

# DISCRIMINATION OF WOMEN IN LAW ENFORCEMENT

Dr. Arun Kumar Mishra, Associate Professor  
Shri M.D. Shah Mahila College, Malad West Mumbai-64

**Abstract:** Broad social changes in developing countries such as India have resulted in the increased representation of women officers. The philosophy governing their integration into the police is that they should be treated equally to men and they should be provided with the same opportunities to undertake the same tasks. The influx of new cohorts of women into the police in recent years in India, resulting from its 1997 labour law legislation which required that 33 per cent of new hires for government organizations be women, provides the opportunity to examine how well women have been integrated into performing police tasks, how contented they are with their roles, how their male counterparts judge their performance and whether they accept women as equal partners. Using a survey questionnaire and an unstructured interview schedule, this study gathered data in 2010 from 222 men and 218 women police constables with 13 years or less service in the Tamil Nadu Police. The main finding of the study is that, in spite of the increased representation of women in the police force and their broad exposure to a wide range of duties, they are still negatively perceived by their male counterparts. This negative perception seems to have been internalized by women, many of whom reported that they prefer a traditional policing role. These findings suggest that the police should re-evaluate their gender integration policies, perhaps to include more gender-sensitive allocation of duties.

## Introduction

Numerous studies have been completed since the 1970s when women were first entering the field of law enforcement. The studies revealed time and time again that women can and do perform all the duties of patrol officers, and also excel in many areas. The question of physical strength continues to emerge when the issues of female police officers are brought up; however, physical strength has not been shown to predict either general police effectiveness or the ability to be successful in handling dangerous situations. Nor has physical strength been shown to play a role in line-of-duty deaths. Most police fatalities are related to gunfire and automobile accidents.

Studies have shown that women in policing are less likely to use excessive and deadly force. They are also less likely than their male coworkers to be involved in fights or acts of aggression on the job. Female officers rely

more on interpersonal skills than physical force. Women are known to deescalate potentially violent situations more often than men. This emphasis on communication goes a long way in the modern approach to policing known as “community policing.” Police departments are leaning more toward community partnerships and proactive problem-solving versus the “tough guy” reactive approach popular in years past.

Research supports that women do experience unique workplace stressors and issues, such as language harassment, sex discrimination and a lack of mentors/role models. Additional barriers that have been identified are double standards and the issue of balancing family with career. The primary deterrent to women entering the field of law enforcement remains the icy welcome they receive from some of their male colleagues. Women face certain psychological pressures not encountered by men.

Peer acceptance is one of the greatest pressures operating within police organizations. The desire to be known as a “good officer” is a strong motivating factor, and failure to achieve that status can be very demoralizing and devastating. Unlike their male counterparts, women must overcome the societal prejudice of being known as the “weaker sex.” Many female officers also report feeling they have to work twice as hard to prove themselves and to be accepted, whereas male officers can just show up and gain acceptance.

Entrance exams for police jobs often require tests of physical agility, and some have been considered gender-biased. Some departments have required the scaling of a 5- or 6-foot solid wall, which requires great upper body strength and may keep many women from passing, no matter how strong or agile they are. Certain departments are revising their physical entrance exams, realizing that the 5- or 6-foot solid walls are discriminatory and in need of review.

The women who could scale such a wall would be so drained of energy, they would likely find it difficult to complete the rest of the test in the allotted timeframe. Some changes being made to the agility testing allow for two foot braces providing foot leverage, making it easier to scale the wall, as well as more realistic.

Many of the pitfalls of being a woman in the law enforcement industry still apply in correctional facilities. In one study, female corrections officers reported feeling discriminated against in the workplace and pessimistic about the possibility of growth in their field. Several mentioned instances of sexual harassment, troubles balancing their family with their career and frustration with what they perceived to be institutional inequality. Of the 12 officers interviewed, none believed women had “greater opportunities for promotions in the correctional setting.”

If there had been more prominent examples of promotion and inclusion in the corrections industry, the 12 officers interviewed might have told a very different story. One study suggests that the solution might lie in

diversifying the workplace, finding that when there are more women working lower-level jobs, there are likely more women in executive or managerial positions as well.

Furthermore, as agencies look for officers who mirror their communities, they are also extending their definitions of diversity. From this perspective, diversity can include religion, sexual orientation, age, family background or occupation, and even neighborhood or high school.

Law enforcement requires a unique blend of traits and characteristics. Some of these include

- empathy
- effective communication
- compassion
- intelligence, and
- the ability to relate to people on a personal level.

These are traits anyone can bring to the table regardless of gender, ethnic heritage, or background. Law enforcement is a field that respects and encourages individuality. Being a member of a minority group will not limit your ability to become a law enforcement officer or your chances of career success. Law enforcement is a field where diversity matters, is encouraged, and is sought after in recruitment efforts.

Officers who speak a second language are also in high demand and in some cases are given extra compensation for their skill.

### **Common Barriers and solutions for Female Officers**

#### **Sexual Harassment (Internal Barrier)**

Gender discrimination and sexual harassment of female police officers along with continued displays of negative attitudes by male police officers has a negative impact on the retention of female officers.

Law enforcement administrators should take gender discrimination and sexual harassment complaints seriously and assume the proactive role of impartial facilitator when addressing these complaints. No law enforcement administrator likes the stigma of having a complaint or grievance filed under their watch. However, the manner in which administrators facilitate the handling of gender discrimination and sexual harassment complaints has consequences for all involved.

### **Compared to Male Peers (Internal Barrier)**

Being compared and judged to male peers makes the work environment for female police officers more stressful and challenging with regard to promotion opportunities.

Law enforcement administrators should recognize that differences do exist between female and male police officers. And that those differences biologically and psychologically can be harnessed into positive work actions. They do not reduce the competence level and capabilities of female officers when performing their law enforcement job duties.

### **Family/Maternity Commitments (External Barrier)**

Female police officers often face the issue of reconciling family and work maternity issues. Family/career issues are a leading reason for female police officer resignations. As a result, turnover rates in policing for females has primarily been tied to either family issues such as child care, an unsupportive spouse, or personal failures in coping.

Law enforcement administrators, while unable to influence family issues directly, can build morale for female police officers by providing words of encouragement, providing private and safe areas for breast feeding, and support their family building decisions.

### **Lack of Promotional Opportunities (Internal Barrier)**

Most police officers seek assignments that provide new challenges, new duties, broaden their experience, and enhance their promotional opportunities. However, gender bias often results in female police officers being assigned to more traditional “feminine” areas that deal with juveniles, females or administration.

Law enforcement administrators can attract qualified female candidates into the field of law enforcement by demonstrating that career advancement opportunities within their departments are created on the basis of competence and capabilities and not by gender-based decision-making.

## How to stop this discrimination-

Attorney General Loretta E. Lynch announced today a new guidance from the Justice Department designed to help law enforcement agencies prevent gender bias in their response to sexual assault and domestic violence, highlighting the need for clear policies, robust training and responsive accountability systems.

the guidance serves two key purposes. First, it aims to examine how gender bias can undermine the response of law enforcement agencies (LEAs) to sexual assault and domestic violence. Second, it provides a set of basic principles that – if integrated into LEAs’ policies, trainings and practices – will help ensure that gender bias, either intentionally or unintentionally, does not undermine efforts to keep victims safe and hold offenders accountable.

The guidance, through a series of detailed case examples, advises law enforcement agencies to incorporate the following principles into clear policies, comprehensive training and effective supervision protocols:

- Recognize and address biases, assumptions and stereotypes about victims.
- Treat all victims with respect and employ interviewing tactics that encourage a victim to participate and provide facts about the incident.
- Investigate sexual assault or domestic violence complaints thoroughly and effectively.
- Appropriately classify reports of sexual assault or domestic violence.
- Refer victims to appropriate services.
- Properly identify the assailant in domestic violence incidents.
- Hold officers who commit sexual assault or domestic violence accountable.
- Maintain, review and act upon data regarding sexual assault and domestic violence.

A form of discrimination, gender bias may result in LEAs providing less protection to certain victims on the basis of gender, failing to respond to crimes that disproportionately harm a particular gender or offering less robust services due to a reliance on gender stereotypes.

Gender bias can manifest in police officers misclassifying or underreporting sexual assault and domestic violence cases; inappropriately jumping to conclusions and labeling sexual assault cases unfounded; failing to test sexual assault kits; interrogating rather than interviewing victims and witnesses; treating domestic violence as a family matter rather than a crime; failing to enforce protection orders; or failing to treat same-sex domestic violence as a crime. These failures may ultimately compromise law enforcement’s ability to ascertain the facts, determine whether the incident constitutes a crime and develop a case that holds the perpetrator accountable.

Work Place Etiquette i) To be professional Professionalbehaviour and friendliness at work is fine and can make the work place a better place to work. In a caring co-operative work place, human dignity is respected, professional satisfaction is promoted and positive relationships are modelled. ii) To be careful Socializing at work, at schools or off-site may be perfectly appropriate. Employees should establish and maintain relationships of respect, trust and cooperation with co-workers and managers. iii) To be courteous Employees should be courteous and should not use derogatory language at work place and should exhibit decency. 311 iv) Safe and supportive work conditions Employer should promote policies and working conditions that foster mutual respect, positive self esteem and safe and supportive working condition.

### Conclusion-

For the proper enforcement of this duty, “it is necessary that it should be known to all”. This can be done by a systematic intensive education of the people that is by publicity or by making it a part of the syllabi and curriculum of education. Most of the people of this country are illiterate and not conscious of what they owe to society and country. Homes, universities, offices and the places of work should all be made centers for imparting the enforcement of this obligation. Men and women must work together to stop discrimination and sexual harassment against women. No fundamental change in favour of women is possible without a massive change in male attitude.

### References-

- Martin, S.E. (1990). On the Move: The Status of Women in Policing. Washington DC: Police Foundation.
- Martin, S.E. (1991). The effectiveness of Affirmative Action: The Case of Women in Policing. Justice Quarterly, 8, 489-504.
- Martin, S.E. (1993). Female Officer on the Move? A Status Report on Women In Policing. In R.G. Dunham and G.P. Alpert (Eds.), Critical Issues in Policing. (pp.327-347). Prospect Heights:Waveland Press
- Martin, S.E. (1994). Outsiders within the station house: The Impact of Race and Gender on Black Women Police. Social Problems, 41, 3, 383- 99.
- Martin, S. and N. Jurik. (1996). Doing Justice Doing Gender. Sage, Thousand Oaks, CA. May, D. (1980). Women’s Work. Police Review, 4, 6-8.
- McBride, R., Lynch, L, Thibault, E. (2004). Proactive Police Management. (6th Edition). Pearson Education, Inc., Upper Saddle River, New Jersey.