

December 22, 2004

Sheriff Cogbill,

The Women Deputies of the Sonoma County Sheriff's Department wish to thank you for the opportunity of addressing some issues surrounding women in this Department. When we were contacted to meet with you on September 22, 2004, we were apprehensive and fearful of the possible repercussions of the meeting. However, we accepted the challenge placed before us to respond in a constructive, meaningful manner, which would benefit the entire Department. Although our response has been somewhat delayed, it was our desire to prepare a document which was thoughtful, thought provoking, and reflected the opinions and interests of the sworn women of this Department. We have been steadily working toward that goal since that meeting, with the end result before you.

In the preparation of this document, we have utilized the resources of numerous other agencies and organizations. Notable amongst them was the National Center for Women and Policing. Through this organization we discovered "Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement." We found this guide to be a useful tool with which to measure our response, and to address our Department's progress in the acceptance of women in law enforcement. It is our intention to improve the climate for women in the Sonoma County Sheriff's Department, which we believe will benefit the entire work environment.


Through our review of the self-assessment guide, we found a number of topics which were of particular interest. We applied our knowledge of this Department to those topics, and have included our insights and recommendations. There were additional topics which were not necessarily relevant to our Department. However, we have included the text of the entire guide as an attachment, so you would have the same information available to you as we had.

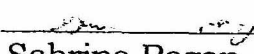
We will be interested in your response to our document, and collectively request a follow up meeting with you during the week of January 17-21, 2005. We believe that positive changes and discernable progress can result from this work, and look forward to our meeting.


We thank you for your time and consideration.

Sincerely,

The Women Deputies of the Sonoma County Sheriff's Department

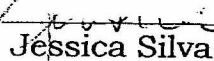
  
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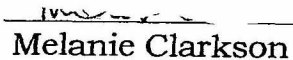
  
Leslie Comrack

  
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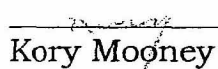
  
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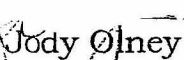
  
Melanie Clarkson

  
Rebecca Kokemor

  
Cheryl Mayhew

  
Carrie McConville

  
Kory Mooney

  
Jody Olney

## **RECRUITMENT AND RETENTION**

As noted in Chapter 1 of "Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement," the contributions made by women and the advantages of hiring and retaining women are numerous and far-reaching. And yet, the number of sworn women in the Sonoma County Sheriff's Department hovers in single digits, well below any state or national average. Women Deputies currently represent approximately 5% of the sworn workforce, while the national average rests in the mid-teens. Alarming, rather than steadily increasing, our numbers have been declining.

We feel it is crucial to take a proactive approach to recruiting women, and find the Department poised at an exciting, yet critical juncture. As 2006 approaches, the Department prepares for a significant loss in its workforce due to retirement. Further, Sgt. Scanlon observed in a briefing update that within the same time frame, local law enforcement (including ourselves) will potentially be seeking approximately 80 applicants to fill vacancies throughout the county. Conventional methods of acquiring quality candidates will not be adequate to the needs of this Department, as it will be in direct competition with neighboring agencies. The challenges of drawing candidates to this county will be manifold; external forces (budgetary concerns, cost of living, commute distances, etc.) will play an important role in an applicant's initial decision, but the advantages of the individual departments will ultimately decide the applicant's course of action. When considering a law enforcement career in Sonoma County, what would a female applicant conclude when comparing this Department to the local municipalities? Would the low representation of women be a challenge, or a deterrent? Through conversation with potential candidates, it appears to be a deterrent.

We must therefore redouble our efforts, and actively seek out and recruit not only quality female candidates, but applicants of all races, national origin and gender, whom are accepting of women in the law enforcement field. Although this is a daunting task, it is by no means impossible. In spite of budgetary constraints and cutbacks, a sufficiently funded and staffed recruitment effort will reap long term rewards many times over. The success of this effort will represent the future of the Department for the next 20+ years.

There are a number of tactics which may be considered when recruiting for women. Traditional female-dominated careers and employment have abundant possibilities. Such targets could include nursing and teaching, as well as institutions or businesses dominated by women. Universities and college campuses are excellent sources of potential candidates, as well as gyms, health clubs, and local sports teams with

female membership. Advertisement through a wider variety of media, including Latin/Asian radio and newspapers, gay/lesbian newspapers, and other minority access would provide interface to a greater range of candidates. We live in a dynamic and diverse community; it would behoove us to attempt to reflect that community more accurately through our recruitment and hiring practices.

In addition, having women present on the interview panel would be advantageous and would serve as a model of the Department's dedication to diversity and acceptance. A careful screening of the candidates during the hiring process would hopefully identify any prejudices or negative beliefs which would undermine the acceptance of women in law enforcement in general, and within this Department specifically. Constantly assessing the progress of the recruitment strategies would maintain a fresh perspective, allowing for focused efforts and goal-oriented drives.

The National Center for Women and Policing presents a two-day seminar on recruiting and hiring women for law enforcement. As our Department prepares for its largest hiring push in recent history, taking advantage of all resources available would be a prudent and reasonable step to aid in our effort to broaden our field of quality candidates.

A commitment to increasing women in the workplace will require a serious, concerted effort. There may exist an impression throughout the state that Sonoma County Sheriff's Department is not supportive of women deputies; such a reputation can be dispelled only through a broad range of actions, beginning with recruitment and ending in the workplace itself.

## **FAMILY FRIENDLY POLICIES**

The women deputies of the Sonoma County Sheriff's Department are conscious of the internal and external stressors of choosing a law enforcement career, while simultaneously maintaining a healthy home life. We are gratified that this Department is supportive of a generous family leave policy, which provides for both the male and female staff members during pregnancy, childbirth, and adoption.

We suggest that the Department could potentially recruit a wider range of candidates by broadening its job positions. The inclusion of job sharing amongst Deputy Sheriffs could be extremely beneficial in recruitment and retention for positions, especially in fixed locations, such as court security. The County has established the precedence of job sharing in other classifications, including Deputy District Attorney and Dispatcher, and the same tenets could easily apply to Deputy Sheriff.

We find this inclusion to be beneficial for both the employee and the employer. It would demonstrate the Department's willingness to provide alternative employment, while allowing for another source of staffing which could be utilized where needed. The employees participating in the job share would be more content, and less inclined towards absenteeism. An employee may find such an arrangement to be ideally suited to their personal or family needs, rather than a separation or leave of absence. Their training and experience would continue to be an asset to the Department, while their personal circumstances would be addressed by a more flexible scheduling alternative. It is the proverbial "win-win" situation.

There may be no interest currently by any Department members wishing to job share. That the Department has made this provision available would be another tool which could be utilized for recruitment, and would further improve the Department's image as a worker-friendly employer.

## **SPECIALTY ASSIGNMENTS AND PROMOTIONS**

*"The tenets of leadership discussed in this text are as applicable to women supervisors as their male counterparts; yet, women supervisors will undoubtedly find that considerable modifications might be necessary from time to time in the manner in which they apply such principles in supervising some of their male subordinates because some males still find it difficult to accept women in authority or to submit to their direction and control. Common sense in dealing with such attitudes will usually dictate an answer.*

*Most men have grown up in a culture of male dominance and many expect better performance from women than from male supervisors performing similar duties. A woman supervisor is often required to prove herself over and over. She may find that she is expected to be more circumspect in her personal conduct and performance than the male supervisor because an inordinate amount of attention is focused on her. This condition may be totally unjustified but does exist, and since it occasionally does, she must dispel it as soon as possible to reduce resistance to her supervisory efforts. The solution seems to be for her to develop leadership abilities, prepare herself technically for her position, and avoid scrupulously the commonly recognized weaknesses which often lead to supervisory failure, such as indulgence of wrongdoing or misconduct, vacillation in the decision-making process, and unfairness. If any of these characteristics are observed in a woman, they may only serve to fortify the stereotyped opinions of those who contend that women are not good leaders."*

*Supervision of Police Personnel  
Sixth Edition 2001, Chapter 1*

The previous excerpt is a verbatim transcript from the text which is recommended by this Department when preparing for the promotion process. This language caused a visceral reaction amongst not only the women, but to men as well, when it was brought to their attention. It would not be unusual to find such a statement in a text dated 1970 – 1980. However, to find this attitude represented in a text dated 2001 was abhorrent. It brilliantly engenders the very belief system it appears to reject. Providing lip service to discrimination only serves to reinforce it.

And yet, the women of the patrol division are still often subjected to this discriminatory standard in regards to specialty assignments and promotions. In the Department's history, women have individually achieved certain goals and assignments, but at great cost to their overall career. Their achievements did not break down traditionally barriers; rather, the barriers were allowed to become reinforced. Women with aspirations of a varied career found no mentors to support and inspire them, as there has been no consistent, logical progression from rookie deputy to investigations, and on to management positions. The isolated individuals who have attempted this progression have met with resistance and hostility, rather than the acceptance which would be worthy of a male counterpart.

The test is not whether the Department has included women in its various specialty assignments or promotions through its history. There are examples of women whom have occupied positions in most specialty assignments, with the exception of SWAT, motorcycles, and helicopter. The key is women being *accepted* in specialty positions, regardless of their gender, and being competitive in the selection process. There are no positions within the Sheriff's Department which would not be appropriate for a woman deputy to fill, providing of course that she meets any basic requirements. Neighboring agencies have reinforced the conviction that women officer's contributions are as valuable as their male counterparts, and women hold positions in SWAT, VCI, MAGNET, and management, up to and including Chief of Police. Acceptance is the critical component of success.

Within the Sonoma County Sheriff's Department, there exists an interesting dichotomy. The Detention Division maintains a healthy female populace, with women holding positions of rank and authority. Through informal questioning, women correctional officers have expressed interest in patrol, but have bluntly stated they have much greater opportunity to excel and promote within Corrections. Patrol offers no particular incentive to them, as it is viewed as a limited mobility career track.

Within the Patrol Division, women are under-represented in all facets of the job. The current staffing accounts for a mere 5% of the workforce, and women who occupy specialties are assigned in 'soft,' less desirable positions (DVSA, Coroner's Office, and recently, Personnel). With anticipated vacancies in CSI, women have been casually approached to compete for those positions. Women have a very distinct sense of being 'useful' in certain positions involving more social or cerebral aspects of the job, but find they are not competitive in the 'high profile' positions, regardless of their skills, aptitudes, and talents.

San Mateo County Sheriff's Department actually addresses this issue in their Equal Employment Opportunity doctrine. They state:

*"The County will take positive measures toward eliminating artificial barriers to employment and achieving equal opportunity through its continued implementation and coordination of the County's Equal Employment Opportunity Plan, and through its review and evaluation of hiring and promotional policies and procedures... the County considers violation of this policy on the basis of any of these categories [discrimination, harassment, retaliation] to constitute misconduct that undermines the integrity of the employment relationship. Corrective action up to, and including dismissal shall be taken against individuals who violate any provision of this policy..."*

Further, they advise that it is the Manager and Supervisor's responsibility to:

*"...ensure that tradition and stereotypes do not create a "glass ceiling" to advancement of persons historically excluded from middle and upper management positions..."*

Title VII of the Civil Rights Act of 1964 prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment on the basis of race, color, sex, national origin, and religion, per the United States Department of Labor. It can be stated in no clearer language. The women deputies of the Sonoma County Sheriff's Department are entitled to the same opportunities as their male counterparts, without color of bias, stereotype, or cronyism. Our skills and life experience provide unique abilities which are currently under-utilized and overlooked.

It is a fact that there are currently no women who competed for the position of Sergeant. Our reasons are as distinct and individual as each of us. However, it bears stating that we do not desire hand-outs or political selections. What we expect is an environment in which we are equal contenders for all available positions, and our skills, merits, and experience are valued by the same rating system as our male counterparts.



### **POLICY 3-04, DISCRIMINATION AND HARASSMENT**

We believe that the language of Policy 3-04, Discrimination and Harassment, protects the perpetrator and further alienates and isolates the victim. A significant issue is the mandatory requirement of reporting by both victims and witnesses.

Reporting harassment and discrimination does not exist in a vacuum. The incidents of previous harassment and discrimination in this Department become part of an oral history that every woman becomes aware of. Victims have either separated from the Department, or continued with their employment. In instances where the victim has separated from the Department, the victim has sacrificed a career which required an unparalleled level of commitment, as well as all the benefits gleaned from that career... financial, medical, retirement security. The women who have remained employed with the Department do not thrive. In effect, their careers were also sacrificed, with aspirations of advancement crushed. The effects of the discrimination and harassment linger long after the actual events.

Amongst this oral history is also the awareness of the outcome of previous investigations. The victim has become marginalized or vilified, and is not supported. The perpetrator's career ultimately prospers. It is in this environment that a victim is ordered to report incidents of harassment and discrimination. Although the Sheriff's Department and the County of Sonoma both declare in the strongest of language that there is "zero tolerance" regarding such behavior, actions by individuals within the Department may speak otherwise. It is an unfortunate truth that discrimination and harassing acts continue in the workplace, in spite of the efforts of the employer to provide an environment free of harassment. A victim, having already suffered the humiliation and degradation of harassment or discrimination will be loathe to further endanger their career or personal security by reporting. The specter of punitive action for failing to report only further isolates the victim. They will not seek out the support of a peer, fearing to put them both at risk for punitive measures. The victim becomes effectively cut off.

We have researched policies from a sampling of organizations, to compare and contrast the language used to address harassment and discrimination in the workplace. This cross section has included Santa Rosa Police Department, San Mateo County Sheriff's Department, Menlo Park Police Department, and the City and County of San Francisco. The California State Department of Fair Employment and Housing's (DFEH) directive on this issue was also referenced.

In these various documents, we found that the victims are urged to resolve any instances of harassment or discrimination by confronting the perpetrator. However, if notification to the perpetrator is not appropriate for whatever reason, the victim is again urged to report such acts to their supervisor, or a designated manager. The DFEH obliges employers to take all reasonable steps to prevent discrimination and harassment, and to take immediate and appropriate action when they know, or should have known, that harassment has occurred. They further provide provisions for investigation of the complaint, and address the outcome of a proven complaint. There is no directive, provision, or order which mandates a victim to report; the language allows for the victim to exercise the freedom to choose when to report harassment or discrimination, with the knowledge that it is their responsibility to report. The only legal time constraint noted was through DFEH, which states that a victim may file a complaint within one year of the harassment to that Department.

In our comparative studies, we did not find any policy which required witnesses to report violations. The strongest language identified all employees' responsibility to report observed or known acts of harassment or discrimination. The policies generally appointed the responsibility of eliminating harassment and discrimination to the supervisors and managers, ranging from the daily work environment to the employment and promotion practices of the Department. Supervisors were further required to take corrective action after learning of a specific violation, in compliance with DFEH policy.

Harassment and discrimination are highly destructive acts, with deleterious consequences to the victim. Mandating the report of such acts may be essentially compared to requiring a sexual assault victim to report their incident immediately, under threat of punitive action. As a compassionate society, we understand that such a mandate would be unreasonable and violates the victim's rights. We contend that the mandated reporting of harassment and discrimination is also unreasonable. The women deputies believe the County's intentions and goals are to provide a workplace free of harassment and discrimination; we suggest change, to further that goal. It is critical that a victim feels *safe* to report instances of harassment and discrimination, and removing the fear of punitive action would provide a healthier environment, and aid in establishing trust between the victim and the employer.

Title VII prohibits not only intentional harassment and discrimination, but also practices that have the effect of discriminating against individuals. We believe that removing the emphasis and language of "mandatory reporting" for victims and witnesses would foster a healthier work environment and remove a practice which causes a greater

unwillingness to report such acts. The deletion of that phrase would in no way imply the Department was less committed to providing a workplace which is free of harassment and discrimination. Rather, it would take the emphasis away from the fear of punitive action, and return it to the heart of the matter, namely, a work environment free of such offenses.

The preparation of this document provided for interesting and meaningful research, which lead us to several conclusions. Good intentions alone will not stop discriminatory and harassing acts from occurring in the workplace. It will require the dedication and commitment from the top command staff that such actions will not be tolerated, unyielding strength to support that commitment, and recognizable consequences to the offender. The culture of this Department has allowed for minimal consequences and career "redemption" of previous offenders, yet no such redemption exists for the victim. They have been cast aside. "When disrespect for women in the police workplace occurs and [ineffective] action is taken by police management, the message to all officers is that women are not valued and it is acceptable to treat them with disrespect... When policies and procedures of the police department are biased in favor of men, it reinforces the opinion that women have no place in policing..." [Chief Penny Harrington to LAPD, Sept. 12, 1996].

We suggest a dispassionate, unbiased review of Policy 3-04, and compare it with San Mateo County's Equal Employment Opportunity policy. We find the San Mateo document superior in a number of ways:

The document opens with an expression of its philosophy that diversity is an essential component of excellence. It recognizes, welcomes, and states appreciation for its diverse workforce, which reflects the community it serves.

The document states in the affirmative that it is committed to a diverse, results-oriented, equal employment opportunity environment aimed at a balanced workforce free of illegal discrimination.

The document states it will take positive measures towards eliminating artificial barriers to employment and achieving equal opportunity.

The document states unequivocally that acts of discrimination, harassment, and retaliation are a violation of policy, and constitute misconduct. Corrective action may include dismissal for any persons who violate any provisions of the policy.

Employees are held responsible for understanding and abiding by the County's policy, and complying with its terms. This includes respect of others, behaving appropriately, reporting any violations

of policy that they observe or are aware of, and cooperate with any resulting investigations.

Managers and Supervisors are held responsible for creating and maintaining a healthy work environment for the employees, with their responsibilities described in great detail. The policy requires fairness, consistency, and unbiased performances by its supervisors to set the example by which employees are judged.

The policy outlines how an employee seeks complaint resolution, from an internal review by the Department, up to complaints with the State Dept of Fair Employment and Housing, and the US Equal Employment Opportunity Commission. Contact information is provided.

By contrast, Policy 3-04 is both strangely vague and unreasonably specific. It states that the Department will take "immediate action where necessary to eliminate such practices or remedy their effects;" however, the most overt action that is mentioned is the Department's right to temporarily transfer the accused on an emergency basis until the investigation is completed. "A determination of any disciplinary action by the appropriate command staff" is the standard set at the conclusion of an investigation. However, at no time does the Department state what the disciplinary standards may be. Without well-publicized guidelines, disciplinary action could be as minimal as personal bias would allow. The policy language is vague and non-committal as to the offender's consequences, yet states without hesitation that the victim is mandated to report.

In Section II, Sub A, the policy states that our "special responsibilities for fiscal responsibility" dictate that discrimination and harassment will not be permitted within the agency. We presume the fiscal responsibility mentioned is the prevention of lawsuits. Although we concur that lawsuits are damaging to the Department, we question whether they are an appropriate motivation for preventing harassment and discrimination. Harassment and discrimination are illegal, which is ample justification.

We believe Policy 3-04 reflects in microcosm a systemic attitude towards men and women in the Department. By contrast, the philosophies espoused by San Mateo, celebrating the diversity of their workforce and committing to a harassment-free environment, declare in no uncertain terms that all their employees are equally recognized, and can expect equitable treatment. The document reflects a trust and respect of its employees, and sets a standard of excellence for its managers.

Although we urge you to consider an update to Policy 3-04, we recognize that no amount of alterations in verbiage will address or correct an unbalanced system without changes coming from within. However,

forcing additional sensitivity training and policy reviews on the Deputy staff will only further separate the women from the men, and cause greater resentment in the men, resulting in hardship for the women. In its efforts to protect itself from liability, the Department specifically, and the County in general have become estranged from the concerns of its female Deputies, and how best to address those concerns. Although we believe Human Resources wishes to have a workplace where "everybody just gets along," we suspect that their desire to protect the County from liability may cloud their ability to intercede impartially.

We believe that an outside consultant would be an excellent step in bridging the gap between the women Deputies and the Department. To best serve the needs of both employer and employee, the consultant should ideally be conversant in the law enforcement culture, and the unique issues surrounding women in that work environment. An independent consultant would also provide an environment where employees can speak freely, without fear of retribution. Through our initial research, we have identified four different consultants who would fit those criteria, all of whom are located in California. We have not approached them; we provide these names as resources for you, in our effort to provide realistic solutions to the issues that we face.

We believe the contact information to be correct and current:

1. Chief Penny E. Harrington  
Harrington & Associates  
497 Estero Avenue, Morro Bay, CA 93442  
805-772-2093  
website: [www.pennyharrington.com](http://www.pennyharrington.com)  
Former Chief of Police, Portland OR  
Director of National Center for Women and Policing  
Consultant specializing in Law Enforcement Issues
2. Merrick Bobb  
213-689-4440  
email: [merrickbobb@parc.info](mailto:merrickbobb@parc.info)  
Founding Director of Police Assessment Resource Center (PARC)  
Expert on Police Reform
3. Dr. Ellen Kirschman  
650-365-5794  
email: [ellenkirschman@ellenkirschman.com](mailto:ellenkirschman@ellenkirschman.com)  
Clinical Psychologist and Consultant  
Author: "I Love A Cop: What Police Families Need to Know"

4. Dr. Nancy Baker  
650-712-9767  
Police Psychologist, formerly with LASD

Additional suggested resources are available upon request.

## **IN CONCLUSION...**

In conclusion, we would like to reiterate the need for positive, meaningful change through various proactive methods. We found the Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement to be an extraordinary tool in focusing efforts towards identified problem areas. We identified recruitment, specialty assignments and promotions, and family friendly policies to be areas where significant improvements could be made to the Sheriff Department's operations. Further, through our in depth evaluation of Policy 3-04, Discrimination and Sexual Harassment, we highly recommend an overhaul of both language and approach, befitting an ethic firmly ensconced in the 21<sup>st</sup> century. We understand the enormous effort of making such significant changes to a Department steeped in its traditions; therefore we recommend and support the hiring of a consultant to assist in evaluating and implementing needful changes.

We are certain you appreciate how difficult this process was for us. However, we felt it imperative to respond to your meeting with true issues and concerns, rather than platitudes and personal agendas. We would like to emphasize that our interest is to improve the working conditions for the women of the Sheriff's Department, which we are certain will improve the quality and standing of the Department overall.

We respectfully thank you for your interest and attention.