

POLICE USE OF FORCE: DOES GENDER
MAKE A DIFFERENCE

by

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ABSTRACT

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This study addresses the perception of the use of force and some differences that exist between males and females within law enforcement. A survey was distributed to five average sized police departments across the United States to survey the perceptions of the men and women in blue. The hypothesis is that women officers use less force to successfully accomplish the same desired outcomes in police/citizen contacts. At the time of this study, there have been no formal surveys on this subject. The survey response rate was 50% and the responses were tabulated to determine officers' perceptions on the use of force. Many other surveys and articles were reviewed in order to present a true picture of the reality of the force that law enforcement officers use. A survey was conducted in order to contribute to the body of knowledge concerning police use of force, and the differences occurring between genders.

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CHAPTER 1

INTRODUCTION

“When you’re in uniform and you’re a man, people see a cop. If you’re a woman and you’re in uniform, people don’t see a cop, they see a woman.”

Female officer (Gerber (2001, p. xiii)

While the occupation of policing can be traced back for thousands of years (Cancino, 2001), the entrance of women into police organizations only began to appear in the early 1800’s (Schulz, 1995). Women entered police work as jail and prison matrons, relying on their maternal and feminine qualities (Garcia, 2003). Women were used as counselors to female victims and surrogates to children (Schulz, 1995). While it is this maternal and compassionate role that hindered the advancement of women in police work for over a century, it is this same role that is now emerging from research as their shining asset (Mangold, 2003).

It seems apparent that the soft spoken female officer that chooses to de-escalate a potentially violent situation verbally, and leans on communication instead of violence and brawn, should be recognized in today’s law enforcement as an asset. In this day of police violence populating the press, and lawyers lining up to handle the plethora of brutality lawsuits, perceptions on the use of force and any possible differences that exist between males and females could be viewed as a frontier that needs further exploration. It can be argued from a review of the literature written on police roles and responsibilities, that women have brought different qualities than males to police work (Schulz, 1995).

The role of the female officer, as well as the acceptance by her peers, has been very slow to evolve (Harrington, 1999). It is important to review the history of police roles and police work to understand how deeply the roots of male supremacy are embedded in the occupation and how hesitant the occupation is to allow a change. In chapter 2 the author will detail this history, along with the emergence of women into police work, and their issues involving their use of force.

While the use of force is an inherent part of police work (Ross, 2002), it appears that excessive force has been a controversial and costly result (Spillar & Harrington, 2000). In chapter 2 the author will discuss studies that reveal the costs of excessive force. It will also be shown in chapter 2 that females tend to be slower in enacting force than their male counterparts and according to an article published by the National Center for Women & Policing females are not as likely to be involved in excessive force claims as males (Harrington et al. 1998). While there have been studies (Harrington, 1999, Spillar, 1991, Lonsway, 2000) that have shown the comparisons between male and female officers on the costs of excessive force, there appear to be no studies examining differences between male and female perceptions toward the use of force.

According to a study conducted by the Feminist Majority Foundation and the National Center for Women and Policing (NCWP) there is a significant gender difference in the cost of police brutality (Lonsway, Moore, Harrington, Smeal, & Spillar, 2003). The director of the NCWP, Penny Harrington, in 2000 stated that “the new study shows that increasing women on the force holds the key for substantially decreasing police violence and its cost to taxpayers” (Smeal, Spillar, & Harrington, 2000). This was her response to the LAPD study by the Christopher Commission in which male officers were found to be liable for male officer payouts in cases of brutality and misconduct at a ratio of 23:1 to female officers (Lonsway et al. 2002).

The Christopher Commission investigated the use of force in the LAPD following the videotaped beating of Rodney King in 1991. Among its' conclusions, it reported that female officers were better equipped to peacefully resolve potentially violent situations. The evidence was obvious that male officers in the LAPD were involved in excessive force lawsuits at rates exceptionally higher than the female LAPD officers. The costs found to be associated with male officers use of force, and not female officers, should intrigue researchers to study the perceptions of the use of force and any existing gender differences in more detail. More evidence of this difference is seen in the following paragraph.

In September 2000, Katherine Spillar, then national coordinator of the Feminist Majority Foundation, stated “the gender gap in police brutality lawsuits is striking”. From 1990 – 1999 the City of Los Angeles paid out \$63.4 million in lawsuits resulting from excessive force, sexual assault and domestic violence by its male officers (Spillar & Harrington, 2000). During the same period only \$2.8 million was paid out for its female officers for excessive force lawsuits since there were no female officers involved as defendants in sexual assault or domestic violence cases (Spillar, 2000). While the lawsuit payout ratio is staggeringly close to 30:1, the ratio of male patrol officers to female patrol officers in Los Angeles for that period was only 4:1 (Spillar, 2000).

As demonstrated by the previous paragraph and the Rodney King case, these examples reveal a possible implication of the purpose of this study, implying at least a monetary advantage for agencies in determining if the perception toward the use of force for females is different than that of males. While much more research would be necessary to determine a causal relationship between male and female officers perceptions toward force and their actions, this study will add to the knowledge base concerning those officers perceptions.

Since the use of force is what this study centers its research of perception on, it seems an appropriate concept to discuss. As mentioned earlier, the use of force is an inherent part of a police officers job (Ross, 2002), and has had its share of evolution. The need for written policies on the use of force was recognized in 1967 by the President's Commission on Law Enforcement and Administration of Justice. Since then agencies have tried to encompass the definitions of the terms, actions and discretions surrounding the use of force. Policies on the use of force exist within agencies to provide officers a range of acceptable force options (Alpert & Smith, 1994). Law enforcement officers are allowed to use some degree of force in all citizen contacts, and while making arrests all reasonable means are allowed to affect that arrest (Alpert & Smith, 1994). No greater force shall be used than is necessary to secure the detention or arrest (Adams, Alpert, & Dunham, 1999). Excessive force is that which a reasonable and prudent law enforcement officer would not use under the circumstances (Holman, 2005).

It is quite often this excessive force that sparks intense and expensive law suits for police agencies and officers' (Alpert & Smith, 1994). The term excessive may evolve around anything from verbal use, handcuffing improperly or too tightly, physical handling of subjects or prisoners, to the brutal and extreme active punching, kicking and restraining of subjects. Gender encompasses physical stature, strength, behavioral and psychological differences. According to Anne Mangold (2003), gender appears to influence the initiative, handling and outcome of force situations. Other key terms that will be used throughout this study interchangeably will be officers, personnel, police, law enforcement and police officer. All of these terms refer to persons having obtained law enforcement training and certification or licensing by the state to perform the duties of law enforcement. For the purpose of this study, the term "physical force" refers to any contact force, and is not intended to include verbal command.

The purpose of this study is to examine police officers' perceptions toward the use of force, and more specifically to determine if there appears to be perception differences between male and female officers. If perception differences toward use of force are found to exist between genders, implications could be inferred for law enforcement agency's use of force policies, as well as training for behaviors within agencies.

With the steadily rising appearance of women in law enforcement and communities' expectations and demands shifting toward cooperation and communication with law enforcement (Gould, 2000), one could argue that it is time that the perception differences between the genders be evaluated for the monetary, practical and political benefits. This study will add to the knowledge base of literature involving the perceptions of male and female police officers toward the use of force. In order to obtain information on police officers perceptions about the use of force and contribute to the gap in the literature toward officers' perception of force, the author composed a survey with three questions in mind. First, "are the attitudes of male and female officers different toward the capabilities of females performing their job?" Secondly, "Female officers are just as capable of making arrests as male officers". And third, "does a female spend more time talking out a situation with a subject rather than resorting to physical force?" The survey appears in the appendix, while the results of the survey are found in chapter 4, and discussed by the author in chapter 5.

In Chapter 2 the author will present research that has been conducted on lawsuits that result from use of force incidents and the monetary losses suffered as a result. Studies will be discussed that have shown the large amounts paid out by departments due to police brutality and excessive force. The author will discuss the research that has focused on suspect's actions, suspect's gender, and suspects or officer's race and the role those qualities have in determining the use of force. After reading

Chapter 2 it will be obvious that there has also been research conducted on the effects the environment plays towards the level of force that an officer uses, the prejudicial treatment and detrimental actions taken towards females in law enforcement, as well as research regarding the female as a suspect and the disparity of force used as a result of that gender. No literature was found that addresses police officers perceptions toward the use of force. This research proposes that male and female officers perceive the use of force differently and as a result one could argue that those differences may influence a female officer's behavior to use less force than male officers. If the research supports this, then this knowledge could have an impact on law enforcement's, as well as the general public's, future.

The author's impression of the implications of present research reveal that women are more prone and more skilled in verbal solutions, which in turn can be a benefit to departments acknowledging and harnessing this revelation, as it has been shown that women officers cost less than male officers by not using as much force (Smeal, Spillar, & Harrington, 2000). The information could help to reduce departmental injuries, prisoner injuries, lawsuits, and negative media depictions. If it is true that women effect productive and satisfactory field results without the strong arm of force, individuals involved would in turn receive less injury. This can have a positive domino effect for law enforcement agencies. If fewer injuries occur, fewer officers are off work, fewer lawsuits follow, and in turn less negative media depictions result. In a time of progressive, community based policing, where civilians with handycams await on every corner, this study is not only necessary, but should be anxiously desired and anticipated in an effort to modernize the forceful, stigmatized persona of today's law enforcement. To aid with this research, in addition to a literature review, the author prepared an original survey

The survey that was distributed to 5 mid - sized law enforcement agencies across the United States was used to gather information pertaining to officers' perceptions about the use of force. Once the survey was completed and returned, the answers were formatted and entered into a statistical program for ease of evaluation.

Study Overview

In Chapter 2 the author will present a summary of the literature review. This will include discussions on the use of force, history of policing, gender issues in police work, the cost of excessive force and brutality cases, and implications of gender differences toward the use of force. Chapter 3, titled Methodology, will detail the procedures used to obtain the datum, as well as the analysis procedures, and present information on the respondents. Chapter 4 will present these findings in paragraph and table format, and identify any statistically significant findings as a result of the analysis. In conclusion, Chapter 5 will present the author's evaluation of the findings presented in Chapter 4. This chapter will also deliver the author's impressions of possible significance to agencies and recommendation's for future research.

CHAPTER 2

LITERATURE REVIEW

In this chapter a review of the literature will be summarized. This study aims to reveal the perceptions toward the use of force and highlight some differences, if any, between male and female officers. Because use of force is an intrinsic part of police work, this study also aims to examine the costs of force within agencies, while providing a brief history of law enforcement. It will be apparent that there are ideas among researchers that female vs. male use of force differences exist, more specifically that females tend to act with less force, this will be shown to affect significantly some department's overall cost of lawsuit settlements. One could argue that a comprehensive study on these use of force differences, the causes and the undeniably significant pecuniary advantages needs to be explored.

The research does not address the differences in male female use of force, nor the causes for the differences, it instead addresses the perception differences toward the use of force between the genders. A thorough study will need to be a collaborative effort between the psychological, sociological and physical arenas. Currently to date, this collaborative effort has not occurred. As stated in Chapter 1, the purpose of this study is to examine police officer perceptions toward the use of force. Therefore, a discussion of force and the use of force follows in the next several paragraphs.

Use of Force

For the purpose of this study, force is defined as power or energy; strength, power exerted on any resisting person or thing (Funk & Wagnall, 1973). The use of force in law

enforcement encompasses a wide spectrum of definitions of force. Law enforcement force ranges from the least intrusive, which is officer presence to the extreme which is deadly force. For this study, use of force does not refer to officer presence, but instead only to physical force. Officers are given an extremely broad continuum from which to use the discretionary powers instilled on them by their state license. At any given time it is their choice which level of force to use based on the circumstances presented.

It could be argued that many times this choice has been made incorrectly and results in an unjustified use of force. Normal force can be defined as coercive behaviors that officers view as “necessary, appropriate, reasonable, or understandable” (Cancino, 2001). It is seen as necessary to a particular situation. The use of force to affect an arrest is a lawful action. Excessive force, which is often the basis of lawsuits, is any force which exceeds that necessary to make a lawful arrest (Alpert & Smith, 1994). It is understandable that the intrinsic nature of policing and societal conditions will induce officers to exercise some degree of force. It is sometimes this degree of force, as stated in Chapter 1, that Spillar (2000) referenced by stating that the “cost of lawsuits is staggering”. The relevance of the costs associated with force, is that if gender has different costs and females cost less (Lonsway, Moore, Harrington, Smeal, & Spillar, 2003), as offered by the NCWP in Chapter 1, it is important to see the significant cost associated with force.

Allegations of excessive force in policing have been cited as one of the most frequent claims filed against the police in arrest situations (Ross, 2002). Plaintiffs won in 63 percent of researched cases filed involving police shootings and the average award was \$1,327.927 (Ross, 2002). Research in 1996 also reported that excessive force claims ranked sixth out of 20 categories where plaintiffs are likely to succeed in a Section 1983 lawsuit (Ross, 2002). In 1998 The Human Rights Watch published Shielded from Justice, which reported on its two and a half year study of police brutality and accountability in

the United States. It examined several major cities but did not receive the information necessary to isolate physical use of force situations from other brutality issues. Although this distinction was not made the results still appear alarming if only occurring a small percentage of the time that use of force abuse is statistically reported. The city of Los Angeles was able to determine the cost associated with excessive force for a four year period.

The Office of the City Attorney of Los Angeles reported that between 1991 and 1995, that the city paid approximately \$79.2 million in judgments, awards, and pre-trial settlements against police officers (Harrington et al. 1998). The Christopher Commission examined 83 successful lawsuits, alleging excessive or improper force, involving a payment of at least \$15,000, and found that most of the cases involved clear and often egregious misconduct (Human Rights Watch, 1998). Chicago bundled their settlements to include excessive force, false arrest and improper search allegations equaling 1,657 cases between 1992 and 1997(Shielded From Justice, 1998). These three areas cost the city of Chicago more than \$29 million to resolve. The city of Boston was uncooperative and not forthcoming with its statistical information and only revealed three judgments that were paid totaling \$257,500(Human Rights Watch, 1998).

Reports prepared by Detroit's City Councilman Mel Ravitz, reported that Detroit paid out \$117 million between 1987 and 1997(Human Rights Watch, 1998).

Indianapolis' Office of Corporation Counsel reported to Human Rights Watch much less staggering figures for 1994-1996. They paid \$745,424 for 21 settlements. Atlanta's City Attorney's office claims to not maintain readily accessible data on city payouts and therefore had to ask staff members to recall settlements and rewards for 1994 to 1997(Human Rights Watch, 1998). They recalled \$677,368 for those cases in 1994 and 1995, while recollections for 1996 and 1997 totaled just over \$1 million (Human Rights Watch, 1998). It was thought that it stood to reason that these must be conservative

figures since they were compiled from memory alone. To understand how excessive force quite possibly evolved, a review of the history of policing reveals some insight into the desired, accepted, and tolerated practices of officers throughout the history of policing.

History of Policing

The history of policing is an important area to review in this study, as it contributes to the understanding of the accepted, and almost expected, macho, male dominated police society. The word police was coined in France in the 18th century and is defined as a government organization charged with the responsibility of maintaining law and order, and the force of policemen and officers. Policing actually dates back as far as 3000 B.C. with the practice of kin policing, wherein the family of the offended individual was expected to assume responsibility for capturing, branding, or mutilating the offender and thereby rendering appropriate justice. In the “birthplace of civilization”, Mesopotamia, it is perceived that the captured Nubian slaves were the first police force since they were put to work as guards.

The Code of Hammurabi marked the first known system of criminal law. Aside from the Nubian slaves, it is actually widely recognized that the first organized police force was the Roman vigils. They were created by Gaius Octavius, the grand nephew of Julius Caesar, around 27 B.C. The Middle Ages saw little, if any, law enforcement. What did exist was primarily the guard system, void of any official force. By the 1500’s, England was the most lawless country in the world, rampant with robbers, thieves and prostitutes. Citizen groups known as vigilantes arose in an attempt to combat prevalent crime. The English watch system that existed was adopted by America around 1600 A.D.

Toward the end of the Colonial Era (1600 A.D. – 1800 A.D.), England began to move away from the watch system. It was at this time that the first professional police

force in the world was created by Sir Robert Peel in England. He created the Metropolitan Police Force, sometimes referred to as “Bobbies”, named after Robert. Again, this reveals the masculinity of the job. The 19th century demanded large social changes to occur. Industrial and race riots began creating the need for full time, salaried officers. Rapid response caught on and by 1911 all police were motorized. State police agencies were formed, of which the first and perhaps most famous was The Texas Rangers, founded in 1845. With a personification of the western motto “shoot first, ask questions later”, the Rangers became legends. These men were large, brawny, towers of physical strength, which at that time was required and thought necessary to accomplish the tasks. The stigma associated with this elite group left no question that it was a position only the toughest men could fulfill. More specialized groups were soon to follow and were also specialized for men only.

The California Gold Rush brought about the formation of several federal agencies. These included Postal Inspectors, IRS, Border Patrol, and the Secret Service. Pinkerton’s Private Security was formed in 1855 by Allan Pinkerton, a barrel maker, and his organization was the model for the federal investigators. His motto “we never sleep” was on signs in almost every American city in the 1800’s. Brinks and Wells Fargo armored trucks and Holmes burglar alarm company also came into existence during this time.

The beginning of the 20th century was immersed in a number of innovations. One of the most notable of these was a shift in policing from brawn to brains. In 1902 the International Association of Chief’s of Police was formed, emphasizing professionalism. Its president, Richard Sylvester, is widely regarded as the *father of police professionalism*. The chief of the Berkley P.D., August Vollmer, became known as the *patriarch of police professionalism* by 1918. He was responsible for introducing America to crime labs, fingerprint repositories, stop lights, police car radios, lie detectors and uniform crime reporting. Vollmer was also initiated the “college cop” movement since he

promoted the idea that every officer should have at least a bachelor's degree. His emphasis was actually on a high IQ. His force had an average IQ of 147 while Detroit officers only averaged 55. Vollmer believed that women had higher IQ's than men and therefore he supported the policewoman movement.

The Fraternal Order of Police was created in 1915. Soon after, the American Federation of State County Municipal Employees was formed. Although police unions existed, they were unique in that they could not strike, but instead practiced collective bargaining. Citizen groups became involved in police reform at this time forming civilian review boards. Higher education ideas were becoming prevalent as well as the idea of neutral enforcement leading to truly encompassing and enacting the idea of to protect and serve. Amongst all these reforms came the significant entrance of women into law enforcement, as they were finally given the chance to do real police work.

Orlando Wilson, an employee of Vollmer's in the Berkley PD is best known for authoring the Police Code of Ethics and the definitive police science textbook, Police Administration. The textbook instigated roll call, swing shifts and patrol allocation. He upgraded the duties of patrol officers and required them to be computer efficient. Vollmer had referred to Wilson as his smartest college cop.

The sixties brought about movements such as civil rights, student rights, Vietnam and the freedom counterculture. Assassinations, mass murder, and serial murder along with a large number of police officers killed in the line of duty, showed the nation alarming trends. The exclusionary rule was enacted with *Mapp v. Ohio* in 1961 and *Miranda v. Arizona* in 1968. The death penalty was abolished from 1967 to 1977. It appeared as if the police were thrust into a backward spin, but not all was lost. The President's Commission on Law Enforcement and Administration of Justice, also known as the President's Commission, was formed in 1965 by President Johnson. This was one of the most influential Commissions in criminal justice. Several reports issued in 1967,

known as the Task Force reports, were critical and influential in providing a model for an overhaul of the criminal justice system. The reports created a model for the criminal justice system, since one had never been created. This was monumental in providing enough knowledge to allow colleges and universities to create 2 and 4 year criminal justice programs. Ride along programs were first introduced in the 70's, along with the citizen's police academy.

Community policing ideas emerged in the 1970's, as police realized the importance of community involvement. Community policing followed the idea of problem oriented policing. These concepts evolved out of decades of trial and error police work and have resulted in recognizing the importance of police and citizen's working together to creatively solve the community's problems arising from crime and its entrenched poisonous nature. As the community's involvement in law enforcement revealed to citizens that issues could be resolved through less aggression, the public began to accept the idea of women in law enforcement. As women entered the field they were met with opposition, discrimination and hostility from within.

Women's Emergence

Women first appeared in police roles in the First World War. They were primarily concerned with the moral guidance of women and undertook preventative patrols. In 1920, The Baird Committee found that the experience of the war proved that women police were valuable in a limited sense and recommended an increase in the number appointed. This view was not supported by the majority, as stereotypical roles were hard to break. It is apparent that women were thought to only be beneficial in the clerical and support roles.

It was not until the outbreak of the Second World War when women once again showed that they were capable and eager to take responsibility that some resistance

eased. Manpower shortages caused their value to be reappraised. After the war women were separated between two types of duties. Female Civilian Clerks handled administrative support duties, while the new police women were thought “suitable” to deal with lost children, domestic violence and cases involving a sexual nature. Women’s police work continued to revolve around clerical duties for years. In 1972, Congress passed an amendment to Title VII of the Civil Rights Act of 1964 which prohibited state and local agencies from job discrimination based on gender. Police departments were now required to hire and assign women to jobs as equally as the men.

Historically the role of law enforcement has been viewed as one that should be handled by males. This perceived notion has been the result of the misconception that the qualities required for a successful officer are those stereotypical of males only. The nature of masculinity that has surrounded this arena has preferred traits such as aggressiveness, physical strength, size and street smarts. These are not traits associated with femininity. While women were initially allowed to serve as officers for non aggressive and non threatening roles, such as counselors, the more involved and protective roles of patrol officers were reserved for the dominant, aggressive male (Schulz, 1995).

Time has shown that women are a valuable asset to law enforcement. As their roles have expanded and their styles have been observed, the idea that women’s feminine qualities are not only acceptable but also desired has evolved. The more passive, more patient, more nurturing female appears to cost department’s less. According to Katherine Spillar, national coordinator of the Feminist Majority Foundation, “male officer payouts in cases of brutality and misconduct exceeded female officer payouts by a ratio of 23:1” and “male payouts for killings exceeded female officer payouts by a ratio of 43:1” (Smeal et al., 2000). One could argue that gender differences and more specifically why females appear to cost less, should be of interest to agencies looking to reduce liabilities.

Gender Differences

Prior to the 1972 revolution, the Police Foundation asked The Urban Institute to help evaluate women's performance as police officers. The Metropolitan Police Department of the District of Columbia was selected to be studied. The study consisted of 86 newly hired female, and 86 newly hired male, officers. These two groups were similar in education level, civil service test scores, interview ratings and police academy performance scores. On average, the women weighed less and were shorter than the men. The major findings revealed that gender is not a valid reason to exclude women from police patrol work. The study showed that women patrol officers tended to be more effective in avoiding violence and defusing potentially violent situations. As a group women wrote fewer traffic citations and made fewer arrests, but performance ratings were not affected. The researchers discovered that women were less likely than men to engage in serious unbecoming conduct.

As a result of their findings they acknowledged from this study that women can perform as well as men and women are less aggressive than their male counterparts. Therefore, it would seem to reason that departments with a substantial number of female officers would be less aggressive than a department with only men. Since the passage of the Equal Employment Opportunity Act in 1972, women have continued to enter male dominated professions such as police work (Lanier, 1996). The contemporary women's movement appears to be a powerful force in society, rolling in as boisterously as a marching band, demanding change, acceptance and opportunity in a heavily scrutinized stereotypical world. A female police officer's attitude and evolution of the perception of the tough cop can perhaps be summarized by Margaret Moore's quote for an article in WeNews (2004): *"There's a militaristic culture in most law enforcement agencies.*

Power, image, use of force. It's a very authoritarian attitude. But good policing isn't in the shoulders; it's in the head".

It is evident from the literature that history reveals a stereotypical image of a “policeman”, and that image contributes to the attitudes and perceptions of officers today as my hypothesis suggests. Approximately 50 years ago, William Westley pioneered a study on the special characteristics of police work. In 2001 Jeffrey Cancino (Cancino, 2001) conducted a study to comparatively examine what changes in policing, if any, had occurred since Wesley’s study 50 years prior. Cancino’s study found that identifiable trends and a structure of socialization among the officers occurred. In finding that the reality of police work has remained the same, so has the prevalent police culture. Cancino found that not only has there been a lack of change in attitude and practice of excessive and violent force, but that the research presented signals a much needed reassessment of the patrol culture (Cancino, 2001).

Prior to 1989, most Federal Circuit courts followed the Fourteenth Amendment substantive due process “shocking to the conscience” standard enunciated by the Second Circuit in *Johnson v. Glick*. In this case, the subjective mental state of the offending officer was relevant in determining if an actionable injury occurred. This resulted in ambiguity in police misconduct cases regarding the standard of evaluation for claims of excessive force. In 1989 that ambiguity would shift in a clarification attempt. In 1989, ruling on the *Graham v. Conner* case, the United States Supreme Court determined that “objective reasonableness” is the Fourth Amendment standard to be used in evaluating claims of excessive force. *Graham* only applies to persons at liberty. Although there is no precise application for the reasonableness test, the court examines the facts and circumstances of each case independently.

A major fallacy of this standard is that while officers may apply one level of reasonableness to a use of force situation, those officer’s are rarely seated on the jury that

determines that reasonableness. A “reasonable person” civilian is sure to view force differently than the “reasonable person” officer. Each Circuit Court appears to adhere to its own set of criteria when determining excessive force, while relying on previous case law. Although police shootings are statistically rare, lawsuit reaction is almost guaranteed. Police prevailed in 80% (n=221) of cases analyzed between 1989 and 1999(Ross, 2002).

In 1967 The President’s Commission on Law Enforcement and Administration of Justice expressed the need for written policies to guide and limit police use of force. Since then, all agencies have adopted some type of formal policy, regulation and training to precede the use of force. Some states mandate the minimums necessary to be included in policy, and to be required for training. Agencies now require use of force forms to be completed following an incident. The liable issues confronting agencies and officers alike, has placed use of force regulations high among the list of administrative priorities.

Skolnick and Fyfe (1994) depicted and described unnecessary violence as having two components. These were brutality and unnecessary force. Brutality they described as “a conscious and venal act committed by officers who usually take great pains to conceal their misconduct”, while unnecessary force is described as “ineptitude or insensitivity, such as when well-meaning officers unwisely charge into situations from which they can extricate themselves only by using force... unnecessary force may be a good faith police mistake” (Alpert & Smith, 1994). Carl Klockers defined excessive force as “ the use of any more force than a highly skilled police officer would find necessary to use in that particular situation” (Alpert & Smith, 1994).

It is clear that force, justified or unnecessary and excessive, can take several definitions and is subject to numerous interpretations. Although research is beneficial and imperative, it is a result of objective tabulations and subjective speculations, and is based on hindsight and retrospective analysis. Without nationally recognized standards and

definitions, as well as equal interpretation among the courts, the application of, and retribution for, the use of force will continue to be a vague puzzle with various outcomes. The studies presented here have looked at various aspects of law enforcement. It seems apparent that past research lacks specific studies addressing police officer perceptions toward the use of force.

Past Research

As the author will reveal with this literature review there are gaps in the research that do not specifically address perceptions of officers on gender and its influence on the use of force. Many factors, other than officer gender, have been studied when analyzing use of force incidents. These include suspect's race, gender, socioeconomic level, age, and the geographic environment of the crime, the nature of the crime and resistance, as well as officer characteristics such as education, experience, race, age and shift working. Many studies have been conducted using statistical data gathered from use of force reports and complaints. Others have used officer and citizen survey. Prior studies have limited strengths and substantial weaknesses for identifying the characteristics of officers, suspects, environments and police organizations where force is used (Garner, Maxwell, & Heraux, 2002).

Suspect characteristics have been studied as a cause of the use of force, as well as the degree of force. A central concern of research in regard with this aspect has been race. Research has focused on whether the police have used force on Hispanics and African Americans more than White Americans. One study showed that Hispanics account for the largest number of use of force cases at 64.9 percent, while Whites were at 19.4 percent, and that Blacks were at 15.1 percent (Terrill, 2003). In this study Hispanics accounted for 59.5 percent of the population while Whites accounted for 32.3 percent, and Blacks at 6.6 percent of the population (Terrill, 2003). Race also tends to play a role in citizens

observations of police performance. A study which divided Whites and non-Whites showed that 18 percent of non-White respondents were not satisfied with police performance in contrast to only 6 percent of White respondents (Son, Tsang, Rome, & Davis, 1997). A major area of dissatisfaction appeared to be a lack of respectful treatment of a face to face encounter with a police officer. Uniformly respondents' dissatisfaction appears to be significantly higher when there had been an observation of the use of force by the police.

Suspect's sex has also been studied as a precipitator to the use of force as well as to the degree of force used. Female suspects have been shown to receive less force than male suspects. A study conducted by Garner, Maxwell and Heraux revealed that the effect of a suspect's sex on use of force is one of the most consistently measured factors (Garner, Maxwell, & Heraux, 2002). Explanations offered for this centered around physical size, disparities, as well as the resistance offered. The female suspect aspect also relates to the type of crime committed. The more violent the crime and the increased likelihood of officer injury resulted in a more significant level of force.

A surprising finding in one study was that the police use less, not more, physical force if the suspect is a member of or associated with a gang (Garner, Maxwell, & Heraux, 2002). Without surprise, it has been found that suspect's resistance increases proportionally the amount of force used. Suspects who display an antagonistic manner but no physical force received a higher degree of force by police than suspect's displaying a civil demeanor. Suspect's who use physical force compared to suspect's who displayed a civil demeanor increased the odds of police using physical force by 1,800 percent (Garner, Maxwell, & Heraux, 2002).

There have been studies that have focused on the influence of officers characteristics toward the use of force. Although the correlation between female officers, and use of force, has not thoroughly been explored, gender has appeared as an influential

characteristic in some studies. Other characteristics have been the officer's race, education, age and years on the job. Research on gender has revealed that female officers use less force and received fewer officer complaints than male officers. In one study, female officers accounted for only 1.6 percent of the use of force reports filed while the male officers accounted for 98.4 percent (Terrill, 2003). While white officers tend to use force more often, minority officers tend to receive more officer complaints.

Officer's experience appears to be a factor, revealing that officer's with less than five years experience account for 50 to 75 percent of all use of force reports generated. Two factors that tend to skew officer characteristic findings are that females usually account for ten percent or less of the personnel, and that less than one-fourth of the officer's account for over one-half of all use of force reports (Terrill, 2003). Officers with some college, but no degree represent the largest percentage of force reports followed by a (50 percent reduction) those with a Bachelors degree. Location or environment consistently shows to be a factor resulting in the use of force. As expected, high crime areas precipitate a higher number of use of force cases.

Another factor of environment is whether or not the area of encounter is secluded from public viewing. A secluded area is more prone to contribute to an officer's use of force than a public area, where citizens might observe and record an officer's actions. This chapter has focused on the specific areas of past research, as well as provided some insight to the chronological emergence of women in law enforcement. Along with these specific areas there arise some general findings within the literature.

General Findings

Use of force is difficult to define and characterize, but is a necessary tool that enables law enforcement officers to adequately and successfully perform the duties required of them. Excessive and abusive use of force cases inevitably result in a courts

involvement. Liability and settlement costs have become a major catalyst in defining, standardizing and controlling the use of force. Female officers, as a result of applying less force offer a significantly reduced departmental liability. This significant liability should compel researchers to further explore this phenomenon.

Police work, as with the military, has always been a male dominated field. Law enforcement has developed its own “culture”, its own “brotherhood”. The stereotypical image of a cop is one of masculinity, size, strength, zero tolerance, with no need for compassion because it has been a “just the facts” line of work. Men have been thought of as the tough ones that can handle the perceived physicality of the job. Along with the “brotherhood” has also existed a code of silence. This code of silence has covered up every thing from the most minor policy infraction to the most severe abuse of the law, as well as countless numbers of excessive uses of force cases.

“Males have existed in a role of machismo, or hyper masculinity. This is the value system that celebrates male physical strength, aggression, violence, competition, and dominance. It denigrates the lack of these qualities as weak, female behavior” (Benson, 2000, p. 682). This machismo has been used as a cause for male officers to get themselves involved in hostile confrontations with citizens, the use of excessive force, shootings, drug dealing, and domestic violence. This culture, this machismo, has existed for years and still prevails in the current stereotypical roles of law enforcement. Female officers rarely are involved in such misconduct, for the exact opposite reason that male officers find themselves in that place. Female officers rarely share the value system of machismo.

The stereotypical image that has plagued females is that they are soft, physically weaker than males and therefore unfit for macho, physically demanding jobs such as police work. The popular image has been that they are the housekeepers, mothers and wives that need protecting. The violent world of criminals has been thought, by males, to

be too dangerous for women. The 21st century has seen numerous significant changes occurring in the world of law enforcement. With media hype over acts of misconduct, lawyers vigilant and ready to represent an injured party, damages for police misconduct costing departments incredible amounts of money, and policies increasing to eliminate misconduct and excessive force liabilities, a softer side of policing is emerging.

Community policing has aided the continuing gradual transition from macho, aggressive, dominating male officers to the feminine, nurturing, patient, compassionate, non violent female.

Machismo is slow to die in the police organizational culture, but its digression is being heard louder each day by police departments, city officials and community members. Research in the United States and Internationally has clearly demonstrated that female officers rely on a style of policing that uses less physical force, are better at defusing and de-escalating potentially violent confrontations and are less likely to become involved in problems involving the excessive use of force(Lonsway, 2000).

Physical agility testing has long been utilized by police departments as a hiring criterion. A survey involving 62 police agencies regarding their physical agility protocol and representation of women produced some surprising results. These results indicated that the majority (89 percent) utilized some form of physical agility testing for entry level selection. The study also revealed that agencies without a physical agility test have (45 percent) more women than those with a test (Lonsway et al. 2003). A controversy exists as to the effectiveness of this agility testing. In the 1970's many agencies utilized minimal height requirements and weight standards as part of their selection criteria. These standards screened out a disproportionate number of women from the selection process.

Since this standard could not predict officer safety or successful performance, the courts rejected such standards as discriminatory under Title VII of the 1964 Civil Rights

Act. Physical agility testing has replaced the old height and weight standards as a screening device for officer candidates. This has also had a negative impact on women. “In fact, the negative effect of physical agility testing on women is often so severe that some commentators have speculated that its very purpose is to screen out female applicants across the board” (Lonsway et al. 2003).

Studies in the 1980’s and early 1990’s (Grennan,1987; Belknap and Shelley,1993; Harrington,1999) have shown women to be more effective than men in many areas of policing. Women police officers rely more on verbal skills than violence. They have been determined repeatedly to be more effective in handling female victims of violence, as in 1983, Kenneth Hickman produced a study of the performance of women in the Los Angeles Police Department. Hickman found that women had superior communication skills, field tactics, initiative and self confidence and were more adept at public relations.

In 1989, Sean Grennan studied 3,515 complaints filed against the New York Police Department. Women officers received fewer complaints, were less inclined to use deadly force, and were involved in fewer shooting incidents, even though they were involved in just as many violent confrontations as their male counterparts. Grennan concluded “The reality of the information related to the (lower) proportion of shooting incidents involving female officers and the (lower) number of civilian complaints against female officers is that these figures have remained, consistently, at the same levels for the past seven years. This, of course, seemed to indicate that female officers have not accepted the overly aggressive style of policing that has become the trademark of most male officers” (Spillar, 1991). Research over the last three decades indicates that women officers have a less authoritarian and aggressive policing style and use force less often than male officers.

In the 1970’s Louis J. Sherman, in his research on women in policing, stated that no research has shown that strength is related to an individual’s ability to manage

successfully a dangerous situation. Joseph Balkin reported that policemen see police work as involving control through authority, while policewomen see it a public service. Balkin even went as far as to say that women's orientation is more likely to result in better relations with the public and a better image of the police department. In 1974, an expansive study by Peter Block and Deborah Anderson found that the female officer is more likely than a male officer to calm a potentially violent situation and avoid injury to the participants. Researcher Carol Ann Martin found that women's excellent communication skills are extremely helpful in police-citizen encounters where there may be potential violence, whereas quite often the male officer is of the John Wayne type and provokes a fight or violence.

In 1991, following the highly publicized Rodney King beating, The Christopher Commission studied use of force in the Los Angeles Police Department. In July, some four months after the Rodney King beating their report was published. The commission highlighted the problem of "repeat offenders" on the force. Its investigation and report was unprecedented.

The commission stated "virtually every indicator examined by the commission establishes that female LAPD officers are involved in excessive use of force at rates substantially below those of male officers. There were no female officers among the 120 officers with the most use of force reports." The commission also looked at the top 10 percent of the LAPD officers ranked by the combined use of force reports, personnel complaints and officers involved shootings and determined there were no female officers among the top 132 officers. This lack of females within this group may have to do with female officers perception toward the use of force and how it differs from that of male officers, as this study suggests.

The statistics indicate that female officers are not reluctant to use force, but they are not nearly as likely to be involved in the use of excessive force. They found that both

male and female officers believe that female officers are less personally challenged by defiant suspects and feel less need to deal with defiance with immediate force. When it comes to conflict prevention, the ability to deescalate a situation along with the efficiency of work, women are almost unanimously considered to be more competent and peaceful than their male colleagues. Police departments increased efforts to avoid the use of force and remove police brutality, thereby decreasing departmental liability, has been the catalyst for increasing the number of women in police work. *“The goal must be a police force that reflects the community’s entire population”* (Spillar, 1991).

Penny Harrington, a former police chief in Portland, Oregon and founding director and chair of the board for the National Center for Women and Policing, a division of the Feminist Majority Foundation, feels strongly about the capabilities of women in law enforcement. She was quoted in the Christian Science Monitor as saying *“policing is not upper body strength; it is the ability to think and act. If women knew that real policing is typically problem-solving, handling family situations and neighborhood disputes – all things that many women are very good at doing – then you’d get more women into police work”*(Holmstrom,2000). An increase in the females involved in police work, as it has been suggested, can lower use of force complaints, as well as departmental liability.

Despite this resounding vote of confidence for the expansion of women in police work, the statistics show that the evolution is laboriously slow. Texas, the second largest state in the United States, ranks third in the nation for sworn and non sworn employees in state and local agencies, yet the percentage of sworn female officers in larger agencies ranges from 2% to 18%, while in some smaller agencies they are non existent(Greene & del Carmen, 2002). In January, 2002, officials at the National Center for Women and Policing in Los Angeles claimed that in departments with more than 100 officers, women represented only 13% of the work force (Hockensmith, 2002).

It appears by the literature review, that one could conclude that women have a place in law enforcement, and offer a variety of characteristics beneficial to the departments that employ them, as well as the communities they serve. The primitiveness of the original model of policing needs to be overcome and improved. The trend suggests that women are less forceful, less aggressive, and more capable of maintaining composure (which leads to a peaceful resolve), and more appreciated by female victims of violence. The literature suggests that a confirmation of the suggested beliefs is warranted, with a probe into the specific characteristics that divide male and female officers and the root causes and influences of these differential characteristics.

Programs and policies should be implemented in an attempt to enlighten, encourage and contour the stereotypical male officer. With significant impacts in the areas of departmental liabilities, citizen complaints, employee moral and community support, attempts to address the ambiguities and voids in the current literature should be addressed. Quite possibly the findings can potentially affect current policies on the use of force as well as reveal the significance and urgency for the development of updated, behavioral altering training.

The necessity of incorporating behavioral training in use of force training and the benefits such changes will bestow on police departments initiating and incorporating these progressive ideas will show the importance of increasing the numbers of female police officers. The author believes that there is no doubt that gender influences the perception toward the use of force, and that this phenomenon can have implications for police departments today and in the near future. In chapter 3, the author will explain the methodology for this research.

CHAPTER 3

METHODOLOGY

In this chapter the author will illustrate the selection process for respondents, the measuring instrument, as well as the analysis of the collected data. The measuring instrument consisted of a survey with 26 original questions in addition to 10 demographic questions. The survey was not reproduced from any previous survey, and was an original instrument created by the author, as a result of a gap found in the literature review. Once the survey was completed it was submitted, along with an application for exemption of a research protocol, to the Institutional Review Board for the Protection of Human Subjects (IRB), within the Office of Research Compliance at the University of Texas at Arlington (UTA).

The survey was approved for distribution by the IRB, and then a pilot test was executed. The participation for each department was gained by the author through email contact with either the department Chief's or their designated assistants. More information on the selection of each department will be provided later in this chapter. The survey was mailed with a sealable envelope for individual officers' placement upon completion. The survey was then boxed by each agency and returned with pre-paid postage provided by the author. The sealable envelopes were necessary to ensure individual privacy.

The survey was distributed using pre-selected agencies across the United States and was a qualitative instrument. The purpose of this survey was to measure and evaluate the respondent's perception toward gender differences in the use of force.

Survey

The research instrument was designed to measure attitudes of police officers toward the use of force. More specifically, this survey will allow the measurement of gender – related differences, if any, perceptions towards the use of force. The 26 questions were designed to ask for a response, rated numerically from 1-6, for the range of strongly agree to strongly disagree respectfully. There are eight demographic questions in which the answer was assigned a numerical value, and two that were allowed to be answered with the appropriate numerical response. The instrument was designed for answers to appear numerically on a 6 point Likert Scale, in order to utilize numerical entry into the Statistical Package for the Social Sciences (SPSS) format. The questions were designed to evaluate officers' attitudes toward gender differences and the use of force. This survey was a one shot study and therefore was no follow up conducted or additional information was collected from the officers.

Sample

In 2002 The National Center for Women and Policing (NCWP) published findings from its 2001 study that estimated the percentage of total sworn women officers in large agencies (those over 100 officers) to be approximately 12.7% (Lonsway et al., 2003). The departments chosen for this survey were selected from this list and chosen based on two criteria. They were selected not only by matching or exceeding the percentage mentioned above, but also selected in states that would represent an expanse across the United States, rather than one geographic area. Departments were asked that only sworn law enforcement personnel participate in the survey.

Following Cohen's power sampling strategy, initially a request for participation was sent to seven departments. Those departments were: Saginaw, Michigan – Boulder, Colorado – Appleton, Wisconsin – Concord, California – Denton, Texas – Framingham,

Massachusetts - Spartanburg, South Carolina. Saginaw did not respond to the request, and although Boulder originally agreed, the survey was returned with a refusal to distribute. Therefore, five agencies agreed to participate in the research, a pool of 629 officers, which still succeeded in fulfilling Cohen's sampling requirements.

Once participation was agreed upon, each survey, along with a cover letter, was placed in an individual, sealable envelope and the appropriate number was sent to each department. The cover letter was sent to introduce myself, convey that participation was completely voluntary, and direct the handling of the survey once it was completed to ensure individual privacy. These five agencies were each the distributors, and collectors of the surveys for their departments.

Departments

As referenced earlier, this section will detail the individual departments selected for participation. They are listed in alphabetical order based on the city name, and with no other significance or preference. The first of these departments is Appleton. Appleton, Wisconsin has a population of 72,000 and its police department consists of 105 officers. They have 90 male officers and 15 female (14%) officers. Appleton was chosen to represent the Northern United States and due to the fact that it has 14% female officers. Chief Richard Myers gave permission for his department's participation and his assistant, Beth Jasiak became the contact throughout all communications.

Concord, California has a population of 127,600 and its police department has 155 officers. They have 128 male officers and 27 female (17.4%) officers. Concord was chosen to represent the West coast and participated with the highest female officer percentage in the survey. Captain Stuart Roloson was assigned to facilitate my research after Chief Ron Ace gave permission for his department's participation.

The city of Denton, Texas boasts a population of 96,200 with a police force 140 strong. Denton has the smallest female officer percentage among those surveyed with only 7%. There are 130 males and only 10 females. Although its female percentage is lower than the average, Denton was chosen to represent the central and southern United States, while maintaining similar population and police department size. Cleo Birckbichler was the contact responsible for getting her departments approval to participate as well as the contact throughout.

Framingham, Massachusetts population consists of 65,598 citizens while its police force contains 112 officers. They have 100 male officers and 12 female (10.7%) officers, and represent the Northeastern coast. Chief Steven Carl approved his department's participation, and allowed Officer Chris Murtagh to facilitate the distribution, collection and return of surveys and respond to any information requests.

Spartanburg, South Carolina has a population of 39,407 and a police department with 117 sworn officers. Having 14.5% female officers (17 females and 100 males) it has the second highest female officer percentage in the survey. Spartanburg represents the Southeastern coast. Colonel Jennifer Kendall was the contact and facilitator for the survey in Spartanburg.

The following table illustrates the number of sworn officers for each selected department and the respective percentage of sworn female officers. Respondent rates will be shown later, in the following chapter.

Table 1- Respondents & Female %

Departments	Sworn officers	Female %
Appleton	105	14
Concord	155	17
Denton	140	7
Framingham	112	10
Spartanburg	407	14

Pilot Group

Once the survey was approved it was distributed to The University of Texas at Arlington's Police Department for a pilot test. Contact was made with the Chief of police via email, and his approval was given for his department's participation. Distribution, and collection, was executed by a UTA Officer. The UTA Police Department was composed of 30 sworn police personnel, which consisted of 27 males and 3 females. The survey was completed by the officers and returned in sealed envelopes in the spring of 2005.

The pilot group returned 9 surveys within a month and there were no rejected questions. Therefore no changes made to the survey and it was distributed to the selected agencies. The pilot group was used in order to control for comprehensibility of questions and acceptability of the nature of questions.

Respondents

The five agencies surveyed included a total of 629 officers, that consisted of 548 males and 81 females, which was an overall 13% of female officers. There were some respondents that elected to not answer the gender demographic, and therefore it was undeterminable, but this only accounted for 4%. Appleton responded at 77%, with 81 respondents out of 105 officers. The female officers returned the survey at 80% with 12 of its 15 responding. Framingham had a slightly better response. While the department responded similarly at 77% from 86 of its 112 officers, the female officers returned at 92%, as 11 of their 12 females responded. Concord, with 155 officers, had 71 respond for 46%, while 19 of their 27 females responded to give 70%. Denton's 140 officers returned 59 surveys, for a 42% response, while 5 of their 10 females responded for a 50% return. Spartanburg's 117 officers had the least response with only 20 returns (17%) including only 2 of their 17 females (12%). The 629 sworn officers of the five departments returned

a total of 317 surveys which equaled a 50% response rate. Of the 13% females (81) surveyed, 60% responded (49).

Analysis

An analysis of the data received from the survey was made possible after the information was coded for entry into SPSS. This program allows for interpretation of data using the numerical entries and allows the researcher to evaluate information utilizing percentages, frequencies and correlations. One test that was performed in this manner on SPSS was an independent t-test. This t-test is an analysis of variance that compares the means of only two groups. This test allowed for variables to be tested and determine if a statistical significance existed. For this study, the significance level of .05 and .01 were used.

This study and its analysis attempts to lend credence to the possibility that there are perceived gender differences in the use of force. Current literature approaches gender issues in law enforcement from numerous angles, but unfortunately reveals a large gap in the research regarding gender's effects on the use of force. The following chapter will reveal in detail the survey responses, as well as present data numerically and in comprehensive tables.

CHAPTER 4

ANALYSIS

As mentioned in Chapter 3, the survey questions were given a Likert numerical scale answer choice, from 1 – 6. 1 represented “strongly agree”, 2 was for “agree”, while 3 represented “agree somewhat” and 4 began the negative responses with “disagree somewhat”, 5 represented “disagree” and 6 revealed “strongly disagree”. The Likert scale was used, as mentioned previously, in order to facilitate entry into the SPSS program. Since the literature appears to lean toward gender having a difference on the use of force, this research focused on the perception of use of force differences by gender. Therefore gender was used to establish a response mean while the other demographic questions were not evaluated. Once the mean was found in SPSS, that mean was entered into a t-test to reveal the p-value. This p-value allows a researcher to determine the statistical significance of a question.

If the p-value is less than .01 it receives two asterisks in the tables. This value allows a researcher to conclude, with greater than 95% certainty, that the question’s response has statistical significance. It is more significant than the .05 level, which is marked in the tables with one asterisk. The .05 confidence level reveals a 95% certainty level.

In this chapter, the author will discuss the gender of respondents, the departments used for the survey, present tables that include the data and show statistical significance; as well as provide the questions that showed no significance. The survey used in this study appears in it’s entirety in the Appendix.

Gender of Respondents

As previously mentioned, the survey was sent to five police departments across the United States in the spring of 2005, and those departments represented 629 total sworn officers. The 629 were comprised of 548 males and 81 females, which resulted in 13% female officer representation. The survey asked each respondent to check a blank for male or female. The variables were then assigned a numeric value for entry into SPSS. The males value = "1" while the female value = "2". 317 surveys were returned for a 50% response rate. The returned surveys included 49 female respondents for a 15.4 % female response. The male/female response numbers will be detailed in the following section

Respondents

In the introduction it was established that the departments chosen for this study were a result of the high percentage of female officers, as offered by the National Center for Women and Policing article cited earlier. Although survey response was not 100%, the response still maintained an above average female officer percentage at 15.4%. The detailed numerical response and the corresponding percentages are as follows.

Percentages will be given for overall departmental response, and female response (not male), since the upper percentage of female participation was sought. The departmental responses are based on total officers, while the female response percentage is based on the number of female officers that responded compared to the number of female officers employed.

Concord, California Police Department had 71 males and 19 females respond, which was a 46% department and 70% female response respectively. Spartanburg, South Carolina had only a departmental response of 17% (18 males) but had 12% female (2) response. The third department, Framingham, Massachusetts, had a 77% departmental (75males) and 92% (11) female officer response. Denton, Texas responded with 42%

(54males) for the department and 50% female officers (5). The fifth department, Appleton, Washington had 81 respondents for 77%, of which 69 were male and 12 females (80%). Obviously short of a 100% response rate, the National average for current female officers within departments was still maintained.

Once the survey was returned, the survey questions were divided into three categories of questions that most appropriately addressed the three hypothesis questions. The first table shown in this chapter includes seven questions that relate to the hypothesis question: “are the attitudes of male and female officers different toward the capabilities of females performing their job”. A mean was obtained after filtering for each gender, and then a t-test was run on each question in SPSS using that data. Tables 2, 3 and 4 were created for ease of comparison.

Table 2 – Means & t-test for Attitudes toward Females Performing the Job

Table Variable	Male (mean)	Female (mean)	P-Value
Female officers are too lenient	4.68	4.71	0.836
Female officers are just as capable of making arrests as male officers	2.04	1.59	.015 *
Female officers handle domestic disputes better than male officers	4.64	4.33	0.065
Female officers perform tasks as effectively as male officers	2.13	1.8	.035 *
Female officers perform tasks more effectively than male officers	4.79	4.06	.000 **
Most female officers are not tough enough to properly do the job	4.64	5.06	.026 *
Female officers are more calm and polite than male officers in dealing with uncooperative subjects	4.45	3.71	.000 **

*Statistical significance at .05 confidence level

**Statistical significance at .01 confidence level

At the significance levels indicated 5 of the 7 questions included in this table appear to have statistical significance. The table shows that statistical significance at the .05 level is given to three questions. This can be interpreted that female officers perceive more strongly that they are as capable as males to make arrests, perform tasks as effective as male officers and they more significantly disagree that they are not tough enough to properly do the job.

One of these questions, “Female officers are just as capable of making arrests as male officers”, had a mean of 2.04 for males and 1.59 for females, therefore revealing that females more strongly agree with the statement. The t- test gave a p-value of .015. The next question, “Female officers perform tasks more effectively than male officers” showed a p-value of .035 from the male and female mean of 2.13 and 1.80 respectively. The last question in this group in table 1 stated: “Most female officers are not tough enough to properly do the job”. Males had a mean of 4.62 and females had 5.06, which indicates that females more strongly disagree than males. The p-value was .026. Two other questions in the table reveals at the .01 level that there is statistical significance in the gender difference.

The first of these questions, “Female officers perform tasks more effectively than male officers” resulted in a male mean of 4.79 and 4.06 for females. Female officers agreed more aggressively to this question. The p-value was .000. The next question within the table reveals that females agree more definitively than males to “Female officers are more calm and polite than male officers in dealing with uncooperative subjects”. The female mean was 3.71, while the male mean was 4.45. This question also had a p-value of .000. There are two variables in table 2, that showed no statistical significance.

The 1st of these: “Female officers are too lenient” had a male mean of 4.68 and a female mean of 4.71. The t-test revealed the p-value to be .836. Similarly in table 2

another question: “Female officers handle domestic disputes better than male officers” was not significant with a p-value of .065. The male and female mean used for this t-test was 4.64 and 4.33 respectively.

Table 3 that follows includes 17 variables that relate to the 2nd hypothesis question: “do male and female officers attitudes’ differ toward the use of force”. The t-test for this set of variables revealed 2 that showed significance at the .05 level and 6 that showed significance at the .01 level.

The two variables that revealed statistical significance at the .05 level were the first and last within table 3. These two variables both had a male mean that showed males more strongly agreed than females, and the t-test revealed that the difference was significant. The first of these: “Most situations can be resolved without physical force” showed a male mean of 1.75 and a female mean of 2.04. The t-test resulted in a p-value of .026. The other variable in table 3 showing a statistical significance at the .05 level was in response to “Training should be developed to help officers find verbal solutions to situations, rather than resorting to physical force”. This resulted in a male mean of 2.71 and a female 3.18 mean. This test offered a p-value of .018. The results for the rest of table 3 follow the table.

Table 3 – Means & t-test for Attitude toward Force by Gender

Table variable	Male (mean)	Female (mean)	P-Value
Most situations can be resolved without physical force	1.75	2.04	.026*
Officers that cuss at subjects cause situations in which they must use physical force	3.19	3.31	0.517
I have observed physical force by fellow officers that I felt was premature or unnecessary	3.55	3.27	0.185
If a subject is being difficult, I prefer to get to a solution quickly by using physical force	4.4	4.45	0.781
Male officers prematurely engage in physical force with subjects	4.76	3.98	.000**
Female officers respond to calls wanting to mediate a resolution, not use physical force	3.66	2.92	.001**
Male officers are too quick to use physical force	4.73	4.2	.005**
Male officers respond to "hot" calls wanting to "kick ass"	4.39	3.82	.002**
Female officers are equally capable of controlling a physical fight between two subjects as male officers	3.25	2.65	.002**
Female officers try to avoid physical force contact on calls at all costs	4.62	4.63	0.944
Female officers are better at resolving conflicts without force than male officers	4.33	3.45	.000**
A female officer is too slow to use physical force	4.57	4.65	0.062
Situations can be resolved without physical force all of the time	5.3	5	0.127
Male officers need to practice more patience to handle situations without resorting to physical force	4.45	4.18	0.061
I have initiated physical force on a lot of my calls	4.97	4.84	0.395
In the past year an excessive force complaint was made against me	5.69	5.55	0.381
Training should be developed to help officers find verbal solutions to situations, rather than resorting to physical force	2.71	3.18	.018*

*Statistical significance at .05 confidence level

** Statistical significance at .01 confidence level

It is apparent in table 3 that six other variables showed statistical significance at the .01 level. First, “Male officers prematurely engage in physical force with subjects” resulted in a male mean of 4.76 and a female 3.98 mean. These means entered into a t-test

gave a p-value of .000. Next, “Female officers respond to calls wanting to mediate a resolution, not use physical force” had male & female means of 3.66 and 2.92 respectively. The p-value was .001. The next one showing significance at the .001 level: “Male officers are too quick to use physical force” had a male mean of 4.73 and a female mean of 4.20. The p-value was .005.

Another variable in table 3 consistent with statistical significance at the .001 level: “Male officers respond to “hot” calls wanting to “kick ass” ” had a male mean of 4.39 and a female mean of 3.82. P-value here was .002. Following that in table 3 : “Female officers are equally capable of controlling a physical fight between two subjects as male officers” had women agree more strongly than males, with a female mean of 2.65 while males had a mean of 2.65. The p-value that resulted from this t-test = .002. The last of this category: “Female officers are better at resolving conflicts without force than male officers” had a male and female mean of 4.33 and 3.45 respectively.

Nine remaining variables in table 3 did not show any statistical significance. The first of these: “Officers that cuss at subjects cause situations in which they must use physical force”. The male mean of 3.19 and female mean of 3.31 resulted in a p-value of .517. The subsequent variable in the table: “I have observed physical force by fellow officers that I felt was premature or unnecessary” had a male and female mean of 3.55 and 3.27 respectively with a p-value of .185. The following variable: “If a subject is being difficult, I prefer to get to a solution quickly by using physical force” resulted in a male mean of 4.40 and female mean of 4.45. The p-value was .781.

Another variable: “Female officers try to avoid physical force contact on calls at all costs” show a male mean of 4.62 and a female mean of 4.63. The t-test revealed a non-significant p-value of .944. The next variable without significance in table 2: “A female officer is too slow to use physical force” had a male mean of 4.57 and a mean of 4.65 for females. The p-value was .062. The remaining variables that showed no statistical

significance at the .05 or .01 level are: “Situations can be resolved without physical force all of the time” presented a male mean of 5.30 and a female mean of 5.00. The p-value was .127. Next: “Male officers need to practice more patience to handle situations without resorting to physical force” yielded a p-value of .061 from a male mean of 4.45 and a female mean of 4.18. Following the last, “I have initiated physical force on a lot of my calls” presented a male mean of 4.97 and a female mean of 4.84 with a t-test result of .395. The last of this category: “In the past year an excessive force complaint was made against me” showed a male and female mean of 5.69 and 5.55 respectively with a p-value of .381.

Although these nine variables did not reveal statistical significance at the tested levels they are not without merit. The means and possible interpretations will be discussed in chapter 5. Table 4 is the last table presented for comparison.

Table 4 only contains one question from the survey that specifically addresses the question “I spend time talking out a situation with a subject rather than resorting to physical force”. As shown in the table, the male mean 2.14 and the female mean 2.04 did not reveal statistical significance as a result of the t-test.

Table 4 – Means & t-test comparisons for Talk vs. Physical Force

Table variable	Male (mean)	Female (mean)	P-Value
I spend time talking out a situation with a subject rather than resorting to physical force	2.14	2.04	0.55

*Statistical significance at .05 confidence level

**Statistical significance at .01 confidence level

As mentioned earlier, gender is the only demographic in this study that pertains to the perceived differences sought in the use of force and therefore gender was the only

filtered selection. In chapter 5 the author will discuss the tables and numbers found in chapter 4, along with the author's impression toward implications of the study as they relate to the perceptions of male and female police officers toward the use of force. Chapter 5 will also include the author's recommendations for future research.

CHAPTER 5

DISCUSSION

This study has attempted to reveal, if any, the differences perceived by officers in the use of force as it relates to gender. Perception is defined as “the insight or knowledge gained by perceiving” (American Heritage Dictionary, 2001, p. 626), while to perceive is “to become aware of through the senses” (American Heritage Dictionary, p. 625). 317 officers responded to survey questions about gender pertaining to the use of force based on their perceptions. This chapter presents the authors discussion of those findings, along with possible implications and research recommendations.

Gender Perception Findings

In Chapter 4 the author displayed the statistical data from the survey and presented the data in table format. Numerous questions showed to have statistical significance, while several revealed no significance. Although several did not reveal significance, they are not without merit to address. The non significant variables revealed that both males and females perceived some variables in the same manner.

For instance, both genders answered similarly that while they believe most situations can be resolved without physical force, force cannot always be avoided. Males and females alike agreed to having initiated force in situations, and showed no statistically significant difference in the perception that they spend time talking out situations rather than resorting to force. Surprisingly, males revealed a statistically significant affirmation toward developing training for verbal solutions than did females.

This may be a result of females perceiving more of a grasp on verbal resolutions in there work.

It is apparent from the tables presented in Chapter 4, that numerous variables revealed statistically significant differences between the genders. For example, females perceive that they arrive on scene in the mediator role, while males arrive wanting to “kick ass”. The males did not perceive it the same way. It is possible this is a result of the long standing, historical stigma attached to police work, defining it as a place for the tough and strong. As shown in the literature review, that stigma has been evolving, but as seen here, the evolutionary wheels seem to be spinning in a quagmire.

Females answered more strongly toward being tough enough for the job, and disagreed more adamantly about not being tough enough than did their male counterparts. Females view themselves as better at resolving conflicts than the males see them. Females tended to agree more strongly that they were not only as effective as male officers in performing tasks but also more effective. While male officers did not disagree that females are equally capable of controlling a physical fight between two subjects, the difference in responses between the genders was enough to cause statistical significance.

A significant difference was also found between genders responding to the idea of males prematurely and too quickly using force on subjects. The females perceived more of a problem in this area than did the males. And last, but not least, female officers perceive that they are more capable of making arrests than male officers perceive them to be. This perception could strongly impact how male officers handle an arrest involving a female colleague.

While the survey did ask for a response based on an officer’s belief or perception, one must understand that it is within this realm of perceptive reality that an officer operates. Therefore differences found in a male and female officer’s perception of the

same scene could have major impacts on the decisions, actions and outcomes of that event.

Implications

As indicated by the findings, it is apparent that male officers do not have the same perceptions of female officers. This attitude encompasses a female's toughness for the job, as well as her ability for the tasks. Females on the other hand appear to perceive their toughness as appropriate, their ability as effective and their communication as superior.

When law enforcement began, the stereotypical large, brawny officer had an advantage and fulfilled and succeeded at accomplishing tasks of the time. Times have however changed, somewhat dramatically, now calling for community communication, gentleness over brawn and brain over physicality. The females found in law enforcement have stamped a distinction on gender and chipped away at the stereotypical necessity of a male dominated field. Studies have found women to be less costly to a department in lawsuits (Terrill, 2003), and that their less physical style of policing is indicative of a needed change (Lonsway, 2000).

It has been nearly a century since the entry of women into law enforcement arena, yet as apparent in the survey results, the attitudes of a century still loudly linger. The males still view women as too weak for the job, while women continue to perform tasks effectively. Perhaps with some policy admissions and revisions, women can continue to infiltrate the law enforcement arena, and males can begin to view them as a capable, effective and desired part of law enforcement.

Policy Implications

As seen by the survey, male officers perceived more strongly than females that training should be developed to help officers find verbal solutions to situations. This

indication alone should speak volumes to administrators, educators and politicians. More verbal solutions, less physical force, less injury, more understanding and quite possibly harm.

City government needs to be aware of social needs within the police agencies so that they may properly budget for these needs. Support for the recruitment of more females should be sought, while funds must be made available to increase awareness. Funds are necessary to initiate training plans and programs to educate male officers on the benefits of female colleagues and increase skills for better communication. Administrators could look at this initial step of research and its implications and desire more in-depth research be performed.

Educators as well could view this possibility of perception differences as a direction for future education. If the gender differences should provide marketable traits, then harness this information and expand the knowledge base of students. Educators could provide tangible roots for mediation and psychological manipulation that could lead to less perceived differences and more non violent resolutions.

Research Importance

While this study attempted to reveal and explain some perception differences between genders about the use of force, it is limited in that it dealt only with a small number of qualified sworn officers. One could argue that there is merit to this type of research based on the number of statistically significant responses found.

Further research could reveal an impressive need to categorize the qualities resulting in these differences in an attempt to eliminate them. Quite possibly further research could reveal and highlight the importance of recruiting more females as law enforcement officers.

Perception is each person's reality, and each officer therefore lives within and acts upon his/her own perception. The success of a department depends on the success of each officer, and therefore each officer's perception is a vital reality worth understanding. Perhaps more research in this area could be advantageous to all willing to listen.

"You may never know what results come from your action. But if you do nothing, there will be no result."

Mahatma Gandhi

APPENDIX A
SUPPLEMENTALS

Survey Disclaimer
LORENE SANDIFER
801 CONOVER DR. GRAND PRAIRIE, TX. 75052
214-317-0723

February 15, 2005

Dear Fellow Officer,

I am a police officer with the city of Grand Prairie, Texas. I am also earning my Master's degree in Criminal Justice/Criminology at the University of Texas at Arlington. I am conducting research for my thesis which is on police officer use of force. I am asking you to complete the attached survey.

Although it is very important that you answer every question on the survey, you may decline to answer any of the questions. *Your decision to participate in this program is completely voluntary.* Should you choose to participate, your responses to the survey will remain confidential as far as possible within state and federal law. In no case will any data be associated with individual officers.

This project will consist of approximately 800 officers from six different states. There is no compensation for this project. This project has been approved by the Institutional Review Board for the Protection of Human Subjects at the University of Texas at Arlington. If you have any questions concerning the review or approval process, please contact the University of Texas at Arlington's Institutional Review Board at (817) 272-3723, or Dr. Janice Ahmad, Thesis Supervisor, at (817) 272-5551.

If you would like to make any written comments, please feel free to do so on the bottom of the last page. After completing the survey, place it back in the envelope and seal it, to ensure your confidentiality, and it will be collected and returned to me. You may keep this cover letter.

Thank you for participating in this study. If you have any questions, please contact me at (214) 317-0723, or by email at lorenesandifer@yahoo.com.

Stay Safe, Lorene Sandifer

POLICE OFFICER USE OF FORCE SURVEY

Indicate the extent of your agreement or disagreement to each of the following statements by circling the number that reflects your feeling towards the statement. Please indicate one response per item. There are no right or wrong answers. For this survey, physical force is defined as any force beyond verbal command and results in physical contact with a civilian.

	Strongly Agree	Agree	Agree Somewhat	Disagree Somewhat	Disagree	Strongly Disagree
1. Most situations can be resolved without physical force	1	2	3	4	5	6
2. I have the opportunity to work with female officers on a regular basis	1	2	3	4	5	6
3. Officers that cuss at subjects, cause situations in which they must use physical force	1	2	3	4	5	6
4. I have observed physical force by fellow officers that I felt was premature or unnecessary	1	2	3	4	5	6
5. If a subject is being difficult, I prefer to get to a solution quickly by using physical force	1	2	3	4	5	6
6. Male officers prematurely engage in physical force with subjects	1	2	3	4	5	6
7. Female officers are too lenient	1	2	3	4	5	6
8. I spend time talking out a situation with a subject rather than resorting to physical force	1	2	3	4	5	6
9. Female officers respond to calls wanting to mediate a resolution, not use physical force	1	2	3	4	5	6
10. Male officers are too quick to use physical force	1	2	3	4	5	6

11. Female officers are just as capable of making arrests as male officers	1	2	3	4	5	6
12. Male officers respond to “hot” calls wanting to “kick ass”	1	2	3	4	5	6
13. Female officers are equally capable of controlling a physical fight between two subjects as male officers	1	2	3	4	5	6
14. Female officers try to avoid physical force contact on calls at all costs	1	2	3	4	5	6
15. Female officers are better at resolving conflicts without force than male officers	1	2	3	4	5	6
16. A female officer is too slow to use physical force	1	2	3	4	5	6
17. Female officers handle domestic disputes better than male officers	1	2	3	4	5	6
18. Female officers perform tasks as effectively as male officers	1	2	3	4	5	6
19. Female officers perform tasks more effectively than male officers	1	2	3	4	5	6
20. Most female officers are not tough enough to properly do the job	1	2	3	4	5	6
21. Female officers are more calm and polite than male officers in dealing with uncooperative subjects	1	2	3	4	5	6
22. Situations can be resolved without physical force all of the time	1	2	3	4	5	6

POLICE OFFICER USE OF FORCE SURVEY

	Strongly Agree	Agree	Agree Somewhat	Disagree Somewhat	Disagree	Strongly Disagree
23. Male officers need to practice more patience to handle situations without resorting physical force	1	2	3	4	5	6
24. I have initiated physical force on alot of my calls	1	2	3	4	5	6
25. In the past year, an excessive force complaint was made against me	1	2	3	4	5	6
26. Training should be developed to help officers find verbal solutions to situations, rather than resorting to physical force	1	2	3	4	5	6

Please complete the following information about yourself

Age: _____ years

Gender: (please mark one)

_____ Male

_____ Female

Race/Ethnicity: (please mark one)

_____ American Indian/ Alaska Native

_____ Native Hawaiian/Other Pacific Islander

_____ Asian

_____ White

_____ Black/African American

_____ Other (please specify)

_____ Hispanic/Latino

Current marital status: (please mark one)

_____ Single

_____ Divorced

_____ Married

_____ Widowed

_____ Separated

_____ Live-in-Partner

Highest grade of school completed: (please mark one)

_____ High School Diploma/G.E.D

_____ Four year degree (B.S., B.A., etc.)

_____ Some College

_____ Advanced degree (M.S., M.A., J.D., Ph. D., etc.)

_____ Two year degree (A.S., A.A., etc.)

Total number of years you have been employed by Police Department(s): _____ years

What division do you currently work in? (please mark one)

_____ Uniformed Patrol

_____ Detective Bureau

_____ Administration

_____ Special Investigative Bureau

_____ Other (please specify) _____

Current Rank: (please mark one)

_____ Police Officer

_____ Captain or above

_____ Sergeant

_____ Other (please specify)

_____ Lieutenant

What shift do you work most often? (please mark one)

_____ Day Shift (early morning to late afternoon)

_____ Evening shift (early afternoon to late evening)

_____ Night shift (midnight to early morning)

_____ My shift assignment rotates on a regular basis

_____ Other (please specify)

Do you have military experience?

_____ **No**

_____ **Yes**

THANK YOU FOR COMPLETING THIS SURVEY

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BIOGRAPHICAL INFORMATION

Lorene Sandifer was born in Oakland, California. She attended the University of North Texas in Denton, Texas and received a Bachelor of Arts with an emphasis in Biology. Thereafter she became a licensed paramedic. For almost eight years she enjoyed a career as a police officer in Grand Prairie, Texas. It was during this employment that she began her Masters of Criminal Justice and Criminology, which she obtained in 2006. Although no longer working as a police officer, she remains an advocate for the forward progression of gender equality in law enforcement.