Take, for example, recruiting. Individuals who desire to be police officers most likely possess similar characteristics and want to be part of something bigger than themselves. They almost certainly have skillsets and physical prowess that set them apart from others. Once hired, those recruits likely feel as if they are part of a select group of individuals. If that is the case, those recruits might develop an elitist attitude that reflects positively within their group but negatively with those on the outside. Within their group, recruits help each other and keep morale high to get through the grueling physical and mental challenges they collectively undergo during training.<sup>51</sup>

Conversely, after graduation, the us-versus-them attitude may be perceived by citizens negatively. In a dangerous profession like policing, officers may display a standoffish attitude. This type of behavior most likely comes from inherent daily stressors police face. Over time, the officers’ demeanor could change because of the things they have dealt with or witnessed. To display their authoritative stance, those changed officers might not display a welcoming attitude toward the people they serve. For the most part, those experiences may “protect cops from departmental directives and public oversight.”<sup>52</sup>

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<sup>49</sup> Crank, *Understanding Police Culture*, 2

<sup>50</sup> Crank, 273.

<sup>51</sup> From this author’s experience, each training class deems itself better than other training classes and develops its own in-group culture. In-groups and out-groups also develop within the recruit class among trainees, and those relationships are built and reinforced during their respective career paths.

<sup>52</sup> Crank, *Understanding Police Culture*, 273.

In this sense, the us-versus-them dynamic in law enforcement culture could be viewed as destructive and, in the case of male police officers, beneficial neither to the citizens they protect nor the female officers whom alongside they serve.

In the study of police culture, no distinct culture but rather an amalgam of subcultures permeates most departments and is most likely the root of the attitudes displayed by the officers in those agencies. Culture, as Neha Deshpande describes, both “exhibits the lifestyle of a society” and can be “influenced by various factors, such as geographical conditions, natural resources available, history and tradition, [and] neighboring cultures.”<sup>53</sup> Angela Workman-Stark defines police culture as a combination of informal practices and ideas developed over time.<sup>54</sup> In essence, it is a variety of components that shape how people think, feel, and act. Tom Cockcroft explains that the attitudes and behaviors displayed by officers toward each other result from a commonly accepted culture.<sup>55</sup> “The essence of culture,” he says, is revealed in its “visible manifestations,” so it is often difficult for those outside the cultural group to interpret.<sup>56</sup>

When discussing law enforcement culture, one might portray it cynically, presumably never considering its positive aspects. In reality, such a discussion should explore both positive and negative aspects as policing is a mixture of each. People unfamiliar with police culture likely consider it a system of male dominance that excludes female colleagues—at least this is what was portrayed in the early years of the profession. For instance, in 1844, when the first police department in the United States was established in New York City, it was a “centralized body of men (and they were all male) legally authorized to use force to maintain order.”<sup>57</sup> Male dominance served as the norm.

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<sup>53</sup> Neha B. Deshpande, “An In-Depth Understanding of Material and Non-Material Culture,” Historyplex, March 21, 2018, <https://historyplex.com/understanding-material-non-material-culture>.

<sup>54</sup> Workman-Stark, “Understanding Police Culture.”

<sup>55</sup> Cockcroft, *Police Culture*.

<sup>56</sup> Cockcroft.

<sup>57</sup> Thomas Whetstone et al., “Police: Law Enforcement,” *Encyclopedia Britannica*, last modified September 12, 2019, <https://www.britannica.com/topic/police>; and Gary Potter, “The History of Policing in the United States, Part 1,” Eastern Kentucky University: Police Studies Online, July 2, 2013, <https://plsonline.eku.edu/insideloook/history-policing-united-states-part-1>.

The recruitment of women into the law enforcement profession was a disruptive entry that—over time—forced a new set of parameters. The female officer’s workplace experiences have evolved since their entrance into the profession, so much so that when women were allowed to become police, the circumstances by which they gained their positions were quite different from those of their male counterparts. The first woman in U.S. law enforcement secured her position because she was the widow of an officer in that department. The department gave her the job as a death benefit of sorts, a way to offer her compensation because they did not offer death benefits to widows at the time.<sup>58</sup> That officer, Mary Owens, was the Chicago Police Department’s first sworn officer in 1893.<sup>59</sup> She was employed at the department for 30 years, primarily assisting on cases involving women and children. She was later the first woman granted arrest powers.

For a long time, women’s roles in policing were not clearly defined. Early in their careers, they acted as matrons and generally cared for family dependents. However, not long after Owens gained arrest powers, Alice Stebbins Wells, in 1910, became the first “policewoman” when she joined the Los Angeles Police Department.<sup>60</sup> Wells went on to establish the International Association of Policewomen in 1914.<sup>61</sup> This group petitioned for the employment of policewomen in both the United States and Canada.<sup>62</sup> Female pioneers like Owens, Wells, and those who came after them had issues that differed greatly from their male counterparts.

In their masculine environment, the launch of women in policing propelled new forms of biases and double standards. There was a negative shift in the culture, to say the least. In fact, policewomen were “viewed by their peers and by the public as performing

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<sup>58</sup> “A History of Women in Policing,” National Center for Women and Policing, accessed September 12, 2019, <http://womenandpolicing.com/history/historytext.htm>.

<sup>59</sup> National Center for Women and Policing.

<sup>60</sup> National Center for Women and Policing.

<sup>61</sup> Carol Archbold and Dorothy Schulz, “Research on Women in Policing: A Look at the Past, Present and Future,” *Sociology Compass* 6, no. 9 (September 2012): 694–706, <https://doi.org/10.1111/j.1751-9020.2012.00501.x>.

<sup>62</sup> Archbold and Schulz.

below the standards set by their male counterparts.”<sup>63</sup> In evaluating how to retain female law enforcement populations as they progress through their career paths, this thesis analyzes both the positive and negative implications of police culture. As already explained, this culture cannot be defined simply as it is a collection of behaviors and relationships. In policing, it plays a huge role. The following sections reflect on factors, events, or ideas that have contributed to the evolution of law enforcement culture.

## **B. PROTECT AND SERVE**

“To protect and serve,” the motto adopted by many law enforcement agencies, has been in use since the 1960s. It is not only a motto but a symbol that expresses the culture of an organization. It is a positive sign that displays goodness, service, and protection. To look at an officer is to see a symbol of power and authority. The police officer’s uniform, badge, and gun all represent the authority and power of society’s legal structure. When one thinks of police work, one might imagine the loyalty that comes with being a law enforcement officer. Loyalty reflects positive culture. Police officers have each other’s backs when they are in danger. As Kingshott, Bailey, and Wolf note, “It has been suggested that one of the most powerful aesthetics of police culture is the sense of solidarity shared by its members.”<sup>64</sup> Police bond with and protect each other, forming an even greater bond because of the inherent risks of the profession. A police officer knows without a shadow of a doubt that his or her partner will do anything to preserve both their lives.

Male or female, most officers join the force to be a member of an elite group that fights crime, helps its citizens, and protects each other. A 2008 RAND report examines the motivation of recruits who pursue the law enforcement profession. Public service was second only to job security.<sup>65</sup> Regardless of how it is categorized—“community policing,” “problem-oriented policing,” or “intelligence-led policing”—the partnerships between

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<sup>63</sup> Mary Cuadrado, “Female Police Officers: Gender Bias and Professionalism,” *American Journal of Police* 14, no. 2 (August 1995): 149–65, <https://doi.org/10.1108/07358549510102802>.

<sup>64</sup> Kingshott, Bailey, and Wolfe, “Police Culture, Ethics and Entitlement Theory.”

<sup>65</sup> Laura Werber Castaneda and Greg Ridgeway, *Today’s Police and Sheriff Recruits: Insights from the Newest Members of America’s Law Enforcement Community*, RAND Corporation Monograph Series (Santa Monica, CA: RAND Corporation, 2010).

police and the people they protect have a lot to do with why people join law enforcement careers.<sup>66</sup> Cops join the profession with the intentions of preventing crime, helping people, and maintaining public order. When harm approaches, the police brotherhood is prepared to tackle the issue first-hand. When cops feel that they are in potentially dangerous situations, they rely on each other for safety.<sup>67</sup> Those dangerous circumstances test loyalties and define brotherhood because a fellow officer “will be willing to ignore danger and assist [his partner] regardless of the peril.”<sup>68</sup> The loyalty displayed in times of danger and the solidarity that complements the police officer’s profession are positive characteristics of police culture not often invoked.

Within the profession, officers profess to serve their communities and protect the people within them. Throughout their careers, they do just that, in the community as a whole and in their departments. Nonetheless, there is a difference in the policing styles of men and women. While there are no standard problems nor universal solutions in policing, male and female police bring different skill sets and attitudes to how they protect and serve. It is inevitable that female police communicate, lead, and even fight differently from their male partners, so they will most likely serve and protect differently as well. According to the National Criminal Justice Reference Service, “Women police officers utilize a style of policing that relies less on physical force and more on communication skills that defuse potentially violent situations.”<sup>69</sup> Such a policing style, in all probability, helps departments gain greater respect from the communities they serve. In fact, during violent circumstances, policewomen are often seen as an asset; they have been known to “deflect violence through

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<sup>66</sup> According to the National Criminal Justice Reference Service, community policing is when police work closely with the community they serve in order to know those who live in the community and help solve community problems together. Problem-oriented policing is when police focus on problems that cause crime or social injustices instead of on isolated incidents. Intelligence-led policing seeks to identify potential victims and/or potential repeat offenders in an effort to help change their behavior. Bureau of Justice Statistics, *Understanding Community Policing: A Framework for Action*, NCJ 148457 (Washington, DC: Department of Justice, August 1994), <https://www.ncjrs.gov/pdffiles/commp.pdf>.

<sup>67</sup> McCartney and Parent, “Loyalty.”

<sup>68</sup> McCartney and Parent.

<sup>69</sup> National Center for Women and Policing, “About Us.”

discussions.”<sup>70</sup> Moreover, statistics suggest that female officers’ policing styles are beneficial to the community. A report by the National Center for Women in Policing found “the average male officer is 8.5 times more likely to garner an excessive force complaint than a female officer.”<sup>71</sup> Police departments should consider the policing styles of their female officers as a progressive complement in safeguarding diversity in their departments as they strive to protect and serve their communities.

### C. THE GOOD OLE BOYS CLUB

The good ole boys club exists in various professions; however, in law enforcement, this phrase is often used by society to describe police in a negative light. Police culture has been indistinguishable from the good ole boys club. Audrey Nelson notes, “the [good] old boy network . . . refers to an informal system of friendships and connections through which men use their positions of influence by providing favors and information to help other men.”<sup>72</sup> The system is very much like that of the early Freemasons, where women were not allowed, and men formed a brotherhood.<sup>73</sup> While the Masons included only men, they did not conceal that fact—they were proud of their affiliation.<sup>74</sup> In other words, this good ole boy network, much like the Freemasons, is described as a means to accelerate or obtain the things one wants based on whom one knows, regardless of merit.

According to *Merriam-Webster Dictionary*, the earliest use of the phrase “good old boy” was in 1882 and was defined usually as a white Southern male who “conforms to the values, culture, or behavior of his peers.”<sup>75</sup> In 2007, scholars conducted an online survey

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<sup>70</sup> Cuadrado, “Female Police Officers.”

<sup>71</sup> “Women in Law Enforcement,” Criminal Justice Programs, accessed July 28, 2019, <https://www.criminaljusticeprograms.com/articles/women-in-law-enforcement/>.

<sup>72</sup> Nelson, “Women and the Good Ole Boys Club.”

<sup>73</sup> “What Is Freemasonry?,” Chevalier Ramsay Lodge, accessed February 13, 2019, <https://www.chevalierramsay.be/what-is-freemasonry/>.

<sup>74</sup> Chevalier Ramsay Lodge. Freemasonry is a fraternity of men of good principle and character, resulting in strong bonds of friendship between men of the same nature who might otherwise have remained strangers. It regards all men as equals, and there are no distinctions of rank or class.

<sup>75</sup> *Merriam-Webster*, s.v. “good old boy,” accessed September 20, 2019, <https://www.merriam-webster.com/dictionary/good%20ole%20boy>.

using LinkedIn to find out what the old boys' network stands for and means to its members. The results were released in 2009—153 men and 55 women participated in the survey and confirmed that the network is “still alive and well . . . unfair and destructive.”<sup>76</sup> As Nelson claims, the network is about power, not gender; however, the good ole boys club often excludes female and sometimes even male officers who do not adhere to the club's mindset.<sup>77</sup>

Women in the LinkedIn study described the network as a symbol of “unfairness,” indicating that they had witnessed men being promoted not necessarily on their merit but on their social connections with the “higher-ups.”<sup>78</sup> Men, on the other hand, “questioned why women would try to fight the network, suggesting it's better to join.”<sup>79</sup> The irony is that women are not even expected to know about, acknowledge, or assent to the network, so clearly they would not be invited to join the club. This exclusionary practice might be why, as early as 1914, Alice Stebbins Wells thought to create the International Association of Policewomen, so women in policing could have a way to network and focus on career advancement, best practices, and advice. Other all-women networks and organizations came about later and exist today; however, those networks do not create a sense of exclusiveness like that of the good ole boy network.

In policing, a culture that accepts systems of disparity among the sexes in the department sets the stage for preconceived ideas about gender differences outside the department. Law enforcement agencies that recognize and endure favoritism based on masculine internal networks will surely have problems retaining and recruiting the female workforce. All in all, the good ole boy network is a barrier to women in policing, and the inequalities that come with the network should be discouraged.

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<sup>76</sup> Sarah Rand and Laura Bierema, “Exploring the Nature of the ‘Old Boy’s Network’ in the United States: Using Electronic Networks of Practice to Understand Gendered Issues in HRD,” University Forum for Human Resource Development, accessed September 13, 2019, 22, 6, <https://www.ufhrd.co.uk/wordpress/wp-content/uploads/2009/07/6-17-refereed-paper.pdf>.

<sup>77</sup> Nelson, “Women and the Good Ole Boys Club.”

<sup>78</sup> Rand and Bierema, “Exploring the Nature of the ‘Old Boy’s Network.’”

<sup>79</sup> Rand and Bierema. 9.

#### D. THE CODE OF SILENCE

Loyalty in policing is paramount. As described in a previous section, in a dangerous profession like policing, officers feel the need to protect each other at all costs. Unfortunately, such an attitude may be “misguided loyalty rather than loyalty to principle.”<sup>80</sup> A common assumption is that “police culture is the attitude that police must protect each other, whatever the cost, and that loyalty counts more than anything.”<sup>81</sup> The “blue wall of silence” or the “code of silence” is “defined as a rule among police officers not to report on another officer’s errors, misconducts, and or crimes when questioned about an incident of misconduct involving another colleague, during a course of an inquiry.”<sup>82</sup> Simply put, they describe a tactic that police officers use to protect one another.

Research has concluded that the code of silence still exists. In fact, from early 1999 through mid-2000, Neal Trautman with the National Institute of Ethics conducted a study that included responses from 3,714 officers and recruits in 42 states.<sup>83</sup> The study found that a large majority of recruits (79 percent) admitted that “the Code of Silence is fairly common throughout the nation.”<sup>84</sup> Moreover, 46 percent of commissioned officers claimed they had “witnessed misconduct by another employee but took no action.”<sup>85</sup> Whistle-blowers face unforgiving and unfair penalties from their peers.<sup>86</sup> Trautman’s study revealed that “seventy three percent of the individuals pressuring officer[s] to keep quiet about the misconduct were leaders.”<sup>87</sup> These data alone show how difficult it would be for an officer to break the code of silence. Those who opt to break the code “are scorned,

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<sup>80</sup> Hall, “A Brief Discussion of Police Culture.”

<sup>81</sup> Hall.

<sup>82</sup> Dhaliwal23, “The Blue Wall of Silence,” *Police Deviance* (blog), October 4, 2011, <https://policedeviance.wordpress.com/2011/10/04/the-blue-wall-of-silence/>.

<sup>83</sup> Neal Trautman, “Police Code of Silence Facts Revealed” (paper presented at the International Association of Chiefs of Police Legal Officers Section Conference, 2000), <http://www.aele.org/loscode2000.html>.

<sup>84</sup> Trautman.

<sup>85</sup> Trautman.

<sup>86</sup> Roberta Ann Johnson, “Whistleblowing and the Police,” *Rutgers University Journal of Law and Urban Policy* 3, no. 1 (2005), <https://www.bmartin.cc/dissent/documents/Johnson.pdf>.

<sup>87</sup> Trautman, “Police Code of Silence Facts Revealed.”

shunned, excluded, condemned, harassed, and almost invariably, cast out.”<sup>88</sup> Furthermore, those officers “are generally not supported by the [managers in] law enforcement agencies.”<sup>89</sup> These actions or inaction by peers or management might be enough to keep an officer quiet.

Paradoxically, the code of silence usually occurs in cultures created by the role-modeling of leaders.<sup>90</sup> Take, for example, famed whistleblower Frank Serpico, who reported corruption in the New York Police Department to the city’s higher-ups without any action from those in charge.<sup>91</sup> Serpico firmly believed that

a policeman’s first obligation is to be responsible to the needs of the community he serves. . . . The problem is that the atmosphere does not yet exist in which an honest police officer can act without fear of ridicule or reprisal from fellow officers. We [police] create an atmosphere in which the honest officer fears the dishonest officer, and not the other way around.<sup>92</sup>

Serpico took his truth to the New York Times. Not until then did his accusations turn into an investigation. Although fellow officers ostracized him, he broke the code of silence for the love of his career.

Examples of the code of silence and its unfortunate place in policing are numerous. Inspector Robert G. Hall of the Winnipeg Police Service highlights police culture and explains that the “Code of Silence is the perception that police officers will never inform on other officers even if that officer is involved in illegal activity.”<sup>93</sup> This implies that the officer will “apply his or her own moral code and personal tolerance level to misconduct” and withhold knowledge of illegal activity to protect his peers.<sup>94</sup> The severity of this code

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<sup>88</sup> Johnson, “Whistleblowing and the Police.”

<sup>89</sup> Trautman, “Police Code of Silence Facts Revealed.”

<sup>90</sup> Trautman.

<sup>91</sup> William DeLong, “Frank Serpico: The NYPD Whistleblower Who Uncovered Corruption—And Was Shot in the Face for It,” All That’s Interesting, November 5, 2018, <https://allthatsinteresting.com/frank-serpico>.

<sup>92</sup> “Frank Serpico,” Americans Who Tell the Truth, accessed July 28, 2019, <https://www.americanswhotellthetruth.org/portraits/frank-serpico>.

<sup>93</sup> Hall, “A Brief Discussion of Police Culture.”

<sup>94</sup> Hall.

and the extent to which members enforce it to protect each other and themselves support negative views of the department and its leaders.

Another adverse example of the code of silence is illustrated in Barbara Armacost's 2003 article, where she suggests that it is how police protect and defend each other.<sup>95</sup> In many agencies, the code of silence is implied. This mentality of inherent, unwritten, and unspoken rules makes up a value system of sorts. The code is not a formal document or policy but rather an understanding of permissible behavior. It is considered an informal system of social organization in the precinct.<sup>96</sup> Armacost explains that law enforcement culture either encourages or discourages behaviors as it deems fit for the situation.<sup>97</sup>

The code of silence is a double-edged sword for policing. It yields both favorable and unfavorable consequences depending on who is implementing it and who are subjected to it. Male-dominated workplaces “create the perfect storm for sexual harassment: a *climate of tolerance* and a *culture of silence*” (original emphasis).<sup>98</sup> Harassing behavior justifies consequences. When there are no penalties, tolerance for this conduct is upheld. A 2018 Pew Research Center survey revealed that “women who work in majority-male workplaces are also significantly more likely than other women to say sexual harassment is a problem in their industry.”<sup>99</sup> According to Kim Parker, “Half of women who work in male-dominated workplaces (49%) say this is at least a small problem where they work, including 15% who say it’s a big problem.”<sup>100</sup> Because of these tolerance and silence codes, policewomen also practice the internal code of silence, most likely keeping quiet even when they are the persons being victimized.

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<sup>95</sup> Armacost, “Organizational Culture and Police Misconduct,” 534.

<sup>96</sup> Reuss-Ianni, *Two Cultures of Policing*.

<sup>97</sup> Armacost, “Organizational Culture and Police Misconduct.”

<sup>98</sup> Rob Bogosian, “Preventing Sexual Harassment in the Workplace,” *Chief Executive*, February 23, 2018, <https://chiefexecutive.net/preventing-sexual-harassment-in-the-workplace/>.

<sup>99</sup> Kim Parker, “Gender Discrimination More Common for Women in Mostly Male Workplaces,” Pew Research Center, March 7, 2018, <https://www.pewresearch.org/fact-tank/2018/03/07/women-in-majority-male-workplaces-report-higher-rates-of-gender-discrimination/>.

<sup>100</sup> Parker.

Ironically, it appears that these issues are not unique to policewomen. More accurately, other women who work “in traditionally male-dominated occupations experience some of the highest rates of sexual harassment, and continue to face persistent and pervasive discrimination and gender bias on the job.”<sup>101</sup> In reality, several studies prove this finding. Shaw, Hegewisch, and Hess, for example, in researching statistics from the Equal Employment Opportunity Commission, found “anywhere from almost a quarter to more than eight in ten women experience it [workplace sexual harassment] in their lifetimes.”<sup>102</sup> Some women opt not to tell anyone about the harassment for fear of retaliation while others might be embarrassed to do so.<sup>103</sup> For these reasons, many women in law enforcement have been either sexually harassed or assaulted but may have opted to keep quiet because of the perceived (or real) risk to their professions or personal reputations.

Negative behavior, such as sexual harassment, when not corrected by law enforcement management, promotes more morally or legally offensive behavior among the junior ranks. In this manner, the agency becomes part of the problem.<sup>104</sup> An organization that ignores this silence speaks volumes to those in the agency who are not part of the code and have to defend or live with it. The truth is that if an organization’s culture promotes a male, chauvinistic environment, then the agency is fostering misconduct toward its female officers.<sup>105</sup> Such an environment, according to Daniel Patrick Barry, “is contrary to the [official] Code of Ethics and Oath of Office, which all officers swear to uphold.”<sup>106</sup> Law

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<sup>101</sup> Lauren Sugarman, “#MeToo in Traditionally Male-Dominated Occupations: Preventing and Addressing Sexual Harassment,” *Sexual Harassment: Issues for Women in Male-dominated Occupations* (Chicago: Chicago Women in Trades, June 2018), 4, <http://womensequitycenter.org/wp-content/uploads/2017/10/CWIT-MeToo-in-Male-Dominated-Jobs-003.pdf>.

<sup>102</sup> Elyse Shaw, Ariane Hegewisch, and Cynthia Hess, “Sexual Harassment and Assault at Work: Understanding the Costs,” *IWPR #B376* (Washington, DC: Institute for Women’s Policy Research, October 2018), <https://iwpr.org/publications/sexual-harassment-work-cost/>.

<sup>103</sup> Shaw, Hegewisch, and Hess.

<sup>104</sup> Armacost, “Organizational Culture and Police Misconduct.”

<sup>105</sup> Armacost.

<sup>106</sup> Daniel Patrick Barry, “Handling Police Misconduct in an Ethical Way” (master’s thesis, University of Nevada, Las Vegas, December 1999), 109, <http://static1.1.sqspcdn.com/static/f/1196634/16845874/1330391479267/HandlingPoliceMisconductEthicalWay-barrythesis.pdf>.

enforcement leaders must change the culture in their departments. Both men and women need to speak up when faced with unfathomable behavior if the department intends to reduce the negative stigma associated with the code of silence. Once this happens, both men and women can work in harmony to recruit and retain law enforcement professionals of both genders.

#### **E. ORGANIZATIONAL MANAGEMENT’S CONTRIBUTION TO POLICE CULTURE**

Culture is different from department to department. Organizational culture shapes norms, beliefs, and values, and every agency has a distinctive culture.<sup>107</sup> “A police officer . . . in the USA belongs to both the policing occupation and a particular police organization . . . with its own . . . structure, history, traditions, and external environment,” says Gary Corder.<sup>108</sup> In essence, the organization, its leaders, and its subordinates form their own type of culture that defines how they govern themselves. Kingshott, Bailey, and Wolfe describe “[police] cultures and sub-cultures [as] part of the normal evolution of an organization.”<sup>109</sup> They explain that culture sculpts officers’ actions, beliefs, and values. Corder agrees, asserting that “in theory, it might be the case that the police occupational culture is so strong that variations between organizations are minimal.”<sup>110</sup> Workman-Stark declares that organizational culture influences a police officer’s decisions.

Departmental culture could encourage an officer to conform to ideas or actions that do not align with one’s personal beliefs. This could make for misguided loyalty, whereby officers go along with the reckless behavior displayed by peers and encouraged by leaders, but which does not comport with their personal principles. On the other hand, a display of positive organizational culture could be a recruitment tool of sorts. The department’s

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<sup>107</sup> Hall, “A Brief Discussion of Police Culture.”

<sup>108</sup> Gary Corder, “Police Culture: Individual and Organizational Differences in Police Officer Perspectives,” *Policing: An International Journal* 40, no. 1 (2017): 11–25, <https://doi.org/10.1108/PIJPSM-07-2016-0116>.

<sup>109</sup> Kingshott, Bailey, and Wolfe, “Police Culture, Ethics and Entitlement Theory.”

<sup>110</sup> Corder, “Police Culture.”

organizational culture can be seen in its recruitment tactics. Those who apply for careers with law enforcement agencies want to be part of a reputable, inclusive department.

Organizational culture plays a significant role in a police officer's career. It is the mixture of values and beliefs circulated throughout an agency that makes up the agency's identification. Armacost declares that an organization has "shared understandings" that are defined by its values and norms.<sup>111</sup> Internal or corporate culture plays an essential role in how its people behave. Internal integration and external survival both affect how an agency's culture harms or enhances the public's view of the agency.

External adoption is how an agency survives with its external environment. What's more, as far back as 1976, Elizabeth Reuss-Ianni described "two distinct cultures, a street cop culture and a management culture."<sup>112</sup> She explained that law enforcement officials evolve through their careers with an assortment of learned behaviors, which eventually craft the organization's culture—for the better or worse. These behaviors, as they "become part of [its] informal norms and values," mold the organization's future actions.<sup>113</sup> Supervisors in policing define how they expect officers to act both in the field and in the department. When managers depict an all-encompassing culture where they value both their male and female officers, the officers will most likely adhere to those same behaviors.

The profession of law enforcement has changed since the 70s and is becoming more diverse. Eugene Paoline explains that while police culture has been studied for over 40 years, current research challenges "the assumptions of a single police culture."<sup>114</sup> Paoline expounds that the composition of law enforcement has changed and improved in that police departments currently have "more racial minorities, females, and college-educated officers."<sup>115</sup> Maria Haberfeld agrees that these changes have caused a cultural shift wherein the addition of more officers with an education background helps officers handle

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<sup>111</sup> Armacost, "Organizational Culture and Police Misconduct."

<sup>112</sup> Reuss-Ianni, *Two Cultures of Policing*.

<sup>113</sup> Armacost, "Organizational Culture and Police Misconduct."

<sup>114</sup> Paoline, "Shedding Light on Police Culture."

<sup>115</sup> Paoline.

situations with less preconceived notions or biases.<sup>116</sup> Cockcroft argues that law enforcement culture has changed along with the profession.<sup>117</sup> He reasons that as officers are promoted and begin to supervise their former peers, “cultural discrepancies” arise, thereby undermining the “perceived solidarity” within the department.<sup>118</sup>

Organizational culture is the root of an organization’s success. In policing, a culture that sets the stage for impartiality shown in the leaders will be successful. As expressed by the President’s Task Force on 21st Century Policing in 2015, “Organizational culture eats policy for lunch.”<sup>119</sup> The old adage implies that regardless of how many good rules and policies an organization adopts, if the culture of its people conflicts with those rules and policies, then the behavior of employees remains the same. Be that as it may, the historical culture, which specifically excluded women, is derived from those foundations established at the beginning of the profession. Agencies who truly want to change present-day negative culture should consider ways to promote significant policy changes; otherwise, “behavior is more likely to conform to culture than rules,” and the organization is sure to be less effective than it could be.<sup>120</sup>

## F. CONCLUSION

This chapter on the evolution of culture has illustrated how important culture is to law enforcement careers. The behaviors and actions of police professionals are shaped by the experiences throughout their careers, coupled with their personal values. From the training academy to the streets, this combination of traditions shapes how they protect and serve their communities and peers. Male officers can opt to be members of the good ole boys club and neglect those female officers who are not part of the group. Alternatively,

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<sup>116</sup> Frej, “U.S. Police.”

<sup>117</sup> Cockcroft, *Police Culture*.

<sup>118</sup> Cockcroft.

<sup>119</sup> President’s Task Force on 21st Century Policing, *Final Report of the President’s Task Force on 21st Century Policing* (Washington, DC: Office of Community Oriented Policing Services, May 2015), 116, <https://ric-zai-inc.com/Publications/cops-p311-pub.pdf>.

<sup>120</sup> President’s Task Force on 21st Century Policing, 11.

based on their values, they can take the high road and fight against organizational inequalities and personal prejudice suffered by their female colleagues.

Those values also determine whether an officer will enforce the code of silence or speak up against actions that bring shame to his or her department. Finally, when officers are promoted through the ranks and lead others, will they exhibit an organizational culture that reflects their personal values, or will they be influenced by negativity learned in a culture that promotes a system of inequality? The answer to this question differs from one department to another. For the sake of policing, one hopes that law enforcement culture is evolving. This evolution should reflect an increasingly diverse population that considers its diversity and leads the way for inclusiveness and fairness in the profession.

### III. GENDER DIVERSITY IN LAW ENFORCEMENT

All workplaces want to be free of bias. The field of policing is no different. Any organization that is inclusive of diversity is sure to promote public trust and work efficiency. Today's world of mass media, social networks, and information overload has changed the outlook of the workplace in most professions. Open floorplans, teleworking, and transparent offices are often the norm in present-day businesses. Nowadays, most places of employment reflect diversity and are inclusive of people from different walks of life. No longer are workplaces filled with people who live in the area or who have roots in the city or state. The same is true in policing. As traditional characteristics have changed in most workplaces, so too has the composition of gender.

Conversely, police departments across the United States remain primarily male. In law enforcement, gender composition has remained mostly the same. Women still make up less than 14 percent of most police departments. Naturally, it does not come as a surprise that few women find themselves in the roll-call room, breakroom, or conference room participating in the male-dominated, decision-making assemblies for which policies are eventually made. Often, policewomen are simply not invited, or those assemblies exclude their participation because they are held at male-only locales.

Even though female police have made significant strides, many law enforcement departments continue to have difficulty retaining women. Foot beats, accident scenes, hazardous conditions, shared workspaces, patrol cars—there are no norms in law enforcement workspaces. As such, gender diversity should be treated as a priority. Law enforcement leaders should take the appropriate steps to make hiring, promoting, and retaining female police precedence. Law enforcement organizations are overwhelmingly male, but most do not focus on gender, opting rather to convey gender neutrality and equality.

This chapter assesses the advancement of gender diversity and its impact on the female law enforcement population. While the law enforcement profession has never had an equitable ratio of men to women, the following sections guide the reader through

defining gender diversity, gender role expectations, gender segregation versus integration, and gender perception. Also, for the purpose of better understanding the plight of motherhood in policing, this chapter offers a brief perspective of motherhood versus fatherhood in law enforcement and suggests recommendations for improvement.

#### **A. DEFINING GENDER DIVERSITY**

To research and study attrition and retention of women in law enforcement is also to examine gender awareness and diversity. The challenges are mutually integrated. When most people hear or think of gender, they usually assume the focus is on women. To the contrary, gender diversity is not solely about women. Gabriela Elroy explains that gender is about the expectations, roles, and responsibilities of both men and women.<sup>121</sup> However, it would be foolish to deny the differences that affect the way men's and women's careers are defined. Currently, women and men are on the same teams in the workplace, but often, the rules are still different. Exploring gender diversity in law enforcement is an attempt to establish whether there are gender role expectations or segregation of duties in policing and, if so, whether such dynamics force women to leave their careers prematurely.

In her 2003 article, Alison Konrad argues that to have a diverse workforce, businesses should do three things:

1. Attract and retain the highest talent by recruiting from all demographic categories
2. Employ a more diverse workforce to garner market intelligence to gain customers from a variety of backgrounds
3. Employ a demographically diverse group to be creative and have a better group of problem-solvers.<sup>122</sup>

Gender diversity is not a women-only concern. Conversely, male supervisors in law enforcement should embrace the significance of including women on the force to foster an inclusive work environment. Gender diversity is best defined as the fair and equitable treatment of people of different genders. In a perfect world, men and women would have equal representation in the workplace, get paid equally for the same jobs, and perhaps even

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<sup>121</sup> Elroy, *A Gender Perspective in CSDP*.

<sup>122</sup> Alison M. Konrad, "Defining the Domain of Workplace Diversity Scholarship," *Group & Organization Management* 28, no. 1 (March 2003): 4–17, <https://doi.org/10.1177/1059601102250013>.

get promoted at the same rate. In the real world, those things do not happen in most companies because women are underrepresented in most professions.<sup>123</sup> Hiring and retaining a diverse workforce leverage operational talent. It has an important effect on overall performance as it represents inclusiveness.

Diversity, as defined by Oxford University Press, is “a range of many people or things that are very different from each other . . . [or] the quality or fact of including a range of many people or things.”<sup>124</sup> It is no surprise that *difference* and *inclusion* are at the roots of diversity. In reality, internal and external benefits come from companies that practice diversity. “A diverse and inclusive workforce,” claims Sky Schooley, “results in greater employee engagement, innovation, financial returns and market share.”<sup>125</sup> The law enforcement occupation has a long-established concept of male versus female, reflective of traditional masculine attitudes and beliefs. While women have always been and will most likely always be the minority in policing, the issue is not whether women can comfortably succeed in this profession but whether their male counterparts will allow them to do so.

An organization’s leaders set the stage for the institutional culture. How the leaders support the preservation of the agency’s female population often determines whether an individual female officer sticks it out or leaves. Research from the Boston Consulting Group (BCG), which has studied gender diversity at numerous organizations around the world, supports this concept. A key finding from its research is that “the career obstacles women face, such as being overlooked for promotions, tend to be institutional, with deep roots in the organization’s culture.”<sup>126</sup> BCG found that many women come to a standstill or leave their careers “not because of explicit discrimination or lack of ambition but rather

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<sup>123</sup> Skye Schooley, “The Workplace Gender Gap and How We Can Close It,” *Business News Daily*, May 20, 2019, <https://www.businessnewsdaily.com/4178-gender-gap-workplace.html>.

<sup>124</sup> Oxford Learner’s Dictionaries, s.v. “diversity,” accessed August 19, 2019, [https://www.oxfordlearnersdictionaries.com/us/definition/american\\_english/diversity](https://www.oxfordlearnersdictionaries.com/us/definition/american_english/diversity).

<sup>125</sup> Schooley, “The Workplace Gender Gap.”

<sup>126</sup> Matt Krentz et al., “Five Ways Men Can Improve Gender Diversity at Work,” Boston Consulting Group, October 10, 2017, <https://www.bcg.com/en-us/publications/2017/people-organization-behavior-culture-five-ways-men-improve-gender-diversity-work.aspx>.

because of many small factors and daily hassles.”<sup>127</sup> Those daily conversations, snide comments, odd looks, and overlooked opportunities contribute to women’s plight for success at work. Unfortunately, too many men take those comments and looks for granted, failing to acknowledge the damage of those actions to the morale of female officers.

Fortunately, when male managers do become involved and champion gender diversity issues, women, men, and the organization win. Most men do not think of gender diversity as an issue. It stands to reason that for women to progress in the field of policing, men need to be engaged. Men must become allies and advocates in their departments to create and ensure positive change. They must be willing to acknowledge gender differences and accept them, as part of the solution to end gender inequality. Moreover, given that the majority of supervisors in law enforcement are men, they must be more involved in both the advancement of female officers and overall departmental diversity.

As shown in Figure 1, when men get involved in gender diversity, they achieve greater gender parity.<sup>128</sup> According to BCG, 96 percent of agencies worldwide reported progress when men supported gender diversity compared to 30 percent progress when men were not involved.<sup>129</sup> It makes sense to engage men to support and drive gender parity initiatives to gain greater support from everyone else in the organization. This thesis addresses how such progress may be achieved in the recommendations section.

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<sup>127</sup> Krentz et al.

<sup>128</sup> Krentz et al.

<sup>129</sup> Krentz et al.



Figure 1. Positive Correlation between Involvement by Men and Perceptions of Progress toward Gender Diversity<sup>130</sup>

## B. THE EVOLUTION OF GENDER ROLE EXPECTATIONS

For many, gender roles are not a problem. Since the early days, women have been viewed as the less significant sex. Women have learned to be submissive and obedient to their male partners for generations. Family members, peers, and perhaps even teachers added to the beliefs and norms of the role of women. In the past, women and men played specific roles both in the workplace and the home. Women were historically the caregivers and homemakers while men protected them and provided for their families.

The roles of women and men have changed drastically within the last century. Men are no longer expected to be the sole providers in the household. Nonetheless, the division of labor in the home is usually not equal, more likely leaving women to endure the brunt of domestic labor. Reflecting on the present day, women are wearing multiple hats, dealing with both household and work responsibilities, and expanding their roles and opportunities. Women in the workplace are socially accepted. Legislation had to pass for society to accept

<sup>130</sup> Source: Krentz et al., “Five Ways Men Can Improve Gender Diversity at Work.”

these changes; however, women currently have combat roles in the military, and a few are even chiefs of police departments.

It appears that things are looking more promising for women—perhaps they have an equal chance to succeed in the workforce now more than ever. Regrettably, female representation in the workplace is improving rather slowly. In fact, in the past few years, it has not improved much at all. According to the Bureau of Labor Statistics, “In 2016, only 56.8 percent of women participated in the labor force.”<sup>131</sup> In December 2017, the bureau reported that over the past 50 years, the percentage of women working full-time and part-time in the workforce has changed only by mere fractions, from 72 percent to 75 percent.<sup>132</sup> By comparison, employed men in the general workforce have trended downward from 90 percent to 88 percent.<sup>133</sup>

All in all, men are still the majority in most professions, and that remains the case in law enforcement. These statistics indicate that the proportion of women to men in the workplace should be progressing at a higher pace. In policing, the pace for women is still slow, improving minimally from 8 percent in 1987 to roughly 10–12 percent in 2013.<sup>134</sup> Could the slow growth of women in law enforcement careers have anything to do with their having different viewpoints than their male colleagues on the subject of gender roles? Women could potentially feel less valued when they experience inequities in their departments. Take, for example, a Pew Research Center study that found “many female

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<sup>131</sup> Bureau of Labor Statistics, *Women in the Labor Force: A Databook*, Report 1071 (Washington, DC: Bureau of Labor Statistics, November 2017), <https://www.bls.gov/opub/reports/womens-databook/2017/home.htm>.

<sup>132</sup> “Percentage of Employed Women Working Full Time Little Changed over Past 5 Decades,” Bureau of Labor Statistics, December 1, 2017, [https://www.bls.gov/opub/td/2017/percentage-of-employed-women-working-full-time-little-changed-over-past-5-decades.htm?view\\_full](https://www.bls.gov/opub/td/2017/percentage-of-employed-women-working-full-time-little-changed-over-past-5-decades.htm?view_full).

<sup>133</sup> Bureau of Labor Statistics.

<sup>134</sup> Equal Employment Opportunity Commission, *Advancing Diversity in Law Enforcement* (Washington, DC: Department of Justice, October 2016), <https://www.justice.gov/crt/case-document/file/900761/download>.

officers think men in their department are treated better than women when it comes to assignments and promotions.”<sup>135</sup>

As previously explained, diversity affects both genders; however, usually, when the subject of diversity arises, most people think about women. It makes sense to think that way, especially in law enforcement professions where, in 2013, only 58,000 of the nation’s over 500,000 sworn officers were women. Educational backgrounds of women have grown over the past few decades. Indeed, in 2016, 42 percent of women between 25 and 64 in the labor force “earned a Bachelor’s degree and higher, compared with 11 percent in 1970.”<sup>136</sup> Oddly, while “for more than 30 years, [women have] been earning more bachelor’s degrees than men,” they are not hired at the rate of their male counterparts.<sup>137</sup>

In today’s society, more and more women are deciding to work outside the home and not be pigeon-holed into believing they have to choose home over work or vice versa. This choice comes with a price. The job of policing has its share of differences as “women of United States police departments challenge traditional gender role expectations.”<sup>138</sup> While a female officer has to ensure that she exhibits “equal competence in a job with a masculine identity,” she also has to recognize that often, her day does not stop after her shift is over.<sup>139</sup> What she has achieved during her day of policing is the deciding factor in when her workday ends. If she has made an arrest or used her interpersonal skills to help solve a problem or resolve a conflict, many additional hours beyond her scheduled duty hours might be required. Nonetheless, when she gets home, she is likely expected to switch hats. Her role could change from officer to homemaker, spouse, or mother when she crosses the threshold of her home, regardless of the stressors she might have encountered at work.

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<sup>135</sup> Renee Stepler, “Female, Male Police Officers’ Experiences on the Job Differ” (Washington, DC: Pew Research Center, January 17, 2017), <https://www.pewresearch.org/fact-tank/2017/01/17/female-police-officers-on-the-job-experiences-diverge-from-those-of-male-officers/>.

<sup>136</sup> Bureau of Labor Statistics, *Women in the Labor Force*.

<sup>137</sup> Alexis Krivkovich et al., “Women in the Workplace 2018,” McKinsey & Company, October 2018, <https://www.mckinsey.com/featured-insights/gender-equality/women-in-the-workplace-2018>.

<sup>138</sup> Schulze, “Family Leave and Law Enforcement.”

<sup>139</sup> Schulze.

Often, the male officer does not have to care for the home as the female officer does—hence, another way gender plays a role.

To be clear, to be male or female and to have differences is natural; however, the assigned roles of each gender have been socially constructed. Gender roles and diversity, while undeniably important, should not be confused with equality. Goran Therborn, a professor of sociology at Cambridge University, teaches that difference and inequality are not one and the same.<sup>140</sup> In sum, he teaches that inequalities are avoidable, unjustified differences.<sup>141</sup>

Equality affords fair competition. It opens doors for opportunities regardless of gender. Equality splits home-care duties and ensures that no one person is overburdened. Equality looks at men and women the same and then chooses the person that best meets the needs of the agency to fill the position or lead the squad. Equality does not mean women in law enforcement have to work harder and longer to get the same assignments that their male counterparts get doing half the work. Equality does not mean that one woman should wait for the promotion she deserves because another woman was promoted on the last promotion list—and the department chooses not to promote the woman to a higher rank, as that would leave a vacancy in the lower position.<sup>142</sup>

Women in the policing profession want equality and a level playing field. A common thing in law enforcement is working non-traditional hours including nights and weekends. This practice limits a woman in two ways. First, it inhibits her career advancement if she cannot do those things due to childcare responsibilities at home. Second, it limits the type of assignments she will be offered due to her inability to juggle the work hours. While women should not expect special treatment, collaborative efforts, assignments, and schedules could afford more opportunities for upward advancement and diversity in assignments.

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<sup>140</sup> Goran Therborn, “The Killing Fields of Inequality,” *Dialogic* (blog), January 23, 2011, <http://dialogic.blogspot.com/2011/01/goran-therborn-killing-fields-of.html>.

<sup>141</sup> Therborn.

<sup>142</sup> This author cites extensive examples of inequality in law enforcement, seen personally and witnessed by female coworkers.

Engaging in a conversation about gender role expectations requires understanding that women have something that nature has made impossible to share with men—female hormones. Women have monthly menstrual cycles that are out of their control. Each month, a woman’s body goes through a series of changes that make some men label them as emotional, irrational, and indecisive, all in the name of premenstrual syndrome. Regardless of whether a woman praises mother nature or despises apple-eating Eve for the changes her body goes through, humankind would cease to exist without her. The female reproductive system allows her to procreate. For women in law enforcement, that could be both a blessing and a curse—the blessing being that a female officer can become a mother if she so pleases, the curse being that once a mother, she may have difficulty progressing in her law enforcement career.

### **C. GENDER INTEGRATION VERSUS GENDER SEGREGATION IN POLICING**

Gender integration and gender segregation are two very different concepts. Whereas gender segregation speaks to the division of labor based on one’s sex, gender integration accepts the differences between the sexes and allows employees to work without bias. Gender integration allows for men and women to work such that no one sex feels superior or inferior, so everyone can work together in unison. Moreover, it involves both men and women identifying ongoing issues or discrepancies and collaborating to create solutions that are acceptable and equitable for both sexes. When men refuse to go along with cultural biases and work alongside their female equals, they make policing a respectable experience for all involved.

An analysis of gender segregation includes different perspectives—work life and family life. It also considers the division of duties. In the early stages of law enforcement, men and women were channeled into different roles, women taking on the roles that were commonly defined as “female” jobs. Needless to say, each sex has brought its own strengths and weaknesses. Nonetheless, gender segregation most likely started in the training academy, where women were provided and tested at a lower fitness plateau than men. From day one, the physical strength of women was perceived as weak, perhaps then leading male counterparts to perceive women as weak in other areas, too. This perception

might have led men to reason that female coworkers were unable to handle physical altercations, and thus, women were seen as a liability rather than a valuable asset to the force. This initial division between the sexes in law enforcement highlighted the physical strength of men yet failed to highlight any of the women's strengths.

Men are inherently physically stronger than women; however, statistics have proven that men are more likely to use force than women. Women may not be so quick to use force to resolve issues, opting rather to use interpersonal skills as an acceptable alternative. A 2016 journal article examined use-of-force problems, concluding that “compared with female officers, male police officers are much more likely to use extreme levels of force and much more likely to be implicated in excessive force complaints and civil court cases.”<sup>143</sup> Whereas men use their physical strength more often than women, female officers use interpersonal skills, which are essential to policing, more often than men to resolve issues. By not highlighting each sex's strengths, departments deprive women of the recognition men receive.

Bearing in mind that most law enforcement establishments follow a military-based command structure, most of the stereotypes about what is considered a male or female job continue to flourish in this profession. Presently, women are allowed to compete for any position they desire, but the most prestigious positions are geared toward men. Alison Konrad, a professor of organizational behavior, conveys that as an identity group, women “have been historically excluded from power positions in organizations.”<sup>144</sup> While some of these exclusionary practices, claim Shelley, Morabito, and Tobin-Gurley, “manifest consciously or unconsciously, they result in significant ramifications for female officers.”<sup>145</sup> As such, the higher-status, higher-paying positions are male dominated.

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<sup>143</sup> Mindy E. Bergman, Jessica M. Walker, and Vanessa A. Jean, “A Simple Solution to Policing Problems: Women!,” *Industrial and Organizational Psychology* 9, no. 3 (September 2016): 590–97, <https://doi.org/10.1017/iop.2016.59>.

<sup>144</sup> Konrad, “Defining the Domain of Workplace Diversity Scholarship.”

<sup>145</sup> Tara O'Connor Shelley, Melissa Schaefer Morabito, and Jennifer Tobin-Gurley, “Gendered Institutions and Gender Roles: Understanding the Experiences of Women in Policing,” *Criminal Justice Studies* 24, no. 4 (December 2011): 351–67, <https://doi.org/10.1080/1478601X.2011.625698>.

In contrast, male officers do not account for gender segregation in the workplace or the household. The division of household labor is exceedingly gendered and geared toward women. Females in the household predominately take on the duties supporting family life. In many families, there is a disparity in the division of labor in the household, woman taking on the majority of those duties while men are minimally supporting the everyday running of the household. This, too, is true of the men and women of law enforcement.

#### **D. GENDERED PERSONAS IN LAW ENFORCEMENT**

There have always been preconceived notions in policing. Glick and Fiske expressed that while “hostility between groups that differ in physical appearance is an all-too-human condition, the biology of sex creates a situation that is uniquely different from other in-group-out-group distinctions.”<sup>146</sup> Physical appearance plays into those notions and might make some women feel as if they are either more or less suited for their profession owing to their external features. Angela Swan agrees that female officers’ experiences are different from their male coworkers owing to dynamics relating directly to their gender.<sup>147</sup> Society has determined that a certain norm should be applied to men and women in terms of gender. This norm is socially constructed and “places . . . emphasis and value on men and women presenting particular traits and behaviors believed more fitting for each gender.”<sup>148</sup> These personas of self are evident in male-dominated careers such as policing.

In a profession where outward appearance and behaviors are imperative, a policewoman either decides how she will portray herself or naturally takes on an identity that fits who she is. Swan explains, “Gendered identity is an individual’s personal ascription to, or rejection of, traditional gender roles and norms.”<sup>149</sup> If a person is true to herself, her persona represents her personal view of herself to the world. She will exhibit

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<sup>146</sup> Peter Glick and Susan T Fiske, “The Ambivalent Sexism Inventory: Differentiating Hostile and Benevolent Sexism,” *Journal of Personality and Social Psychology* 70, no. 3 (1996): 491–512.

<sup>147</sup> Swan, “Masculine, Feminine, or Androgynous.”

<sup>148</sup> Swan.

<sup>149</sup> Swan.

character traits that reflect who she is, what she values, and how she expects to be treated. However, some women in law enforcement may take on a persona that promotes inclusiveness in their male-dominated profession. In fact, they may change their appearance, style, hair, or even way of speaking to fit in with the good ole boys club. Unfortunately, some of these actions could be counterintuitive as they “[re-enforce] stereotypical perceptions [that] can run counter to gender inclusiveness.”<sup>150</sup> Barratt, Bergman, and Thompson assess that “hegemonic masculinity not only influences individuals and their expected traits and behaviors, but also influences the gender stereotyping of occupations.”<sup>151</sup> It should be noted that men and women are not entirely “masculine or feminine based on their biological and genetic marker but rather that these orientations are developed throughout a lifetime . . . and social experiences.”<sup>152</sup> For women in law enforcement, hegemonic masculinity can be adopted and depicted in several ways. The following paragraphs describe some of the personas depicted by women in law enforcement.

### **1. The Masculine Female Cop**

This type of female exhibits assertive, aggressive, and dominant behavior.<sup>153</sup> She defies normal behaviors associated with women. She is not what one would call “emotionally warm, affectionate, nurturing, and relational.”<sup>154</sup> She is the opposite. There is a theory that explains why she might decide to take on this persona. Joan Acker’s theory declares that in “gendered institutions . . . gender is present in the processes, practices, images and ideologies, and distributions of power.”<sup>155</sup> Acker explains,

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<sup>150</sup> Charles G. Hill et al., “Gender-Inclusiveness Personas vs. Stereotyping: Can We Have It Both Ways?,” in *Proceedings of the 2017 CHI Conference on Human Factors in Computing Systems* (Denver: ACM Press, 2017), 6658–71, <https://doi.org/10.1145/3025453.3025609>.

<sup>151</sup> Clare L. Barratt, Mindy E. Bergman, and Rebecca J. Thompson, “Women in Federal Law Enforcement: The Role of Gender Role Orientations and Sexual Orientation in Mentoring,” *Sex Roles* 71, no. 1–2 (July 2014): 21–32, <https://doi.org/10.1007/s11199-014-0388-2>.

<sup>152</sup> Barratt, Bergman, and Thompson.

<sup>153</sup> Barratt, Bergman, and Thompson.

<sup>154</sup> Barratt, Bergman, and Thompson.

<sup>155</sup> Joan Acker, “From Sex Roles to Gendered Institutions,” *Contemporary Sociology* 21, no. 5 (September 1992): 565, <https://doi.org/10.2307/2075528>.

The institutional structures of the United States and other societies are organized along lines of gender. [Hence,] the law, politics, religion, the academy, the state, and the economy . . . are historically developed by men, currently dominated by men, and symbolically interpreted from the standpoint of men in leading positions, both in the present and historically.<sup>156</sup>

According to Acker, besides the role of women in the family, present-day “institutions have been defined by the absence of women.”<sup>157</sup> To be inclusive, and perhaps allowed into the club, some women take on a masculine role to be acknowledged by their male colleagues.

Masculine female cops exhibit behaviors and present themselves as closely resembling those who make the rules and decide her fate. Laughing, joking, and changing their language as well as their look, they hope to participate in an institution that is still dominated by men. Ironically, research has revealed that “policewomen reporting a masculine gender identity were most likely to report lower job satisfaction”; also, adopting a masculine persona could, in effect, make it difficult for those women to find acceptance from male colleagues.<sup>158</sup> Needless to say, when a female officer takes on a masculine persona, she does so by choice. She is most likely buying into the falsehood that those behaviors might make her more accepted or liked by her male associates.

## **2. The Feminine Female Cop**

While being a masculine female in a male-dominated profession does not guarantee acceptance, neither does being what is considered a feminine female on the force. Being womanly does not automatically imply acceptance into the boys club as “being girly is not a law enforcement ideal.”<sup>159</sup> The feminine female is one who exhibits empathy, compassion, sensitivity, and encouragement. Much like the masculine female, the feminine female is swayed by social and cultural dynamics. She not only considers herself from the male officer’s perspective but also recognizes that her female colleagues might have issues

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<sup>156</sup> Acker.

<sup>157</sup> Acker.

<sup>158</sup> Swan, “Masculine, Feminine, or Androgynous.”

<sup>159</sup> Swan.

with her appearance. She must continually prove to both sexes that she belongs and must work hard to gain the respect of her peers—both female and male.

### 3. The Androgynous Female Cop

The androgynous female displays both female and male characteristics. She is neither feminine or masculine. She wears clothing that might be more masculine at times, but she also brings out her feminine flare when she is ready. Her hair is neither long nor short, neither curly nor straight. She might call herself gender-neutral, but at the end of the day, her appearance and behavior are indistinguishable as masculine or feminine. The androgynous female must decide which characteristic she wants to display, especially if she is a lesbian who has decided not to reveal her sexuality in the workplace. According to Galvin-White and O’Neal, some female police officers decide to hide the fact they are gay: “To avoid anticipated negative outcomes, lesbians often manage their stigmatized identity by assuming a heterosexual façade.”<sup>160</sup> The lesbian officer has considered the consequences of revealing her sexuality but knows that they “include (but are not limited to) isolation, rejection, harassment, physical retaliation, and discrimination.”<sup>161</sup> As Galvin-White and O’Neal have revealed, “heterosexual police officers generally do not like homosexuals.”<sup>162</sup> It is no wonder why the androgynous female cop might continue to display both a male and female persona. It could be a strategy to protect herself from her peers’ scrutiny or, moreover, gain their respect or seek inclusion into the club.

Whether a policewoman purposely chooses a persona suitable to her desires, or she embraces one based on who she is, her persona can make or break her career. She will decide, based on her character, either to distance herself from other females or to bond with male officers, hoping to be more readily accepted by the in-group. Either way, the things that are done and expectations of who she is or should be perpetuate male dominance over her, so she should choose wisely.

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<sup>160</sup> Christine M. Galvin-White and Eryn Nicole O’Neal, “Lesbian Police Officers’ Interpersonal Working Relationships and Sexuality Disclosure: A Qualitative Study,” *Feminist Criminology* 11, no. 3 (July 2016): 253–84, <https://doi.org/10.1177/1557085115588359>.

<sup>161</sup> Galvin-White and O’Neal.

<sup>162</sup> Galvin-White and O’Neal.

## **E. PERCEPTION OF MOTHERHOOD VERSUS FATHERHOOD IN LAW ENFORCEMENT**

When it comes to raising a child, both parents should bear equal responsibility. Nevertheless, this thesis has already established that the responsibilities are not shared equally. Neither are the responsibilities of motherhood and fatherhood viewed as equal in the eyes of society. Debra Langan, Carrie Sanders, and Julie Gouweloos assert that fatherhood is often applauded in any career while motherhood in a law enforcement career often comes with a certain negative stigma.<sup>163</sup> It should not come as a surprise, then, that in a male-dominated policing environment, pregnant officers and mothers endure both structural and cultural barriers compared to those considered ideal officers.<sup>164</sup> Simply stated, the responses toward fatherhood are quite distinguishable from the response toward officers who have crossed into motherhood.

Take, for instance, something as simple as when a policewoman decides to reveal her pregnancy to her colleagues and supervisors. The decision about when to do so takes tremendous consideration as she knows that things and people will change with that revelation. The future mother must anticipate her supervisor's reaction, her colleagues' reactions—Will they think she cannot perform her duties anymore?—her career path, and the amount of leave she has built up. Will she work up until she has the child? Will she be able to continue her duties upon return? How long will she be on leave? What can she do when she returns to work? Will she work part-time or full duty when she returns—if there are rules in place for either option? The list could go on and on. In other words, women and mothers face challenging concerns that men and fathers never have to consider.<sup>165</sup>

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<sup>163</sup> Langan, Sanders, and Gouweloos, "Policing Women's Bodies."

<sup>164</sup> Langan, Sanders, and Gouweloos.

<sup>165</sup> This author is a mother who faced these considerations at a time when she was the only pregnant female agent in an office that had no precedent for pregnant agents. She considered her career path development and progression in an agency with no maternity policy and supervisors who could provide no guidance. When she finally revealed her pregnancy after consultation with her physician, she was immediately removed from her preferred assignment and initially asked to relinquish her duty weapon, although she had not requested to be placed in a limited duty assignment. These things happened because the leaders neither knew the rules nor requested guidance from the agency's legal department.

An expectant mother has to do her homework and learn the laws that protect her while she is in her pregnant state and after childbirth. She must not rely on her employer for the answers. She must rely on her own research to ensure that her employer, coworkers, and supervisors understand that she cannot be removed from her assignment if she is both willing and able to perform it. A police mother does not want to tarnish her reputation, so she must contemplate the idea of hurrying back to work to prove her dedication and resiliency. A police officer who is also a father does not worry about these things. He is concerned about neither his reputation nor damage to his career path. He is congratulated and celebrated by his peers with the birth of his child. Even if he opts to take paternity leave, he does not consider what his peers might think—most likely they think alike.<sup>166</sup> Leaders should be aware of these perceptions and consider them vis-à-vis the policies, culture, and attitudes of those in their departments. Both mothers and fathers should rest assured that they will be treated with respect when they return to their regular duty assignments.

## F. CONCLUSION

Gender diversity and gender role discussions should become common in law enforcement. This chapter defined and provided examples of how gender is perceived in a policing career. While almost every business strives to reflect diversity, from the composition of the personnel hired to the construction of the workplace, the business of policing finds difficulty in adhering to these norms. Gender neutrality in policing workplaces does not exist. While law enforcement agencies have adopted zero-bias policies, biases have survived in the world of policing. If they intend to recruit and retain more female officers, departments must embrace gender diversity. Organizational leaders must change the conversations from “Why would a woman want to do that?” to “Why would she *not* want to do that?”—regardless of what *that* happens to be. A workforce that accepts and champions diversity and inclusion will be a workplace where gender diversity is no longer a women-only issue.

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<sup>166</sup> This author has worked in a law enforcement capacity for over 27 years and has witnessed the differences in perception of motherhood versus fatherhood.

#### IV. LEGISLATION AND POLICIES IMPACTING WOMEN IN LAW ENFORCEMENT

James Baldwin once said that “not everything that is faced can be changed, but nothing can be changed until it is faced.”<sup>167</sup> This quote applies to how laws were made and continue to be amended in the United States. Regardless of where people live in America, they are expected to behave a certain way. Laws enforce those expected behaviors. While societies, regions, and states have different laws, those laws were enacted to protect and safeguard the rights of their citizens. In the United States, legal safeguards, based on certain individual characteristics, continue to be incorporated as needs arise. Where behaviors infringed on a person’s or group’s civil rights, Congress added protections. According to the *Equal Employment Opportunity Resource Manual*, “The following groups are considered protected classes: women, African Americans, Asian American/Pacific Islanders, Native American Indians, Latinos/Hispanics, veterans, people with disabilities, people over age 40, and all recognized religious groups.”<sup>168</sup> Because of these protections, it is illegal to discriminate against women.

To be a female law enforcement officer in American society is an ongoing pursuit of equality. Ultimately, the Constitution of the United States, “the supreme Law of the Land,” was written by men and for men, and men intended it to stay that way. When Thomas Jefferson penned the U.S. Declaration of Independence, which stated in part that “all men are created equal,” he undoubtedly took women’s rights for granted. Even with Abigail Adams reminding her husband, President John Adams, to “remember the ladies” as they formed the laws surrounding this nation, women’s rights were not at the forefront of consideration.

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<sup>167</sup> “James Baldwin,” Wikiquote, accessed July 13, 2019, [https://en.wikiquote.org/wiki/James\\_Baldwin](https://en.wikiquote.org/wiki/James_Baldwin).

<sup>168</sup> Purdue University, *Civil Rights/Affirmative Action/Equal Employment Opportunity Resource Manual* (West Lafayette, Indiana: Purdue University, 2008), <https://extension.purdue.edu/civilrights/Documents/CR-ADA-EEO%20Staff%20Resource%20Manual%202008.pdf>.

Fast forward to 2019, and it is unimaginable for current generations of women and men entering the workforce that only 55 years ago, women had few protections and were openly discriminated against in the workplace. A woman in law enforcement need not think back that far—she may need only to recall yesterday or today at work. In examining ways to address retention and recruitment issues for women in policing, it is necessary to consider the legal environment that existed in the past. Recalling that the Equal Pay Act of 1963 “made it illegal to have different pay rates for women and men doing the same work,” the law did not, however, “prohibit employers from denying women jobs or advancement on the basis of sex.”<sup>169</sup>

This chapter examines legislation and policies on the subject of women in law enforcement. It reviews existing U.S. laws and policies linked to the career paths of women in law enforcement, specifically Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, the Pregnancy Discrimination Act of 1978, and the U.S. Family and Medical Leave Act of 1993. In addition, this chapter provides an overview of H.R. 1534, the Federal Employee Paid Leave Act (FEPLA), which was adopted in July 2019.

#### **A. TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**

Title VII of the Civil Rights Act of 1964 stood as a major legal development for women in law enforcement. This fragment of legislation, among other things, made it illegal to discriminate openly against women. Given that the first sworn policewoman joined the force in 1910, gender discrimination should not have been an issue at the time of the law’s passage; however, historical employment practices had once again determined that these rights needed federal protection. This section reviews some of the most ubiquitous issues brought to the forefront in Title VII.

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<sup>169</sup> S. O’Dea, “Civil Rights Act of 1964, Title VII,” in *From Suffrage to the Senate: America’s Political Women: An Encyclopedia of Leaders, Causes & Issues*, 3rd ed. (Amenia, NY: Grey House Publishing), Credo.

## 1. Hiring Practices

Passed in July 1964, Title VII included language that made it unlawful to refuse to hire or fire anyone because of their sex, which expanded equal employment opportunities for women.<sup>170</sup> Nonetheless, many law enforcement organizations continued to discriminate in their policies and hiring practices. Take, for example, the 2013 decision in *United States of America and Corpus Christi Police Officers' v. City of Corpus Christi, Texas*, where the court found that the Corpus Christi Police Department (CCPD) had violated Title VII. The court alleged that the CCPD “engage[d] in a pattern or practice of discrimination against women because of their sex.”<sup>171</sup> Essentially, for approximately six years, the department had used its physical abilities test (PAT) to eliminate potential female applicants before determining whether the candidates were qualified for the police officer position. When the CCPD used its PAT, it removed conceivably qualified applicants from the process, which the court found “caused a disparate impact on women because of their sex.”<sup>172</sup>

Meanwhile, the CCPD had not established that the use of the PAT was job-related nor within the department’s requirement as the department did not have “mandatory fitness requirements for a majority of its incumbent police officers.”<sup>173</sup> For its discriminatory actions against female applicants, the CCPD was required “to pay \$700,000 as back pay to eligible female applicants who took and failed the challenged physical abilities test between 2005 and 2011.”<sup>174</sup> The protections provided under Title VII forced the CCPD to examine and then eliminate the prejudiced barriers that disqualified female applicants. Moreover, this case forced the CCPD to analyze its hiring practices to implement new hiring processes that were consistent with Title VII protections. This case is but one

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<sup>170</sup> O’Dea.

<sup>171</sup> “Justice Department Settles Sex Discrimination Lawsuit against Corpus Christi, Texas, Police Department,” Department of Justice, May 15, 2013, <https://www.justice.gov/opa/pr/justice-department-settles-sex-discrimination-lawsuit-against-corpus-christi-texas-police>.

<sup>172</sup> Department of Justice.

<sup>173</sup> Department of Justice.

<sup>174</sup> Department of Justice.

example of how Title VII opened the door for potential female applicants, giving them an unbiased opportunity in the hiring process.

## 2. Harassment

Title VII of the Civil Rights Act of 1964 also provided protections against harassment. Defined as

unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information[,] harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.<sup>175</sup>

Anti-discrimination laws that prohibit harassment are upheld by the United States Equal Employment Opportunity Commission (EEOC).<sup>176</sup> Notably, physical assaults and threats, offensive jokes or pictures, insults and name-calling, intimidation, mockery, and even interference with work performance are all categorized as offensive and can be considered a form of harassment.<sup>177</sup>

Sexual harassment, a well-known form of harassment, is illegal, and the experience is sure to be damaging for anyone having to endure it. The EEOC defines sexual harassment as the “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.”<sup>178</sup> Research has proven that women who work in male-dominated environments are more likely to experience sexual harassment or even assault. For example, a 2013 journal article indicated that 100 percent of the female police officers interviewed in a study expressed that they had experienced “at least one sexually harassing

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<sup>175</sup> “Harassment,” Equal Employment Opportunity Commission, accessed July 13, 2019, <https://www.eeoc.gov/laws/types/harassment.cfm>.

<sup>176</sup> This author is a collateral Equal Employment Opportunity (EEO) counselor who has counseled EEO complaints on an informal basis for several years and is well-versed in the laws and regulations supporting the EEO mission.

<sup>177</sup> Equal Employment Opportunity Commission, “Harassment.”

<sup>178</sup> Equal Employment Opportunity Commission.

behavior during the course of their career.”<sup>179</sup> Female officers in that same study, 24 percent of them, revealed they had endured a “constant atmosphere of offensive remarks.”<sup>180</sup> In the end, the study projected that at least half of American policewomen “will be subjected to some form of sexually harassing behavior in their workplace, with sexual and/or sexist remarks being the most common by far.”<sup>181</sup> However disturbing these statistics might seem, the worst part is that these trends continue.

In 2018, female officers at Little Sandy Correctional Complex in Lexington, Kentucky, alleged that they had been sexually harassed by a male employee, but their reports had been ignored. Although a correctional institution is not a police department, it is a protective service career with similar challenges for its gun-toting women officers. In the Little Sandy case, “multiple female correctional officers reported that [a male supervisor had] grabbed them, exposed himself and attempted to get them to touch him . . . [and] prison leaders ignored the complaints, or deemed them unsubstantiated. Many of the women said they faced retaliation for reporting the harassment.”<sup>182</sup> The victims’ lawyer described a culture at the prison of not taking allegations of sexual harassment seriously; indeed, numerous employees had declared their complaints were “swept under the rug.”<sup>183</sup> While it is disturbing that the department did not fully investigate the allegations of its female officers, even more troubling are the incidents of harassment that have gone unreported. By ignoring the allegations, Little Sandy incurred a hefty \$1.5 million settlement that was split among four victims. Once again, Title VII defended women in an agency that had not yet embraced protections under the law. The lessons learned in this case led to policy reviews and changes, which ultimately forced the agency to increase its internal investigative and oversight processes as well as its anti-harassment training.

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<sup>179</sup> Kimberly A. Lonsway, Rebecca Paynich, and Jennifer N. Hall, “Sexual Harassment in Law Enforcement: Incidence, Impact, and Perception,” *Police Quarterly* 16, no. 2 (June 2013): 177–210, <https://doi.org/10.1177/1098611113475630>.

<sup>180</sup> Lonsway, Paynich, and Hall.

<sup>181</sup> Lonsway, Paynich, and Hall.

<sup>182</sup> Eleanor Klibanoff, “State Board Finds Ky. Prison Mishandled Sexual Harassment Complaints,” Kentucky Center for Investigative Reporting, May 21, 2019, <https://kycir.org/2019/05/21/state-board-finds-ky-prison-mishandled-sexual-harassment-complaints/>.

<sup>183</sup> Klibanoff.

Certainly, there have been improvements to both attitudes and policies since the enactment of Title VII, but employers and human resources departments should consider cases such as the CCPD and the Kentucky Correctional Complex to ensure their organizations are not engaging in practices that discriminate against female applicants or employees. The failure to respect civil rights legislation makes for a lose–lose situation. Departments lose financially, having to pay out large dividends in court fees and payments. Moreover, they conceivably lose some of their current and potential female officers.

## **B. EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1972**

Public policy and legislation define women’s rights in the United States. In this day and age, most people likely take the integration of women in policing for granted. However, the challenges that women in security-sector professions continued to face required safeguarding to ensure fair treatment. Laws such as the Equal Employment Opportunity Act (EEOA) of 1972 came about because organizations were still discriminating against protected persons in their workplaces. In its own admission for the lack of effectiveness of previous legislation, Congress declared that “the time ha[d] come for Congress to correct the defects in its own legislation. The promises of equal job opportunity made in 1964 must be made realities.”<sup>184</sup> Congress intended for this act “to prohibit job discrimination for reasons of race, religion, color, national origin, and sex.”<sup>185</sup> It granted the EEOC authority to sue federally if there was reasonable evidence that employment discrimination had occurred.

The meaning of the word *equal* depends on the hermeneutic of the person defining it. Nonetheless, as it relates to the EEOA, *equal* does not mean that all employees or applicants are equal in competency, ability, or—in the case of law enforcement officers—strength or agility. Nevertheless, the EEOA insists, “The law looks at all applicants or

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<sup>184</sup> “Milestones: 1972,” Equal Employment Opportunity Commission, accessed July 13, 2019, <https://www.eeoc.gov/eeoc/history/35th/milestones/1972.html>.

<sup>185</sup> *Encyclopedia of Business and Finance*, s.v. “Equal Employment Opportunity Act of 1972,” accessed July 5, 2019, <https://www.encyclopedia.com/finance/finance-and-accounting-magazines/equal-employment-opportunity-act-1972>.

employees as equals, who deserve fair treatment.”<sup>186</sup> Essentially, this law promises nothing to anyone but levels the playing field for everyone. Take, for instance, Jay Brome’s ongoing 2016 case against the California Highway Patrol (CHP) from which Brome attempted to receive fair treatment. Over 20 years, Brome claimed he had filed several internal complaints reporting harassing, retaliatory, and discriminating treatment before he opted to sue.<sup>187</sup> Brome, a gay officer, testified that the harassment started in the academy where he had to endure homophobic slurs and physical threats, and that treatment continued the length of his career. He reported that in some instances when he had found himself in dangerous situations, other officers had refused to respond when he requested backup—because he was gay. Although the case has yet to be adjudicated, the CHP released a statement regarding its policies and practices: “Employment practices will be made . . . consistent with state civil service and merit system principles.”<sup>188</sup> Without the protections afforded by the EEOA, the unfair treatment of Brome and other officers would likely be disregarded. At least, this case has opened the eyes of the CHP’s administration so that further notifications of harassment will be acknowledged and addressed.

### C. PREGNANCY DISCRIMINATION ACT OF 1978

Pregnancy is not a problem—it is simply a fact of life. However, pregnancy does complicate a female officer’s career as policing is inherently dangerous. Both perceived and actual organizational pressures and conflicts come with being pregnant. It is easy to forget that the pregnant officer’s body belongs not only to her. She worries about how she will be received by her peers, both male and female. Moreover, she fears what her departmental heads will do or how they will treat her pregnancy. The Pregnancy Discrimination Act (PDA) of 1978 likely simplified these worries for the pregnant officer by prohibiting employment discrimination against pregnancy. For her, the passage of this

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<sup>186</sup> *Encyclopedia of Business and Finance*.

<sup>187</sup> Jay Brome v. California Highway Patrol, No. A154612 (Cal. App. filed Nov. 29, 2018), <https://www.scribd.com/document/399003641/Jay-Brome-2018-Lawsuit>.

<sup>188</sup> Alex Madison, “Ex-CHP Officer Sues over Anti-Gay Harassment,” *Bay Area Reporter*, December 19, 2018, <https://www.ebar.com/news/news//269784>.

law would have come as a relief. To know that her department could not fire her or force her to resign might have alleviated some of her concerns.

Regarding the fair treatment of pregnant women, Queneau and Marmo report that employers should seek a balance “based on the premise that men and women must be treated equally; women are not to be discriminated against because of their pregnancy, nor are they accorded special considerations.”<sup>189</sup> In other words, the female officer has some legal protections while she is pregnant and after childbirth. However, the law does not preclude the belief of some departments that the pregnant officer might embrace being placed on a limited duty assignment, such as equipment supply or dispatch, which allows her to continue working but under safer conditions.<sup>190</sup> The problem is that *being placed* in an assignment while pregnant without her consent goes against the PDA’s intentions. A pregnant officer is not disabled and should not be treated as such.

In the same vein, departments are not allowed to exclude the pregnant officer from the intrinsic risks of her profession. Pregnant officers, by law, can continue to perform their duties until they determine they can no longer do so. The PDA also provides that—in the case of policing—if the department “has accommodated employees who have not been able to perform their regular duties due to non-pregnancy-related health reasons, then similar accommodations must be made available to pregnant women.”<sup>191</sup> The creators of the PDA can take credit for introducing an equal treatment model. However, as Val Van Brocklin points out, as “only women can get pregnant, some have argued the equal treatment model doesn’t effectively address the unique issues pregnancy presents in the workplace.”<sup>192</sup> For this reason, the pregnant officer, presumably with input from her doctor, should decide when she can no longer perform her duties.

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<sup>189</sup> Herve Queneau and Michael Marmo, “Tensions between Employment and Pregnancy: A Workable Balance,” *Family Relations* 50, no. 1 (January 2001): 59–66, <https://doi.org/10.1111/j.1741-3729.2001.00059.x>.

<sup>190</sup> Rabe-Hemp and Humiston, “A Survey of Maternity Policies and Pregnancy Accommodations.”

<sup>191</sup> Queneau and Marmo, “Tensions between Employment and Pregnancy.”

<sup>192</sup> Val Van Brocklin, “Pregnant on Patrol: What Officers and Administrators Need to Know,” *Police One*, March 2016, <https://www.policione.com/women-officers/articles/167240006-Pregnant-on-patrol-What-officers-and-administrators-need-to-know/>.

Although the PDA was a well-intended, needed addition to federal law, numerous examples show that it has not prevented departmental discrimination against pregnant officers. One example is the case of 15-year veteran Officer Jennifer Panattoni of the Frankfort Police Department (FPD) in Illinois, who suffered discrimination and retaliation due to her pregnancy.<sup>193</sup> As one of only three women in the department and the only one who worked full-time patrol shifts, Panattoni was forced to stop working without pay after five months into her pregnancy. The FPD had refused Panattoni's requests for new uniforms and protective gear as well as appeals to modify her duties, stating those duties were reserved for light-duty officers. Panattoni had to drain her paid benefits before giving birth.

The FPD violated the PDA when it did not treat Panattoni the same as any other temporarily disabled employee when she notified the department of her inability to work a patrol shift. She should have been afforded light-duty or modified tasks instead of being forced to take leave without pay.<sup>194</sup> The FPD's discriminatory actions have cost the Village of Frankfort \$190,000 as part of a settlement agreement with Panattoni and her attorneys.<sup>195</sup> In a statement, Panattoni admitted, "I have always wanted to be a police officer. . . . I feel so honored to serve, but I have been punished for choosing to be a mom."<sup>196</sup> Due to the protections provided under the PDA, an officer will receive due justice, and a city will be required to adopt new procedures, policies, and training. Settled in April 2019, this case illustrated the fact that pregnancy and maternity are unique in law enforcement professions. Policewomen should not have to worry about negative impacts on their career paths or face discrimination when they make the best decision they can for themselves and their unborn children.

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<sup>193</sup> "ACLU Files Pregnancy Discrimination Lawsuit on Behalf of Police Officer in Illinois," American Civil Liberties Union, accessed July 14, 2019, <https://www.aclu.org/press-releases/aclu-files-pregnancy-discrimination-lawsuit-behalf-police-officer-illinois>.

<sup>194</sup> "Facts about Pregnancy Discrimination," Equal Employment Opportunity Commission, accessed June 20, 2019, <https://www.eeoc.gov/eeoc/publications/fs-preg.cfm>.

<sup>195</sup> Brianna Smith, "Village of Frankfort Settles Pregnancy Discrimination Lawsuit with Police Officer for \$190K," *Legal Reader* (blog), April 12, 2019, <https://www.legalreader.com/village-of-frankfort-settles-pregnancy-discrimination-lawsuit-with-police-officer-for-190k/>.

<sup>196</sup> American Civil Liberties Union, "ACLU Files Pregnancy Discrimination Lawsuit."

#### **D. FAMILY AND MEDICAL LEAVE ACT (FMLA) OF 1993**

Before delivery, nearly all working women consider how long they will take for maternity leave after the baby arrives. The Family Medical Leave Act (FMLA) helps with that decision by guaranteeing employees up to 12 weeks of unpaid leave annually after the birth or adoption of a child. Signed into U.S. law in 1993, the FMLA “requires that employers reinstate employees to their former job or an equivalent job at the end of the leave, and must maintain any group health insurance coverage under the same conditions of coverage and cost-sharing arrangement as if the employee were working during the leave.”<sup>197</sup> For the pregnant officer, the FMLA means that she does not have to use all of her earned paid leave before she applies for unpaid leave. She need only give verbal notice and then submit the leave request 30 days before she plans to take it. What’s more, she can decide to substitute any part of her 12 weeks with paid leave, such as accrued annual or sick leave or even compensatory time.

The FMLA is not only about time off—it is also about protecting the job or position of the employee when he or she returns to work. Nonetheless, some police departments have tried to sidestep this requirement. Take, for example, the 2017 case of Officer Stephanie Hicks of the Tuscaloosa Police Department (TPD) in Alabama, who returned from maternity leave only to be transferred to a different, less-desirable position.<sup>198</sup> As if that was not bad enough, Hicks allegedly overheard her supervisor complaining about her using the full 12-week leave benefit and admitting he was coercing her to leave. Hicks endured a changed assignment (demotion), a pay cut, loss of her departmental vehicle, denied accommodations for breastfeeding (pumping), and a change in her schedule, which required her to work weekends. It would seem the TPD had won. Defeated, Hicks resigned but later filed a lawsuit. The TPD’s denial of breastfeeding accommodations was also considered a constructive discharge, meaning that any reasonable person in her position

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<sup>197</sup> Purdue University, *Resource Manual*.

<sup>198</sup> John A. Snyder, “Eleventh Circuit Upholds Alabama Cop’s Win in Pregnancy and FMLA Case,” Jackson Lewis P.C., December 20, 2017, <https://www.disabilityleavelaw.com/2017/12/articles/uncategorized/eleventh-circuit-upholds-alabama-cops-win-pregnancy-fmla-case/>.

would have most likely resigned.<sup>199</sup> In September 2017, the 11th Circuit Court of Appeals “affirmed a jury verdict in favor of . . . [Hicks] on her pregnancy and Family and Medical Leave Act (FMLA) claims.”<sup>200</sup> Hicks won her lawsuit against TPD and was awarded over \$161,000 plus attorney’s fees and other expenses. This case was another example of the law forcing a department to comply with the rules.

#### **E. H.R. 1534, FEDERAL EMPLOYEE PAID LEAVE ACT**

It was suggested that U.S. law enforcement leaders would be more successful if the community adopted some of the policies and guidance in maternity issues. Rabe-Hemp and Humiston suggested a policy change: “A national paid policy for maternity leave would have a significant impact on internal police policy adoption and implementation.”<sup>201</sup> As luck would have it, in July 2019, H.R. 1534, the Federal Employee Paid Leave Act (FEPLA), was officially adopted.<sup>202</sup>

The law, part of the National Defense Authorization Act, provides “12 weeks paid family medical leave to federal workers to care for themselves and their families.”<sup>203</sup> Boasted as the nation’s largest employer, the federal government employs over 2.1 million employees. One of the act’s primary advocates, Representative Carolyn B. Maloney, believes that the federal government should be an example for other employers. She recalls, “When I was pregnant with my first child and asked about the leave policy, the response I got was, ‘Leave? What leave? Women just leave.’ That’s not acceptable. This isn’t a Republican or Democratic issue—this is a family issue.”<sup>204</sup> The provision’s paid leave may be used for the following reasons:

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<sup>199</sup> “Stephanie Hicks v. City of Tuscaloosa Alabama,” Findlaw, accessed September 20, 2019, <https://caselaw.findlaw.com/us-11th-circuit/1873305.html>.

<sup>200</sup> Snyder, “Eleventh Circuit Upholds Alabama Cop’s Win.”

<sup>201</sup> Rabe-Hemp and Humiston, “A Survey of Maternity Policies and Pregnancy Accommodations,” 250.

<sup>202</sup> “Maloney, Houlahan, Smith Celebrate Inclusion of Paid Leave Amendment in NDAA,” Official Website of Representative Carolyn Maloney, July 10, 2019, <https://maloney.house.gov/media-center/press-releases/maloney-houlahan-smith-celebrate-inclusion-of-paid-leave-amendment-in>.

<sup>203</sup> Official Website of Representative Carolyn Maloney.

<sup>204</sup> Official Website of Representative Carolyn Maloney.

- Because of the birth of an employee's child and in order to care for such child.
- Because of the placement of a child with the employee for adoption or foster care.
- In order to care for the spouse, child, or parent of the employee, if such spouse, child, or parent has a serious health condition.
- Because of a serious health condition that makes the employee unable to perform the functions of the employee's position.
- Because of any qualifying urgent need arising from the fact that the employee's spouse, child, or parent is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.<sup>205</sup>

The FEPLA is a move in the right direction for federal employees as well as a nation of agencies and departments that look to the federal government as an example for enacting their own policies. Local law enforcement agencies should begin to think about and plan for policies such as this. Doing so would move the law enforcement sector onto the right path for improving the career opportunities of female officers and ensuring retention.

#### **F. LOCAL AND STATE PREGNANCY POLICIES**

While pregnancy is distinctive to women, there should be policies and practices in place that protect all employees. A search for pregnancy policies among U.S. police departments revealed that most agencies' policies do not deviate significantly from the FMLA. However, some departments follow the city's policy while others have distinct pregnancy policies. The following are some distinctive pregnancy policies and what they entail:

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<sup>205</sup> Official Website of Representative Carolyn Maloney.

## 1. Lexington Police Department, Kentucky

The Lexington Police Department's chief of police enacted the department's policy via general order on December 5, 2014.<sup>206</sup> In addressing pregnancy and lactation, the policy seeks to protect policewomen from discrimination, secure their jobs, and safeguard against inherent work-related risks. The policy has a full-duty option that provides specific choices for the officer concerning her essential duties, consultations with her personal doctor, voluntary supervisor notification of her pregnancy, continued qualification with firearms, and ability to receive alternate-sized uniforms and duty belts based on departmental rules, as well as the department's safety evaluation to determine undue safety. If the department determines that the officer's pregnancy is a safety risk, she may be reassigned to maternity duty. While on maternity duty, based on a doctor's determination, the officer may take FMLA leave. Moreover, she is allowed to carry a concealed weapon, drive an unmarked vehicle (based on availability), work assignments consistent with operational needs, and participate in internal shift bids. When the officer returns to work in a full-duty capacity, she is required to provide a doctor's note releasing her to do so and complete any missed training and firearms qualifications, after which she can resume normal duties. The policy also offers a lactation policy with designated rooms for the officer's use up to one year after childbirth.<sup>207</sup>

The Lexington Police Department saw a need for a general order to protect its female law enforcement population. The policy relies on the officer's discretion for when to reveal her pregnancy, her doctor's orders, and her ability to maintain her required training and qualifications. These written policies and procedures address many of the concerns of the female officer in deciding whether to become a mother and determining how that decision might affect her career.

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<sup>206</sup> Lexington Police Department, *Pregnancy Policy*, General Order 2013-01A (Lexington, KY: Lexington Police Department, December 5, 2014), <https://www.lexingtonky.gov/sites/default/files/2017-03/GO%202013-01A%20Pregnancy%20Policy.pdf>.

<sup>207</sup> Lexington Police Department.

## **2. Elgin Police Department, Illinois**

The Elgin Police Department follows the city's policy and does not have a separate pregnancy policy. Section 6.17 of the 2016 *Employee Manual* provides an overview of the PDA for employees of the Elgin Police Department.<sup>208</sup> The policy's verbiage regurgitates the PDA and provides that pregnant officers have right to be free from pregnancy-related discrimination, and employees covered under the PDA may request reasonable accommodations for pregnancy, such as more or longer bathroom breaks, assistance with heavy work, a private non-bathroom space for expressing breast milk and breastfeeding, or time off to recover from a pregnancy. The manual reminds employees that they cannot discriminate or retaliate against pregnant officers due to any reasonable accommodations the officer might have requested or received, establishing that the department cannot require a pregnant employee to accept an accommodation she did not request. Furthermore, the policy serves as a reminder that any employee who believes she has been discriminated against—because of her pregnancy, childbirth, or any medical condition related to pregnancy or childbirth—can file a complaint. Section 13.02 of the FMLA provides that employees must submit applications for family medical leave in writing to the human resources director for processing and approval by the city manager.<sup>209</sup>

While Elgin does not offer a separate pregnancy policy, it does provide guidance for its employees who might become pregnant. That guidance restates the PDA and reaffirms that pregnancy discrimination will not be tolerated. The fact that these revelations are in the *Employee Manual* could be encouraging to female officers who might be pondering the decision of motherhood.

## **3. Albuquerque Police Department, New Mexico**

The City of Albuquerque's employees have one of the most robust pregnancy policies found during the research. The city's mayor signed a bill on December 18, 2018,

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<sup>208</sup> City of Elgin, *Employee Manual* (Elgin, IL: City of Elgin, 2016), 17, <https://www.cityofelgin.org/DocumentCenter/View/71613/Personnel-Manual-Final-Version-2019>.

<sup>209</sup> City of Elgin.

that granted parental leave to all city employees.<sup>210</sup> Approved unanimously, the legislation allows eligible employees—those employed by the city for at least 12 months with 1,250 hours of work—“up to 12 weeks of paid leave when they, their spouse or domestic partner have a baby or become adoptive or foster parents.”<sup>211</sup> The city’s research revealed that paid parental leave has numerous benefits, including reduced infant mortality, reduced infections for breast-fed babies, lowered risk of sudden infant death syndrome, and invaluable benefits for the mother as well. In addition, the city claimed it had enacted the legislation to encourage employee retention. Simply stated, the city wanted to keep its talent in Albuquerque.<sup>212</sup>

The Albuquerque Police Department benefits from the city’s pregnancy policy. The city’s framework and structure provide its police officers with specific policies that will help them make the best decisions for planning a family. In the end, it could very well provide the outcome the city wants by retaining the department’s officers.

## **G. CONCLUSION**

Americans are living in a society that now uses the phrase “founding fathers and mothers” to describe those who established the laws of the land. Indeed, in the spirit of James Baldwin, it would seem America has faced the inequalities that come with being a woman and mother in law enforcement. The United States is ready to make some positive changes. Now that the terms pregnancy, maternity, and lactation, among others, are part of the discussion, they can turn into policies in police departments that will benefit the departments and their new mothers.

This chapter provided an overview of existing U.S. laws and policies associated with the career paths of women in law enforcement, specifically Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, the Pregnancy

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<sup>210</sup> “Mayor Keller Signs Bill Granting Paid Parental Leave to City of Albuquerque Employees,” City of Albuquerque, accessed July 14, 2019, <https://www.cabq.gov/mayor/news/mayor-keller-signs-bill-granting-paid-parental-leave-to-city-of-albuquerque-employees>.

<sup>211</sup> City of Albuquerque.

<sup>212</sup> City of Albuquerque.

Discrimination Act of 1978, and the U.S. Family and Medical Leave Act of 1993. It also reviewed some local state pregnancy policies. While the laws surrounding pregnancy, maternity, and motherhood were implemented quite some time ago, there is still a long way to go before true equality prevails. Continued research is needed to determine the best policies for pregnant policewomen and mothers. This thesis offers recommendations for each.

## V. COMPARATIVE ANALYSES OF WOMEN IN THREE GOVERNMENT SECTORS

In today's society, agencies strive to recruit, hire, and retain personnel who possess characteristics that align with their missions and goals while also trying to reflect diversity. U.S. law enforcement, the U.S. military, and the United Kingdom's intelligence and security sector have those same aspirations. They each work under similar circumstances, demands, and pressures, but each performs its duties in different ways with different outcomes. Despite their distinctions, each career is coupled with danger and uncertainty and has struggled with recruiting and retaining their female population.

In May 2019, of the approximately 1.3 million active-duty Department of Defense (DoD) personnel, about 16.7 percent, specifically 213,378, were women.<sup>213</sup> These numbers are slightly higher than those of U.S. law enforcement women; however, each sector brings unique ordeals with a culture that is quite similar. While defense occupations require the workforce to be ready to engage in dangerous situations at any time, some male servicemembers do not believe their female counterparts are up to the challenge. Servicemembers serve in teams with significant mutual support between comrades. In contrast, law enforcement officers share a bond but are often deployed alone. Military service members risk their lives for their peers; however, their female counterparts may not feel as secure in this bond. According to Elizabeth Trobaugh, military men, like their law enforcement counterparts, "are afraid of lowered physical standards, increased sexual assault and harassment, reduced readiness, and destruction of the masculine culture of brotherhood."<sup>214</sup> Male servicemembers have made it clear that the comradeship of combat is not necessarily open to women. For example, in an interview as part of a study by the U.S. Army Training and Doctrine Command, regarding integration, a soldier stated, "as far as combat arms units go, there would be an extremely negative effect within units which

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<sup>213</sup> "DoD Personnel, Workforce Reports & Publications," Defense Manpower Data Center, accessed July 16, 2019, [https://www.dmdc.osd.mil/appj/dwp/dwp\\_reports.jsp](https://www.dmdc.osd.mil/appj/dwp/dwp_reports.jsp).

<sup>214</sup> Elizabeth M. Trobaugh, "Women Regardless: Understanding Gender Bias in U.S. Military Integration," *Joint Force Quarterly* 88, no. 1 (2018): 47, [https://ndupress.ndu.edu/Portals/68/Documents/jfq/jfq-88/jfq-88\\_46-53\\_Trobaugh.pdf?ver=2018-01-09-102340-317](https://ndupress.ndu.edu/Portals/68/Documents/jfq/jfq-88/jfq-88_46-53_Trobaugh.pdf?ver=2018-01-09-102340-317).

are traditionally male. The things that go on there, the bonds, would be damaged.”<sup>215</sup> Comments such as this show that military culture still exhibits the same stereotypical attitudes as in law enforcement culture, which makes it difficult for women to fit in.

The process of integrating women in the United Kingdom’s intelligence and security agencies bears similarities to women in the U.S. security sector. There are three major intelligence and security agencies in the United Kingdom: the Government Communications Headquarters (GCHQ); the Security Service, also known as Military Intelligence, Section 5 (MI5); and the Secret Intelligence Service, also known as Military Intelligence, Section 6 (MI6). Together, these agencies protect the United Kingdom’s national security. They do so by working long, varied hours and performing dangerous tasks.<sup>216</sup> In 2015, these agencies were instructed by the parliamentary oversight committee to vary their traditional recruitment tactics to increase women hires and to devise a plan to retain their current population of experienced women.

This chapter examines legislation and policies related to the career paths of women in the U.S. military and the United Kingdom’s intelligence sector as compared to those in the U.S. law enforcement sector. Akin to policewomen in the United States, these sectors have specific concerns related to recruitment, retention, and career advancement. While turnover in any agency is inevitable, the vocations examined in this chapter are those for which retaining the female population is vital to the agencies’ missions. Comparisons of each organization seek to determine the best practices from each entity to improve the retention and career paths of female law enforcement officers.

This chapter also examines the parental policies of each sector. The U.S. military’s parental leave policies changed in early 2019 and now include fathers and caregivers in addition to birth and adoptive parents. In 2010, the United Kingdom publicized the Equality Act, which protects against discrimination due to maternity or pregnancy, among other

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<sup>215</sup> Trobaugh.

<sup>216</sup> Intelligence and Security Committee of Parliament, *Women in the UK Intelligence Community* (London: Intelligence and Security Committee, 2015).

safeguards. Finally, this chapter analyzes each sector's policies to provide recommendations for better parental policies in the U.S. law enforcement sector.

#### **A. COMPARATIVE ANALYSIS: U.S. LAW ENFORCEMENT WOMEN VERSUS MILITARY WOMEN**

The integration of women in law enforcement agencies bears a striking resemblance to that of the U.S. military. There are clear parallels between policewomen and military women. In each occupation, women have sworn the same oath as well as bear arms and put their lives on the line to protect their country. Male-dominated careers like policing and the military are grounded in tradition. These traditions often tend to isolate women, making it difficult for them to sense acceptance.<sup>217</sup> Both sectors acknowledge that issues exist and continue to seek ways to improve the profession to retain women. Building on these minimal examples, women want to do a good job alongside their fellow officers or servicemembers. All the same, women and men continue to have different roles and expectations in each profession.

While women have been part of the U.S. military for many years, their duties have been drastically different from men. Women were permitted to serve as laundresses, cooks, nurses, matrons, or even spies. Nevertheless, women were not allowed to enlist for military service until 1943 with the advent of the Women's Army Corps.<sup>218</sup> Over time, women were allowed to perform additional duties like their male colleagues, though it was not without scrutiny and stereotyping about their capabilities and competencies. Needless to say, these outward manifestations of difference have threatened both overall camaraderie and the military's mission.

Political debate in the early 1990s arose over gender segregation and integration in training requirements. These policies spurred angst among female troops as women had been precluded from combat positions yet were activated and deployed with their male counterparts.<sup>219</sup> By 2008, over 16,000 women were serving in Iraq, Afghanistan,

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<sup>217</sup> Connell and Messerschmidt, "Hegemonic Masculinity."

<sup>218</sup> Trobaugh, "Women Regardless."

<sup>219</sup> Tama, "Independent Commissions as Settings for Civil-Military Deliberation."

Germany, Japan, and other areas.<sup>220</sup> Nonetheless, women were still fighting a war for equality; female servicemembers were waging institutional wars for their right to serve in combat positions. It was not until 2015 that women gained ground and would be “integrated into previously closed combat jobs and training.”<sup>221</sup> In 2016, gender-based restrictions ended. Female servicemembers in the United States now fill positions that were, until recently, reserved for men. This was a significant step toward gender integration in the U.S. military.

Regardless of gender, the military pays everyone equally; however, like policing, some gaps perpetrate a discrepancy in male and female promotion rates. A 2016 RAND Corporation study found that women are less likely to be promoted than men. The analysis found that attrition is believed to play a role in the disparity in promotions. The findings also suggest having fewer total deployments and minimal tactical experience contributed to military women’s slow or minimal career progression. In effect, job characteristics penalized those with fewer deployments and less tactical experience—i.e., women—whose “higher representation in administrative occupations” impacted their career advancement.<sup>222</sup> The study revealed that “family factors . . . specifically, marital status and age and presence of dependents” were among the “major contributors toward explaining why women were less likely to be retained and promoted over their officer careers.”<sup>223</sup> The study found that female servicemembers progress slower than their male colleagues “primarily because of lower retention but also because of lower promotion.”<sup>224</sup> Nonetheless, while the military is framed around being fair, the occupation is similar to law enforcement in that fair treatment does not automatically mean equal.<sup>225</sup>

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<sup>220</sup> “Teaching Strategy: Women in the Military,” Colonial Williamsburg, accessed July 4, 2019, <http://www.history.org/history/teaching/eneewsletter/volume7/nov08/teachstrategy.cfm>.

<sup>221</sup> Trobaugh, “Women Regardless.”

<sup>222</sup> Beth J. Asch, Trey Miller, and Gabriel Weinberger, *Can We Explain Gender Differences in Officer Career Progression?*, Report No. RR-1288-OSD (Santa Monica, CA: RAND Corporation, 2016).

<sup>223</sup> Asch, Miller, and Weinberger.

<sup>224</sup> Asch, Miller, and Weinberger.

<sup>225</sup> Tama, “Independent Commissions as Settings for Civil–Military Deliberation.”

Compared to law enforcement, where women comprise 13.3 percent of the sector, women in the military comprise approximately 17 percent. One of the reasons that women represent a higher percentage in the U.S. military as opposed to law enforcement is due to the military's clear-cut rules and regulations regarding servicemembers. When they join the military, they are under a contract. Servicemembers cannot simply up and quit. Other than for physical or psychological issues, a female servicemember is obligated to serve her enlistment time. In contrast, law enforcement agencies have inconsistent policies often left to interpretation, and most are not contractual. Some departments require new law enforcement hires to commit to three years of service. Concerning officers, the commitment starts after they graduate from the training academy. While police department contracts vary, most contain a clause that requires the officer to pay back a percentage of the academy fees if he or she leaves before the three-year mark. With or without a contract, managers in both sectors acknowledge that their professions have trouble maintaining their female population.

According to a 2018 article by Ben Werner, lawmakers challenged military “chiefs to redouble their efforts recruiting and retaining female service-members because not doing so [meant] potentially missing out on selecting the best from half the nation’s talent pool.”<sup>226</sup> That same article describes a slim recruitment pool. Of the potentially eligible candidates within the 18–23 age range, 29 percent met the qualifications to serve in any branch of the military.<sup>227</sup> A review of statistics of the DoD’s active-duty military personnel proved that the lawmakers were correct in their assessment.<sup>228</sup> The challenge was not only in their efforts to recruit and retain but also in promotion efforts. While all branches of the military have both officers and enlisted personnel, it has not gone unnoticed that the top-ranking personnel of each are male-dominated. For instance, of the 39 generals—the top-tier, senior-level commissioned officer—only one female holds the position.

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<sup>226</sup> Ben Werner, “Military Branches Are Doing More to Recruit Women into Active Duty,” U.S. Naval Institute News, April 13, 2018, <https://news.usni.org/2018/04/13/service-branches-want-more-women>.

<sup>227</sup> Werner.

<sup>228</sup> The Department of Defense’s and the Defense Manpower Data Center’s statistics account only for the Army, Navy, Marine Corps, and Air Force.

Nonetheless, law enforcement professionals could learn from the military. They could begin to create and enact policies that seek to narrow the gender gap to retain more women. The U.S. military has opened doors for women in combat; by extension, law enforcement managers should consider recruiting more female officers to tactical units, such as Special Weapons and Tactics, Counter Sniper Teams, and Counter Assault Teams, which are normally reserved for men. Likewise, they should encourage more women to apply for preferred law enforcement assignments that are generally held by men and then provide the appropriate training for them to succeed in those assignments. With the aim of minimizing the gender disparity among senior leaders, law enforcement managers should promote women who deserve it. These are measures that could improve the retention of women in law enforcement through lessons learned from the U.S. military.

## **B. UNITED STATES MILITARY PARENTAL LEAVE POLICIES**

Research into the human resources practices of each branch of the U.S. military was conducted for this thesis. The exploration revealed that current U.S. military parental leave policies since early 2019 have been essentially the same except for the specific language surrounding titles in each branch. Ousting the old way of thinking, the current policy acknowledges “mothers, fathers, adoption, caregivers, and shares responsibility of parenting with both parents.”<sup>229</sup> The policy allows both primary and secondary caregivers the flexibility to take leave at any point during the child’s first year. Most find the language of the policy a positive step toward change; however, one main argument against the policy is that it decreased the former maternity leave of 12 weeks to six. The language of the new policies provides for the child’s father or any person designated as a secondary caregiver to take up to three weeks of leave (21 days), a vast improvement from the 10 days previously allowed. The U.S. Marine Corps, however, provides only 14 days of un-chargeable leave to the primary caregiver.<sup>230</sup> The policy also grants the birthparent six

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<sup>229</sup> Meghann Myers, “New Army Leave Policy More Flexible after Childbirth, Gives Three Weeks off to Fathers,” *Army Times*, January 29, 2019, <https://www.armytimes.com/news/your-army/2019/01/28/new-army-leave-policy-more-flexible-after-childbirth-gives-three-weeks-off-to-fathers/>.

<sup>230</sup> “Changes to Parental Leave Policy,” U.S. Marine Corps, accessed July 16, 2019, <https://www.marines.mil/News/Messages/MARADMINS/Article/1550376/changes-to-parental-leave-policy>.

weeks of non-chargeable leave, which means it does not count against her leave balance.<sup>231</sup> Additional leave must be approved by a physician.<sup>232</sup>

Similarly, if the birthparent opts to take less than six weeks, the servicemember's physician must agree to that, too. The servicemember's parental leave begins the day she leaves the hospital. Furthermore, the policy allows for an additional six weeks of leave within the first year of childbirth. Whoever is designated the primary caregiver, regardless of whether it is the birth mother, is eligible for up to six weeks of leave.<sup>233</sup> If the father or the person considered the secondary caregiver is deployed during the child's birth, that person still receives the leave benefits once he or she returns from deployment.

Considering the parallels to women in law enforcement, the Army's directive notably states that "no servicemember will be disadvantaged in her career, including limitations in her assignments (unless she voluntarily agrees to accept an assignment limitation), performance appraisals, or selection for professional military education or training, solely because she has taken maternity leave."<sup>234</sup> While the research for this thesis did not uncover these same promises elsewhere in the DoD, all branches, as well as law enforcement agencies, should adopt such language to ensure female servicemembers who opt to become mothers understand their value in returning to work. This type of language could very well reinforce the mothers' worth and create an environment that supports families, mothers, fathers, and secondary caregivers.

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<sup>231</sup> Mark T. Esper, "Army Military Parental Leave Program" (official memorandum, Washington, DC: Department of the Army, January 22, 2019), [https://www.army.mil/e2/downloads/rv7/families/ad2019\\_05\\_military\\_parental\\_leave\\_program.pdf](https://www.army.mil/e2/downloads/rv7/families/ad2019_05_military_parental_leave_program.pdf).

<sup>232</sup> Myers, "New Army Leave Policy More Flexible after Childbirth."

<sup>233</sup> Esper, "Army Military Parental Leave Program."

<sup>234</sup> Myers, "New Army Leave Policy More Flexible after Childbirth."

## C. HISTORY OF WOMEN IN THE UNITED KINGDOM'S INTELLIGENCE/SECURITY SECTOR

As previously stated, there are three major intelligence and security agencies in the United Kingdom: GCHQ, MI5, and MI6. This section provides a brief history of each and its integration of women into the profession.

### 1. Government Communications Headquarters

The United Kingdom's GCHQ is the agency responsible for intelligence and security, specifically in the area of signals intelligence. It touts its position as a "world-leading intelligence, cyber and security agency with a mission to keep the UK safe."<sup>235</sup> The agency uses collection, analysis, and effects in its effort to thwart terrorist attacks as well as protect and defend the country's people and assets.

Established in 1919, the agency will soon celebrate its centennial in November 2019. For the nearly 100 years since the agency's inception, it has not had a woman director. Given that about 90 percent of the agency's cyber-skills workforce were men, the GCHQ took the mission of diversity to the core and allotted 600 free all-women classes on cyber-defense.<sup>236</sup> This offering was a step toward integrating women into the male-dominated agency where they had been "massively underrepresented in the industry."<sup>237</sup> U.S. law enforcement could learn from this tactic and promote free seminars or classes geared toward young women and girls to introduce them to the law enforcement mission of serving and protecting.

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<sup>235</sup> "Home Page," Government Communications Headquarters, accessed July 17, 2019, <https://www.gchq.gov.uk/>.

<sup>236</sup> Government Communications Headquarters, "Home Page"; and Maya Oppenheim, "GCHQ Runs All-Female Classes to Recruit Women Hackers," *Independent*, January 17, 2019, <https://www.independent.co.uk/news/uk/home-news/gchq-women-hackers-cyber-security-recruitment-female-classes-a8732216.html>.

<sup>237</sup> Dale Walker, "GCHQ to Make Spies of Tech-Savvy Teenage Girls," *IT Pro*, January 19, 2017, <https://www.itpro.co.uk/government-it-strategy/27945/gchq-to-make-spies-of-tech-savvy-teenage-girls>.

## 2. Security Service, Military Intelligence, Section 5

The United Kingdom's Security Service has the goal of providing domestic security protection in the country. Its mission "is the protection of national security and in particular its protection against threats such as terrorism, espionage and sabotage, the activities of agents of foreign powers, and from actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means."<sup>238</sup> The agency is known for using secret operations to identify threats to the country, and approximately 40 percent of its operators are women.<sup>239</sup>

While the agency still has a male-dominated pool of desk officers, women continue to enter the field to work alongside their male colleagues. The first woman, Kathleen Marie Margaret Sissmore, also known as Jane Sissmore, opened the door for women in 1929.<sup>240</sup> She held the distinction of being the only woman in the service until she was dismissed and came back to MI5 years later. Dame Stella Rimington became the first director general (DG) of MI5 in 1992 and held that position for four years.<sup>241</sup> She was also the first DG to allow herself to be photographed for the agency's brochure, which could have been an effort to negate ideas about gender barriers in the intelligence sector. In fact, during several of her speeches after retirement, she revealed that she had entered her profession at a time when "women were expected to have a second class career."<sup>242</sup> Eliza Manningham-Buller, who specialized in both international and domestic counterterrorism, was the second and only other female DG. She held that position for five years until her retirement in 2007.<sup>243</sup>

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<sup>238</sup> "Home Page," MI5, accessed August 5, 2019, <https://www.mi5.gov.uk/>.

<sup>239</sup> MI5.

<sup>240</sup> Daniel F. Gosling, "Jane Sissmore (Archer)," Honourable Society of Gray's Inn, July 2017, <https://www.graysinn.org.uk/history/women-the-inn/jane-sissmore-archer>.

<sup>241</sup> "Dame Stella Rimington," MI5, accessed July 17, 2019, <https://www.mi5.gov.uk/dame-stella-rimington>.

<sup>242</sup> Lucy Roue, "Five Things We Learnt about Dame Stella Rimington, Former Director General for MI5," *Manchester Evening News*, May 18, 2016, <http://www.manchestereveningnews.co.uk/business/five-things-learnt-dame-stella-11350323>.

<sup>243</sup> "Eliza Manningham-Buller, Baroness Manningham-Buller," MI5, accessed July 17, 2019, <https://www.mi5.gov.uk/eliza-manningham-buller-baroness-manningham-buller>.

The agency has made significant strides for female inclusion and retention. In fact, in 2016, MI5 was recognized among the *Times* top 50 employers for women in 2016 for its efforts in leading gender equality.<sup>244</sup> U.S. law enforcement could take a page out of MI5's book and begin to focus more efforts on recruitment and career progression and make marked improvements in gender equality to retain more female officers.

### **3. Secret Intelligence Service, Military Intelligence, Section 6**

The United Kingdom's Secret Intelligence Service is the country's foreign intelligence service. Its mission is to keep the country safe by working "secretly overseas, developing foreign contacts and gathering intelligence that helps to make the UK safer and more prosperous."<sup>245</sup> In 2006, the agency did something different and surprising for an agency known for spying. It allowed two then-current officers to be interviewed on the radio. With disguised voices, the duo—one male and one female—compared their real-life experiences with those of the fictional James Bond film characters. While they could not go into detail on their specific assignments, each officer painted quite the picture of glamour and danger in their jobs.

Recognizing that recruiting and retaining women in the agency is important to the whole of the organization, its chief is looking for progressive ways to do so. Acknowledging that MI6 has never been led by a woman, Chief Alex Younger has selected a woman as the frontrunner candidate on the shortlist of potential successors.<sup>246</sup> In the same vein, in 2017, the agency created its first cinema advertisement with the hopes of attracting more women and ethnic minorities.<sup>247</sup> U.S. law enforcement could learn from these unconventional recruitment forums and try new strategies that focus on female recruitment. Moreover, law enforcement leaders could identify qualified female officers and add them to their internal roster of applicants for promotion.

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<sup>244</sup> MI5, "Home Page."

<sup>245</sup> "Home Page," MI6, accessed August 5, 2019, <https://www.sis.gov.uk/>.

<sup>246</sup> Wil Crisp, "Next MI6 Chief Could Be First Woman to Hold the Role," *Telegraph*, April 29, 2018, <https://www.telegraph.co.uk/news/2018/04/29/next-mi6-chief-could-first-woman-hold-role/>.

<sup>247</sup> Crisp.

#### **D. UNITED KINGDOM'S PARENTAL LEAVE POLICIES**

The United Kingdom's maternity-leave policy dates back to the 1911 Act, which was the first of its kind in providing a maternity benefit of 30 shillings (a former British monetary unit) for the wives of men who paid into the country's National Insurance contributions. Today, the United Kingdom's statutory maternity leave provides a total of 52 weeks, 39 of which are partially paid.<sup>248</sup> The maternity leave is divided into "ordinary" and "additional" categories, each comprising 26 weeks. The policy also states that a mother is required to take at least two weeks after childbirth and four weeks if the mother is a factory worker, but she is not required to take the entire 52 weeks.

The policy states that leave can be used 11 weeks before childbirth, the day after the child is born, or automatically if the mother has experienced pregnancy-related illness at least four weeks before the baby's due date. If a family wishes, they may use shared parental leave in addition to statutory shared parental pay. The parents may share 50 weeks of leave and up to 37 weeks of pay within the first year of childbirth or adoption.

In 2010, the United Kingdom announced the Equality Act, which protects people in the workplace and society as a whole. The act states that if a woman has been discriminated against due to maternity or pregnancy, she could sue in civil court. It also requires the pregnant employee to reveal her pregnancy at least 15 weeks before the week of the baby's due date or as soon as possible if the woman did not know she was pregnant.<sup>249</sup> The law clearly states that if a pregnant employee has been treated unfairly, she may have encountered what is considered unfavorable treatment. For example, if the pregnant employee can show that she has been treated unfavorably by not receiving a promotion at work, she need not compare her situation to someone else's—she needs only to show that she was treated unfavorably.

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<sup>248</sup> "Maternity Pay and Leave," UK Government Digital Service, accessed July 17, 2019, <https://www.gov.uk/maternity-pay-leave/leave>.

<sup>249</sup> "Pregnant Employees' Rights," UK Government Digital Service, accessed July 17, 2019, <https://www.gov.uk/working-when-pregnant-your-rights>.

A new mother is protected by the Equality Act up to 26 weeks after giving birth. The act even provides protections if the mother miscarries or her child is stillborn as long as the mother was pregnant for at least 24 weeks. The legislation provides protections for breastfeeding after the child is 26 weeks old. In the case of breastfeeding, the mother need only indicate that she was “treated worse than someone of the opposite sex” to prove direct sex discrimination under the law.<sup>250</sup> All in all, the United Kingdom has taken great strides toward improving its pregnancy and discrimination policies to ensure that women who are pregnant are protected before and after their pregnancies.

**E. WOMEN IN THE UNITED KINGDOM INTELLIGENCE COMMUNITY:  
A REPORT BY THE INTELLIGENCE AND SECURITY COMMITTEE  
OF PARLIAMENT**

According to the committee’s official website, “The Intelligence and Security Committee of Parliament (ISC) was first established by the Intelligence Services Act 1994 to examine the policy, administration and expenditure of the Security Service, Secret Intelligence Service (SIS), and the Government Communications Headquarters (GCHQ).”<sup>251</sup> Each of the nine ISC members is appointed by and reports directly to Parliament. They all are members of the House of Commons or the House of Lords. The ISC uses its access to each agency’s information to have oversight “of all intelligence and security activities of Government” and then publishes unrestricted reports for the public.<sup>252</sup>

The ISC had conducted several studies and gathered an abundance of statistics, but no one in Parliament knew exactly what was happening in each of the agencies in terms of diversity, talent acquisition, hiring, or promotions. In 2013, the ISC verified numerous issues that affected diversity. Instead of addressing them all, the committee elected to begin its research by focusing on the position of women in the agencies.<sup>253</sup> The ISC released its

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<sup>250</sup> “Pregnancy and Maternity Discrimination,” Citizens Advice, accessed July 17, 2019, <http://www.citizensadvice.org.uk/law-and-courts/discrimination/what-are-the-different-types-of-discrimination/pregnancy-and-maternity-discrimination/>.

<sup>251</sup> “About the Committee,” Intelligence and Security Committee of Parliament, accessed August 5, 2019, <http://isc.independent.gov.uk/>.

<sup>252</sup> Intelligence and Security Committee.

<sup>253</sup> Intelligence and Security Committee, Women in the UK Intelligence Community.

subsequent report in March 2015. By releasing the report for public dissemination, the ISC sent the message that diversity in the intelligence and security sector was paramount and women an integral part of the three agencies.

The key findings of the ISC report covered “recruitment policy and practice; maternity-related issues, childcare and flexible working; [and] career and promotion prospects.”<sup>254</sup> The recurring issues surrounded behavioral and cultural issues in the agencies. For example, the committee noted that each agency upheld “an ‘alpha male’ management culture that rewards those who speak the loudest, or are aggressive in pursuing their career (and of course this can discriminate against less aggressive men as well as women).”<sup>255</sup> The committee suggested that the agencies share best practices and collaborate more often, so they might learn from the others’ workforce and operational issues. Among other recommendations, the ISC suggested that the agencies explore various options to recruit more women; expand and improve career management; develop informal network support systems; broaden women’s access to more job opportunities; and formalize an approach to discuss diversity issues with overseas agencies including the U.S. and private industry. By doing these things, the ISC was optimistic that more women would be attracted to the intelligence and security sector, and diversity would improve.

The ISC acknowledged that the United Kingdom’s intelligence agencies were faced with challenges that would take considerable time to address fully. However, the committee gave the agencies a limited time to demonstrate progress. To address the challenge of recruiting more women, the agencies have explored aggressive recruitment strategies. These included targeting middle-aged women with the use of Mumsnet, a parenting website; embedding mid-career staff to speak of their personal security experiences at career fairs; attending outreach events that target women in technology; adding school outreach events that embolden girls to pursue science, technology, engineering, and math; and other strategies that inspire women to join the ranks of the agencies. Each agency saw an increase in applicants and new employees.

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<sup>254</sup> Intelligence and Security Committee.

<sup>255</sup> Intelligence and Security Committee.

According to the ISC, approximately 35 percent of all staff at MI5, MI6, and the GCHQ are women, but fewer than one in five of these women holds a senior role.<sup>256</sup> Therefore, each agency has taken the initiative to improve gender diversity at the senior level. The agencies are taking positive steps toward career management and development of diverse leaders—from current managers offering guidance, to human resources teams encouraging women to submit senior management assessments, to prioritizing women in senior management development programs. Additionally, the agencies have run unconscious bias training aimed at embedding desired behaviors that are inclusive of all employees.<sup>257</sup>

The agencies took the ISC’s recommendations to heart in the area of career management. With a fresh focus on career support and encouragement of female talent, the GCHQ implemented a career portal for guidance on careers. MI5 launched an “Inspire Me” series to showcase available career paths. MI6 enacted a centralized human resources team to identify and support female officers. Also, the agencies developed informal support networks. Furthermore, MI6 hosted the agencies’ pioneer diversity conference to encourage collaboration and networking.

In line with these changes, MI6 introduced workshops geared toward women who have taken a break in their careers or are returning from maternity leave to help them reestablish their professional confidence. To ensure this process is successful, the agency initiated a feedback mechanism, which allows for feedback and suggestions. To date, it appears the participants enjoy discussing similar challenges and approaches to resolve them. Not to be outdone, the GCHQ also increased the access of their “keep in touch” days, which have allowed for more visibility of existing assignments, posted positions that align with the returning mother’s skills and experience, and permitted agency children to attend informal gatherings.

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<sup>256</sup> Stephanie Denton, “A Woman’s Work,” *Post Magazine*, March 12, 2015.

<sup>257</sup> Cabinet Office, *Government Response to the Intelligence and Security Committee of Parliament Report on Women in the UK Intelligence Community* (London: Cabinet Office, 2016).

Together, the three agencies have acknowledged that a lack of appropriate information regarding maternity leave was a problem. In response to criticisms from the ISC, the agencies have collectively made some major changes. Instead of focusing solely on the childbearing mother, they have considered fathers and adoptive parents. Another measure that ensures MI5 values its mothers on maternity leave allows for the visibility of job openings through a communication and outreach mechanism.<sup>258</sup> Moreover, women may now return from maternity leave to their preferred field, opting to return to their previous posts if they so choose, even if those posts were in intelligence or operations.

The United Kingdom's intelligence and security sector leaders took charge in implementing and supporting gender diversity. Each has acknowledged problems or issues and made strides toward finding solutions. The ISC is determined to ensure these efforts continue moving forward.

#### **F. COMPARATIVE ANALYSIS: WOMEN IN U.S. LAW ENFORCEMENT VERSUS THE UK INTELLIGENCE SECTOR**

The United Kingdom's ISC was described in the previous section. This section offers comparative analyses of women in U.S. law enforcement and women in the United Kingdom's intelligence sector. This analysis determines whether the U.S. law enforcement sector could use the basis of the United Kingdom's intelligence sector to fine-tune the way the United States addresses the issues surrounding women in law enforcement.

According to the findings of the ISC's report, the intelligence and security community recognized that additional diversity was warranted. Similar to the findings in the U.S. law enforcement community, the United Kingdom's intelligence community acknowledged that there was an overrepresentation of men in the field. The need to improve diversity was cited by the ISC report as a requirement in the community's effort to improve the recruitment pool. The ISC acknowledged that when an agency recruits only the same sex or race, solutions to problems would be homogenous, and the overall agency would lack broader perspectives.

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<sup>258</sup> Cabinet Office.

By attracting more minorities and women, the ISC’s study found, retention could improve. There have been disproportionate numbers of male leaders in both U.S. law enforcement and the UK intelligence community. The ISC acknowledged, “65% of employees are male, rising to 83% in the senior levels, and nearly 100% of senior staff are either white or have not declared their ethnicity.”<sup>259</sup> Likewise, the U.S. law enforcement community numbers are skewed toward men as women comprise only about 13.3 percent of the law enforcement workforce. These statistics do not reflect the entirety of the communities either sector serves. The ISC agrees that women benefit the entire workforce, not just themselves.<sup>260</sup> This is something that the law enforcement community has not admitted openly; however, the community has made strides to improve the number of women in leadership positions. While the 2018 numbers are still bleak, in America’s 100 largest cities, there are currently 12 female police chiefs.<sup>261</sup> However minimal, this is an improvement in law enforcement leadership strides.

In a 2015 joint statement, Robert Hannigan, the then-director, and Sir Iain Lobban, former director of GCHQ, said that the ISC’s findings “significantly shifted mindsets around an affirmative and exciting diversity narrative. Building on this, we remain committed to attracting and developing a more gender-balanced workforce.”<sup>262</sup> The heads of the three UK intelligence agencies upheld that the lack of diversity was a problem and agreed they would make achieving more diversity a priority. While this is something that law enforcement agencies in the United States claim to strive for, research suggests that departments are not taking the issue of diversity as serious as they should. From a holistic standpoint, no standards in recruiting allow for a more diversified workforce; as such, U.S. law enforcement leaders should commit themselves to innovative ideas to promote diversity in their recruiting efforts.

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<sup>259</sup> Intelligence and Security Committee, *Women in the UK Intelligence Community*.

<sup>260</sup> Cabinet Office, *Government Response*.

<sup>261</sup> Capitol Broadcasting Company, “Increase in Female Police Chiefs.”

<sup>262</sup> Intelligence and Security Committee, *Women in the UK Intelligence Community*.

Maintaining a sufficient work–life balance is a struggle in all professions; however, in professions like policing or intelligence, where the work hours vary based on the assignment, it becomes quite difficult to do. Even so, the United Kingdom is moving toward providing better work–life balance in the intelligence security sector. Given that neither profession can offer a solution to work from home, having a flexible work environment is critical, especially for parents with childcare responsibilities. Based on the findings from the ISC, the United Kingdom decided that offering more balance and flexibility with work schedules could be the answer to retention issues. Regarding the “support we [MI5] offer those wishing to work part-time or flexibly to balance work and caring responsibilities,” Andrew Parker, director general of MI5, states, “some of this [scheduling] is challenging, but we have set this as a priority, not just because it’s the right thing to do, but because we believe diversity at all levels contributes to our objective of keeping the country safe.”<sup>263</sup> While tackling the challenges of a balanced life that includes work and family has proven difficult in the UK intelligence sector, the leaders are up for the task.

When the head of an organization acknowledges the benefits of balancing work and life and seeks to offer better solutions, the entire agency benefits. However, for some, the perception of not pulling their weight might cause reluctance to consider a flexible schedule. Leadership buy-in is vital. It ensures that employees will be treated the same as their full-time colleagues in the office. Research published in *Harvard Business Review* revealed that women who have chosen motherhood and a flexible work schedule are treated differently from those who do not choose the flexibility. Of mothers who opt for the flexible schedule, the research has determined that it “is akin to a career torpedo for many working moms: Those who do it are often ‘mommy-tracked’ into less demanding, lower-paying positions, and in the worst-case scenarios, they’re pushed out of their jobs entirely.”<sup>264</sup> While that might be the case in some agencies, leadership must illustrate that flexible

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<sup>263</sup> Intelligence and Security Committee.

<sup>264</sup> Lindsey Trimble O’Connor and Erin Cech, “Your Flex Work Culture Doesn’t Help Employees If It Hurts Their Careers,” *Harvard Business Review*, June 12, 2018, <https://hbr.org/2018/06/your-flex-work-culture-doesnt-help-employees-if-it-hurts-their-careers>.

schedules are not only for women and encourage all employees with the need to participate. Most U.S. law enforcement agencies seek to hire diverse groups of candidates; nevertheless, the law enforcement community as a whole has not described any best practices. This community could learn from the leaders of the UK intelligence community in putting diversity at the forefront.

## **G. CONCLUSION**

This chapter analyzed both the similarities and differences of each sector and how each addresses bureaucratic, gender, and cultural biases. In observation of the United Kingdom's and the U.S. military's strategies—which have acknowledged and considered solutions to the causes that hinder the career paths of their female employees—the U.S. law enforcement sector should contemplate additional strategies for recruiting, advancing, and retaining its female population. Those employed in these sectors often work in dangerous environments, and their men and women would benefit from improved career paths among female employees. Needless to say, there is still work to do in the U.S. law enforcement sector if this nation is to keep up with other countries in the advancement of women in male-dominated careers. Additional lessons learned from the UK intelligence community are discussed in the final chapter of this thesis.

## **VI. RECOMMENDATIONS AND CONCLUSION**

The world we created today has problems which cannot be solved by thinking the way we thought when we created them.

—Albert Einstein

This thesis set out to answer the following question: How can law enforcement agencies modernize human resources policies and practices to improve the career paths of women in law enforcement to ensure retention? This thesis demonstrated that female officers leave their law enforcement careers prematurely for reasons associated with the policies and practices of their agencies. Law enforcement culture and the discriminatory manifestations of those within the sector discourage longevity for the female officer. Gender perception and gender role expectations continue to exhibit the historical masculine traditions that do not embrace the benefits of having the female officer on the force. Additionally, lacking current policies that would allow equality in career assignments continues to stifle female law enforcement career progression.

### **A. RECOMMENDATIONS**

The intent of this thesis was to provide law enforcement officials a greater understanding of the current practices and policies. While not all-inclusive, the following recommendations begin a conversation that centers around improving the career paths of women in law enforcement to ensure their retention.

#### **1. Acknowledge the Obvious**

First, two essential facts cannot be ignored by U.S. law enforcement management and must be acknowledged for true change to be realized: 1) women and men are not the same, and 2) there is still bias in law enforcement. Law enforcement leaders need to grow comfortable talking about the above statements within their own ranks and with those they supervise. When law enforcement officials openly acknowledge that differences exist between the sexes, they present opportunities for discussions about why those differences

should not mean unequal treatment. Those same leaders must acknowledge that biases still exist in law enforcement, and after they do, they must assert that their departments will neither tolerate nor uphold prejudices against anyone.

## **2. Reject Perceived Law Enforcement Culture, and Change It**

Agency directors and department chiefs must reject the good ole boy networks, as described in Chapter II. Most women are not included in these informal systems of connection among male police. Leaders must reject the philosophy of such networks by denying promotions or assignments based merely on relationships instead of merit. Organizational leaders must establish a mechanism to ensure that only those officers who meet the specified requirements are considered and selected for preferred assignments or promotions, regardless of whom they might know. Those same leaders must ensure that their female population has the same opportunities to compete for assignments that might afford upward advancement.

Promotion eligibility and criteria should list the requirements for each rank. Any written examination should also include study guides and an appeals process for such. Also, if professional experience is factored into the promotion, competencies should include duties often held by majority female officers, so they can be competitive with those who might hold tactical positions, which are often held by male officers.

Law enforcement leaders should address cultural and behavioral issues that have negative effects on policewomen. As revealed in Chapter II of this thesis, the code of silence persists. As such, organizational leaders need to recognize prejudicial behavior and discourage it with consequences. Inaction allows those behaviors to continue. What will and will not be accepted needs to be publicized and practiced. Both the behaviors and consequences should be highlighted in departmental roll calls, meetings, and the department's table of penalties so that every officer understands those behaviors will be neither ignored nor tolerated. Leaders should openly discourage and denounce harassment and unfair treatment and make it mandatory for officers to report incidents or otherwise risk disciplinary action.

In the same sense, leaders must spearhead cultural change by rejecting discriminatory behaviors. Leaders must take charge and illustrate the type of department they lead, even if that means they need to walk foot beats, attend shift roll calls, or ride around in marked units to assist their officers. When policewomen see their leaders opening up and talking about inequalities to the entire department, they may feel they will get the equal opportunities they deserve and remain with department long enough to find out.

### **3. Embrace Gender Diversity**

Women in law enforcement resign at a higher rate than their male counterparts because of internal and external issues that are gender-related. In reality, gender neutrality and equality do not exist in law enforcement. While the research for this thesis has proven there are now more women than ever in policing, the numbers are still disproportionate. Because there is a considerable gap between the total number of women and men in policing, managers seldom make it a priority to discuss gender issues. Conversely, gender diversity is not only about women. Leaders should embrace this fact and actively pursue ways these differences can enhance the department.

Bringing the gender discussion to the forefront will lead to policies that recognize diversity while ensuring equality between the sexes. As shown in Chapter III, the research for this thesis found that when men support gender diversity, overall organizational support for everyone improves. When departmental supervisors and male peers resist and condemn other officers who use sexist language or exhibit stereotypical attitudes toward their female colleagues, these men will set the stage and example for what will and will not be tolerated in the department.

Also, senior female leaders should provide support and guidance to the female law enforcement population. Adopting a network support system, such as a mentoring program, could improve retention issues in the law enforcement profession. Both men and women in leadership positions can mentor subordinates. Each can learn from the other. Leaders who are no longer operational in the field will gain valuable insight from those who are. Those leaders will better understand ongoing issues that affect field officers and provide the appropriate guidance and solutions. Also, field officers can learn from and better

understand the decisions of management when they are introduced to the “big picture.” This relationship will provide transparency in policing and allow for better practices that will hopefully lead to higher retention rates.

#### **4. Discuss Legislation and Policies**

Policewomen continue the pursuit of equality in their given profession regardless of existing U.S. laws and policies. The policies discussed in Chapter IV of this thesis offered a general understanding of the protections they provide; however, it did not address how they are practiced. Policies do not dictate behavior. There is a difference between knowing that the rules exist and applying those rules without exception. A number of current EEO cases suggests that agencies are not adhering to policies. Law enforcement leaders should recognize that words in a document are insufficient in preventing discriminatory traditions. It is up to those in charge to know the policies and realize that not adhering to them negatively affects everyone on the force.

Leaders should demonstrate knowledge of the policies by demanding equal opportunities in terms of hiring practices. Those hiring methods should be geared toward both sexes and dissuade male-oriented eligibility and physical requirements. Recruitment strategies and advertising should include female officers, even for those positions generally geared toward men. Leaders could probe officers for their opinions on how to achieve diversity in hiring and offer incentives for those who come up with successful recruiting ideas.

Likewise, discussions about turnover rates and morale should be part of departmental roll calls and meetings. Furthermore, leaders should conduct mandatory exit interviews to determine why any personnel—regardless of gender—leave the department. Those interviews should ask specific questions that seek to identify problems within the organization and suggestions for improvements. Questions about why the officer is leaving and what would have made him or her stay with the department should be mandatory upon someone announcing one’s separation. Exit interviews should address any perceived or real discrimination, biases, and behaviors witnessed by those who are leaving. Making

inquiries such as these will help organizational leaders address those nuisances to eliminate them.

Moreover, leaders cannot simply depend on an agency's online diversity courses. The department should require the entire force to participate in in-person diversity classes. These classes should include people from all ranks, and each should begin with agency chiefs or directors. The organizational leaders themselves should begin the dialog about existing biases in law enforcement and those of their own agency. Departmental executives should discuss the number of EEO complaints received yearly and declare that under their leadership, those numbers will be reduced because they will not tolerate bias or discrimination in the workplace. These dialogs could very well bring about improved recruiting and hiring practices, equitable policies, and a culture of inclusiveness.

Departments that strive for diversity will surely have officers who contemplate pregnancy. Merely discussing the FMLA is not enough given that "U.S. law is based on a belief in equality or nondiscrimination."<sup>265</sup> Frequently, discriminatory actions occur, not because leaders are malicious but because they do not know the rules governing maternity. Law enforcement leaders should have discussions about what happens when an officer decides to enter into motherhood. Leaders should make a point to know that "in the United States, only women who work for companies covered by FMLA have the legal right to up to 12 weeks leave for childbirth. . . . Such leave in the United States is without pay."<sup>266</sup> Therefore, leaders should have updated policies in their manuals that include how the department manages maternity, paternity, and adoption. Policies should include verbiage specific to an officer's right to remain in her current assignment until she or her physician decides to ask for a light-duty assignment. Furthermore, the policies should address both firearms and training requirements and should not deny pregnant officers the right to keep their issued firearms.<sup>267</sup>

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<sup>265</sup> Queneau and Marmo, "Tensions between Employment and Pregnancy."

<sup>266</sup> Queneau and Marmo.

<sup>267</sup> Czarnecki, "The Pregnant Officer."

Leaders should ensure that their subordinates understand that when a policewoman becomes a mother and returns to work, the department should make provisions for such. For instance, law enforcement leaders should be prepared to provide reasonable accommodations including things such as a private lactation room and perhaps a longer break to eat, prepare, and store milk and switch back into her duty gear. While these things might not be optimal in policing, they must be done, so a woman can continue to provide the nourishment her child needs while also getting back to the job she loves.

Departmental leaders have to make it clear that their department will not tolerate discrimination against officers that have chosen motherhood and flexible schedules. While most workplaces comply with FMLA requirements, departmental culture might make a mother feel that she needs to return to work as soon as feasible to prove both her dedication and resiliency to her leaders and coworkers. Mothers who are policewomen might opt for a flexible schedule immediately after returning to work; however, due to the fear of being “mommy-tracked” into less-desirable jobs, they will probably use that flexibility sparingly.<sup>268</sup> Law enforcement leaders must rebuff the types of discriminatory actions that make mothers feel guilty for using flexible work schedules. They must instead illustrate that flexible schedules are not only for women. Those leaders must encourage all officers—regardless of sex—who need to participate in a flexible schedule to do so. This would be an attempt to remove the preconceived stereotypes associated with changing or flexing schedules.

## **5. Learn from Other Male-Dominated Entities**

Chapter V highlighted the U.S. military and the UK intelligence sector, two other male-dominated professions that have difficulties recruiting and maintaining their female employees. Like women in law enforcement in the United States, both the U.S. military and the UK intelligence and security sectors have almost identical concerns about recruitment, education, training, maternity, childcare, gender biases, and career advancement. The U.S. law enforcement community could implement some of the U.S.

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<sup>268</sup> O’Connor and Cech, “Your Flex Work Culture Doesn’t Help.”

military's and UK intelligence community's practices regarding gender diversity geared toward hiring and retaining its female population.

Taking a page from the U.S. military in opening the door for women in combat, law enforcement could provide opportunities and training for policewomen to participate in tactical units and promotional processes that are normally geared toward men. The law enforcement community should begin to think of its female counterparts as comrades. Each officer, regardless of gender, should be secure in the knowledge that another officer knows he or she belongs on the force and has the training and dedication to protect the other. Taking a note from U.S. military practices, law enforcement recruiters could offer a monetary signing bonus after graduation for officers who sign a three-year contract.

U.S. law enforcement leaders should also adopt the attitude of those in the UK intelligence community's leadership by acknowledging there is a diversity problem in the sector, especially among the female population. Publicize the issue and declare that as leaders, they are committed to addressing the problem by taking aggressive actions to correct them. For instance, the leadership of the UK intelligence community recognized that MI6 had never been led by a woman, so Chief Younger purposely selected a qualified female as one of the agency's front-runners for that position.<sup>269</sup> U.S. law enforcement leaders could do the same and identify successors for supervisory roles who will represent a diverse workforce. When leaders ensure that qualified women are part of those in the running for a promotion, it shows the workforce and the community that diversity is important to the department.

In addition, the UK intelligence community used unconventional recruitment forums to attract more women and minorities. Projecting diversity through the use of recruitment strategies that highlight the department's current female officers through advertisements, recruitment events, and even radio or television interviews would be a different yet positive approach to recruitment and retention efforts in the law enforcement community. U.S. law enforcement could identify similar strategies focused on female recruitment, and law enforcement mothers could be used during departmental recruitment

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<sup>269</sup> Crisp, "Next MI6 Chief Could Be First Woman to Hold the Role."

events. This will give future female law enforcement officers the opportunity to ask questions about their potential career choice. This opportunity will also serve the agency well as prospective female recruits will see that motherhood is possible within the sector.

In the U.S. law enforcement sector, there is a variety of policies based on departmental location. Applying consistent policies in U.S. law enforcement will provide guidance to dissuade discriminatory practices. It is imperative for U.S. law enforcement leaders to oppose any negative perceptions associated with a flexible work schedule, do so by offering work–life balance options for all employees, and support those options openly. In a majority-male profession like law enforcement, leadership could research the best maternity, paternity, and parental policies for their employees. U.S. law enforcement ought to follow the United Kingdom’s lead in ensuring that law enforcement leaders and employees understand current U.S. policies, including the FMLA, and local policies. They could also make an effort to guarantee consistency in how those policies are applied to ensure equal treatment.

## **6. Modify the Standard Workday**

Departmental and agency leaders must acknowledge that they do not know everything, and they do not have all the solutions. If they did, there would be no need for a thesis that discusses recruitment, career paths, and retention of the female population, and there would be no statistics to corroborate these things. Law enforcement leaders need to get out of the building, leave the sanctuary of their offices, and talk to their employees to find out what is on their minds. Leaders can learn a great deal from those who are outside management and have more access to ongoing issues. When women or men leave a career that they considered their dream job well before retirement, something is wrong. Leaders must ask candid questions so that they can discover what is really upsetting both women and men about the job. They should probe employees about what satisfies them and what recommendations they might have for improvement. Tell those employees the truth about what is happening in the department, and ensure each that the conversations with them will not reflect negatively on them. Allow them to speak freely without the fear of retribution. Transparency fosters trust.

## **B. OTHER CONSIDERATIONS**

Law enforcement agencies could learn to incorporate more teamwork. While most officers patrol in solidarity, forming teams of women and men who patrol in the same areas could benefit morale. Given that most law enforcement officers are competitive, zone teams could form comraderies similar to those in the U.S. military where each member encourages other members and supports them in their productivity and safety. Knowing that the entire team will receive accolades when one member does something extraordinary will reflect inclusiveness. Also, when one team member does not live up to departmental (or the team's) professional standards, the whole team looks bad, which should discourage officers from going off the beaten path.

Organizational support is paramount in the ever-changing and dangerous environment of policing. Law enforcement departments must offer this support in ways that provide officers a better work-life balance. Embracing the concept of work-life balance in law enforcement is essential. When the head of an organization acknowledges the benefits of balancing work and life and seeks to offer better solutions, the entire agency benefit from those improvements. While most law enforcement positions follow a set schedule, leaders could allow for more flexibility in choosing a shift that works best for both the officer's home and life situations, even if it is only temporary. Because officers do not want to be perceived as not pulling their weight, they may be reluctant to consider a flexible schedule. However, if they realize that flexibility might help them now and perhaps a fellow officer later, that could lead them to take advantage of such an offer. If an officer opts to work part-time for a while or work a different shift, leadership buy-in is vital in making sure employees are treated the same as their other colleagues.

All organizations benefit from workforce diversity. A diverse agency brings with it different approaches to problems. Moreover, it brings a workforce that is satisfied and wants to remain within the agency. The organization has a competitive advantage when its employees have longevity and institutional knowledge. The organization saves money by maintaining their employees and not having to continually replace the talent that leaves because of early resignation. As departments being to maintain and grow their police workforce, both female and male, those departments set examples for other law

enforcement departments. Departments and agencies can share best practices for recruitment, hiring, and retention with their law enforcement partners.

### C. CONCLUSION

Agencies that promote the fact that policewomen can have a normal life in their chosen career send a positive endorsement for more women to join the force. In conclusion, while obvious barriers to women in law enforcement have declined and more women are joining the force, retaining those policewomen will continue to remain problematic until law enforcement agencies take the initiative to modernize human resources policies and organizational practices. Career progression in policing is often limited because of gendered work cultures that do not include women. True progress will come about when law enforcement leaders recognize and put a stop to the limitations on their female workforce.

As Micah Ables puts it, “Changing a culture is never without headache or heartache.”<sup>270</sup> When female officers see their male coworkers standing up for them, those policewomen feel more valued. They will pass on those instances to others, both female and male. When female officers see other women on the force getting promoted into positions and assignments normally reserved for men, they will applaud the agency’s leaders and begin believing there is hope for them, too. When policewomen are asked their opinions and are invited to sit at the conference room table to participate in and help establish policies for inclusion, recruitment, and retention, they will show up and speak up. All in all, when a woman in law enforcement knows that she is on a level playing field and has the same opportunities for advancement during her career as her male colleagues, she, too, will work to ensure retention within her chosen career.

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<sup>270</sup> Micah Ables, “Women Aren’t the Problem. Standards Are,” *Modern War Institute* (blog), February 5, 2019, <https://mwi.usma.edu/women-arent-problem-standards/>.

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