

Sociology 3395: Criminal Justice & Corrections
Class 10: Issues in Canadian Policing

Today we will continue our look at the police. We will consider the following topics:

1. Police discretion
2. The police subculture
3. The working personality of the police officer
4. Higher education and policing
5. Police use of deadly force
6. Police misconduct
7. The changing composition of the police
8. The police and private security

Now that we have generally reviewed the history, organization, functions, and changing styles of policing, we now move on to consider controversial matters such as the use and abuse of police discretion, the changing ethnic composition of the police, the police subculture, the use of deadly force (such as Tasers) and police misconduct. While your book introduces these issues by looking at controversies over the use of Tasers, I will begin with another controversy: claims of the “racial profiling” of individuals based on race, ethnicity or national origin. Police claim that by looking at certain groups they will increase their chances of discovering crime; the targets of these actions claim that they are being unfairly singled out and denied equal protection of the law.

While a common practice in the U.S. for some time, supporters, mostly favoring the crime control model, argue that it is the most efficient approach to catch criminals since the police are using the laws of probability/ existing statistical regularities to make the best use of their limited resources. Critics argue that this is simply discrimination against minorities, and back up their claims by reference to studies showing that it is Caucasians, not minorities, for example, that are more likely to be charged with possession of drugs. Of course, these issues have been given added urgency now that Canada has introduced the new Anti-Terrorism bill. On the other hand, in one high profile appeal case, an African-American member of the Toronto Raptors successfully used racial profiling as a defense to his arrest for speeding.

(1) Police Discretion:

All of this leads into the issue of police discretion. Basically, discretion involves police officers using their judgement when deciding in which situations to intervene and which to ignore. Such powers have been the

subject of many appeals in court cases since the Charter of Rights was proclaimed in 1982 - some making their way to the Supreme Court of Canada. Most significantly, in R. v. Beare (1988), while the Supreme Court held that 'discretion is an essential part of the criminal justice system,' it also noted that the Criminal Code provides no guidelines in this area. Hence, under s. 24 of the Charter, police discretion can be contested in court by an individual who feels that the police used their discretionary powers in an improper or arbitrary manner. Indeed, s.15(1), the equality rights section, asserts that numerous extra-legal factors may not be considered by the police in this regard (e.g. race, national or ethnic origin, color, religion, sex, age, or mental/physical disability). Any abuse of process or infringement of these equality rights can result in a stay of proceedings against the accused. However, this may only be done in cases where "compelling an accused to stand trial would violate those fundamental principles of justice which underlie the community's sense of fair play and decency." In other words, there needs to be clear evidence of discrimination first.

It is important to note that there has been much research on police discretion and discrimination. It has been found that when deciding to invoke their powers, the police typically consider 3 factors: (1) the type of crime committed (serious vs. minor); (2) the suspect's attitude (respectful vs. demeaning); and (3) departmental policies (e.g. zero-tolerance vs. 'use your own best judgement'). Generally, a decision by a police officer to arrest a suspect largely determines the outer limits of police enforcement. Basically, the police don't have to arrest everyone they find breaking the law - they can make a judgement call to arrest or not. Indeed, they don't really have the resources to arrest and charge everybody they catch violating the law. Hence, they may choose to give a warning or a reprimand instead. Many citizens even hope for this (e.g. when caught speeding). Police discretion becomes a problematic factor when officers could use their powers of arrest to investigate an alleged offence when available evidence suggests that they should not (or vice versa).

Roberg and Kuykendall (1993) argue that police discretion basically involves three elements: (1) deciding whether to get involved in an incident in the first place; (2) determining how to behave in any particular incident; and (3) selecting one of many alternatives in dealing with the problem.

Goldstein also notes two categories of police discretion based on the type of approach used to enforce the criminal law: (1) invocation discretion (i.e. re: making the decision to arrest); and (2) non-invocation discretion (i.e. invoked when an officer can arrest someone but chooses not to). The latter is much easier to hide, may make up a significant proportion of police discretion, and may sometimes deteriorate into discrimination, violence and other abusive practices.

If we turn to consider factors affecting an officer's decision to arrest, the most common things include situational variables. Several key considerations in this respect have been noted by Chappell et.al (2006) including: (1) the seriousness of the crime; (2) strength of the evidence; (3) preference of the victim; (4) relationship between the victim and the suspect; (5) demeanour of the suspect; and (6) characteristics of the neighborhood. Secondly, community variables play a role as well, including the racial and social class composition of the community, officers' perceptions of danger in the location, the attitudes of citizens toward the police, and community legal culture (i.e. particular communities may urge officers to deal with certain offences more strictly than others). As for extralegal factors, perhaps the most controversial issue in this respect involve the impact of the race, class and gender of the suspect on police decisions to make an arrest. The issue of race and police discretion has been studied in Canada for a long time. Bienvenue and Latif (1974) report that in Winnipeg, Aboriginal women and men were over-represented for all offences except drug and traffic violations. Moreover, Aboriginals were arrested more often for minor offences. When police decisions to lay charges were added in, it was discovered that Aboriginals were over-represented for every type of charge at the time of sentencing. Since this early work, numerous studies have found race to be the determining factor in the police use of discretion.

Another controversial issue in this respect has been the extensive use of police discretion in sexual assault cases. In a Winnipeg study, Gunn and Minch (1988) found that 58% of charges laid against offenders were discontinued, either because the officer decided that no assault had occurred or because s/he foresaw difficulties for the complainant. Because police were seen as using too much discretionary power in such cases, mandatory arrest and charge policies in sexual assault cases is now policy in all Canadian police forces.

This leads to the issue of police discretion when dealing with various types of victims. It has been noted, for example, than when victims are homosexual, "assailants often receive more lenient treatment simply because their crimes are crimes against gay men or lesbians" (Abell and Sheehy, 1993). Other studies (Ericson, 1982) have shown that the race and social class of the victim may be the basis of the police decision to use discretion (e.g. when poor/ members of minority groups).

All such studies have led some to the conclusion that police discretion works against males, the poor, and members of minority groups while protecting women and those who are members of privileged groups in our society. Others argue that this is merely an appearance, and it is really legal variables, such as seriousness of offence and a suspect's prior record, that

are the real factors involved in police decisions to arrest and charge a suspect. These conflicting positions may result from methodological differences in the research. For example: (1) Considering some, but not all factors in police decision making; (2) variations in the range of offences considered by researchers; (3) factors influencing decision making in 1 city may not hold for others; (4) some studies relying on hypothetical scenarios rather than actual observations; and (5) the fact that even significant factors cannot predict decision-making more than 25% of the time.

(2) The Police Subculture:

All professions possess unique characteristics that distinguish them from others. Police themselves talk about certain factors in the nature of the job that help them form a tight bond with each other. The “blue curtain” (or “blue wall of silence”) refers to the value placed on secrecy and general mistrust of the outside world shared by many officers - separating them from the very citizens they are supposed to protect. This police subculture is thought to consist of 6 basic values: (1) Police are the only real crime fighters; (2) No one else understands the real nature of police work; (3) Loyalty to colleagues counts above everything else; (4) It is impossible to win the war against crime without bending the rules (e.g. civil rights); (5) Members of the public are basically unsupportive and unreasonably demanding; and (6) patrol work is the pits, but detective work is glamorous and exciting. Taken together, these six values make it hard for police to accept new ideas and innovative concepts like community policing.

The importance of studying this subculture is found in the importance it has for the everyday activities of officers. Researchers have noted both positive and negative aspects. On the upside it provides a sense of collectiveness, a way to deal with stress, a mechanism of controlling inappropriate actions, and an informal pedagogical tool. Other researchers emphasize the negative aspects of this “blue curtain” - resistance to new ideas, support of violations of legal rights, misuse of authority and resistance to accountability. Most researchers focus on the police subculture as a coping mechanism enabling police to insulate themselves from the stresses and hazards of police activities, most notably dealings with: (1) the public (i.e. the authority and potential to use force vs. creating an emotional barrier/sense of danger); and (2) their unpredictable and potentially punitive relationships with supervisors and the ambiguity of the police role (i.e. different policing styles exist, but usually the law enforcement style is the one reinforced and recognized). Officers cope with these stresses and hazards by employing: (1) suspiciousness when dealing with citizens to maintain a sense of regularity and predictability; and (2) maintaining the edge by employing their authority when dealing with citizens. Other times they also employ a “lay low” attitude to avoid drawing undue attention to themselves. Many of these elements begin to be

socialized in police academy, accelerating soon after beginning to work as an officer.

This culture largely exists due to the dangerousness of the job and the need to stick together. Indeed, many feel that police officers have formed a unique set of personality traits to help them in their work (cynicism, hostility, dogmatism, and conservatism). Such attitudes are thought to influence decisions to arrest, to contribute to poor relationships with the community, and to lead to police deviance and the greater use of deadly force. This is thought a particular risk when police cynicism leads to lack of respect for the law and the substitution of other rules formed in and promoted by the police subculture. When such cynicism become entrenched, the result can be increased police misconduct, corruption and brutality.

But what is the source of this “police personality.” This refers to a cynical value orientation that is unique to at least some police officers. Do they have these before becoming officers or develop them after being on the job? Early studies (Niederhoffer, 1967) focused on the second possibility, that officers with an initially professional and committed attitude are exposed to negative social events and public responses, and, as a result, learn from other officers how best to deal with them - notably by becoming part of the police subculture. The degree of cynicism for most is basically determined by an officer’s age and experience - many becoming highly cynical after 7-10 years on the job. Yet, other researchers have found it hard to test these ideas on other forces due to the difficulty in measuring cynicism accurately. All the same, there is little doubt that the development of police cynicism may have a damaging impact on job performance, increasing distrust, making dealings with the public more problematic, and rendering police even more conservative and resistant to change.

(3) The Working Personality of the Police Officer:

We can approach this issue from the opposite direction: do those who choose to become police officers possess personalities that make them susceptible to cynicism? Skolnick (1966) didn’t think so. Like Niederhoffer, he believed that the police personality emerges from the nature of police work itself, particularly the fact that constant danger led officers to be suspicious, buttressed by the fact that their authority is constantly challenged by the public. This culminates in officers reacting to “vague indications of danger suggested by appearance” a feeling that is constantly reinforced by the police subculture (i.e. “nobody is supportive except others in the same boat”). This approach to understanding the emergence of the police personality is known as the “socialization model.”

Yet, there are others who argue for what has come to be known as the

pre-dispositional model. This argues that the police personality is really the product of pre-existing personality traits among police officers. However, studies have found little support for this hypothesis. For example, Bennett and Greenstein (1975) found that police officers and police science majors, when questioned about significant values in their lives, were markedly different in their value orientations, and that police science majors were much more like other university students than police officers. Other studies have yielded similar results. Yet, despite the evidence that shows that police attitudes are learned on the job, most police forces today still rely on personality screening tests in an attempt to screen potential candidates for police academies.

(4) Higher Education and Policing:

Given these results, researchers turned to considering the effect of higher education on police officers. This is especially relevant considering that many forces rely on higher education to reduce undesirable attitudes among individuals who want to become police officers. One of the earliest studies of higher education among the police found that senior members of the RCMP who had not graduated from a university or a college possessed authoritarian, conservative, and rigid attitudes, while those who had attained a degree did not share these views (Smith et. al, 1969). Other studies since have yielded similar results. The reported benefits of higher education for law enforcement officers include a more professional demeanor and performance as well as the ability to cope better with stress. As well, educated officers tend to take greater initiatives in performing their tasks, receive fewer public complaints, and act more professionally when conducting their duties. Hence, the trend has been to accept more recruits with higher education over time.

(5) Police Use of Deadly Force:

The behavioral side of the police subculture, reflecting occupational hazards, may be expressed through police use of authority. The use of this authority can sometimes lead to misuse, which can lead to the use of deadly force. Deadly force is defined as force that is used with the intent to cause bodily injury or death. With police it often refers to situations where officers use firearms in encounters with citizens, though people can also be injured or killed as the result of other types of force used by the police (e.g. choke holds).

Until 1995, the Criminal Code permitted the shooting of a “fleeing felon” without any concern if the suspect presented a danger to the officer or others. In R. v. Lines, this section was struck down in a case where a Toronto police officer shot and wounded a Black male suspected for purse snatching. It was held that such a provision, which authorized lethal force

regardless of the seriousness of the offence or the threat presented by the suspect, was inconsistent with the victim's right to life and security of the person as specified by s.7 of the Charter.

As a result, Parliament introduced a new defense (s.25(4) of the Criminal Code) authorizing police officers to use deadly force in order to prevent a suspect from fleeing if the officer "believes, on reasonable grounds, that the force is necessary for the purpose of protecting the police officer...or any other person from immanent or future death or grievous bodily harm." Section 25(1) states that any individual, including a police officer, can "use as much force as necessary" in the "administration of the law" if s/he acts on "reasonable grounds." Moreover, if an officer is to be justified in using deadly force, s/he must believe "on reasonable grounds" that it is necessary to use force in order to protect himself or an individual in his care from "death or grievous bodily harm."

Of course, this approach to deadly force raises a number of problems. First, the phrase "as much force as necessary" makes it appear that police can use as much force as they feel is necessary to resolve any particular incident. Second, it does not state exactly how much force should be used. These problems became evident following the conviction of an Ontario officer for manslaughter following the shooting of an Aboriginal protester - based on his prior record and the fact he was given false information about the victim possessing weapons (but he still got a conditional sentence) .

Several mechanisms have been put in place to control the use of deadly force by police. The first is the requirement that police follow a "reasonableness standard" for the use of force (i.e. the officer has to evaluate all the circumstances at the time of the incident before using force). Yet even if police and prosecutors determine excessive force has been used, it is still difficult to gain a conviction. Police officers, for one thing, stick together and don't like to testify against their own.

In Ontario, the Police Services Act attempted to deal with this by stating that officers must now cooperate with any investigation. Three categories must be examined if the full extent of the issue is to be assessed: (1) Death (i.e. someone dies as the result of police use of force); (2) Injury (i.e. someone is wounded); and (3) Non-injury (i.e. police use force but the other person is not injured). Some have argued that a fourth category should be added: the total number of times an officer fires his weapon.

The frequency with which police use category 1 deadly force differs by jurisdiction. In Canada between 1970-1981 this resulted in 119 deaths. Quebec comprised 37% of these, Ontario 27.7%, and B.C. (11.8%). Yet, when related to the population of a given area, the NWT had the highest rate, followed by Manitoba and Quebec.

The size of a police force is thought to influence the use of deadly force, hypothetically increasing as the size of the police force grows e.g. in large urban areas). Yet, researchers found no discernable evidence that such a relationship existed in Canada between 1970-1981 (Chappell and Graham, 1985). However, American researchers have found a relationship between lack of social cohesion in a community (e.g. high poverty and divorce rates) and police involvement in potentially dangerous situations. Another important factor is the nature of the police organization itself - the organizational values, policies and practices of police administrators. For example, the imposition of restrictive shooting policies leads to a significant decrease in the use of deadly force. Police training and police response have an impact (e.g. having to wait for backup support in dealing with certain incidents vs. being trained to respond aggressively). Of course, police forces don't always follow government recommendations to change their practices (e.g. on race relations and policing).

Abraham et.al. (1981) studied the use of deadly force by Toronto police, describing 7 incidents as "confrontation situations" between officers and an armed individual. The key problem in all of these incidents was that the police involved themselves in a way that led to a confrontation, reflecting "fundamental training defects" according to the author. Parent and Verdun-Jones also found that almost half of the 58 victims of police shooting in B.C. between 1980-94 were the result of the victim's unintentionally or intentionally provoking an officer to use deadly force (many reflecting a decision to commit suicide).

In contrast, a study of 13 such incidents in B.C. between 1970-82, Chappell and Graham reported that many of the incidents involved the use of deadly force by police in fleeing-felon situations. Similarly, Stansfield (1996) found that in 8 of the 14 shootings by officers in Toronto between 1988-91, the victims were shot while fleeing the police.

The issue of the race of victims in police shootings has also been a hot issue. For example, the 1995 Ontario Commission on Systemic Racism has noted that between 1978-95 16 Black males were shot by police in Ontario. Of the 9 that lead to criminal prosecutions, all officers were acquitted.

Finally, we must be aware that police officers themselves may be the recipients of deadly force. This is relatively rare in Canada; on average 2-3 police officers are killed each year (compared to about 70 in the U.S.). Between 1879-2000, 363 police officers and prison guards died in the line of duty in Canada (the level peaked in the 1980's). Most police homicides since 1960 were committed with firearms - 11% shot with their own, or an other officer's, weapon.

(6) Police Misconduct:

Police misconduct can be defined as activity by police officers inconsistent with his/her legal authority, organizational authority, and standards of ethical conduct. Two categories include occupational deviancy and abuse of authority. The former includes criminal and non-criminal behavior committed during the course of normal work activities or under the guise of the officer's authority (e.g. sleeping on duty, insubordination, firearms infractions, planting evidence to convict, falsifying evidence to avoid liability). The latter form, abuse of authority, generally involves the use of various types of coercion when dealing with the public. While police coercion may be verbal, physical, involve the nonlethal or lethal use of a weapon, there have been many claims throughout the 20th century that Canadian police have used force excessively (e.g. harassing legitimate protesters).

However, research on the police use of excessive force contradicts the image presented by the media that such actions are commonplace. An American study conducted in high crime areas reported that verbal abuse was quite common, but that excessive use of force was relatively rare (44 out of 5360 observations, or .8%). Moreover, there was little difference in how police treated Blacks and Whites, and when force was used it was done selectively - generally against those who were disrespectful or disregarded police authority after arrest. Moreover, other studies show that police use of violence is rare, usually involves grabbing and restraining, and rarely the use of weapons.

Yet, widely publicized incidents have continued to haunt police in Canada. It is suggested that they rely on excessive force to extract confessions and tend to push the law to its limits in questioning suspects. As a result of such appearances, and reported incidents by the Toronto police, a Royal Commission was set up to investigate. Of the 17 incidents in question, 6 were found to involve the excessive use of force and one conviction was overturned.

A third type of police misconduct involves the selective enforcement of laws among certain populations, routine practices which both reflect and reinforce race, class and gender biases in many ways (e.g. prostitutes in Vancouver prior to the Pickton charges being laid).

Finally, it is suggested that it is really a small percentage of officers who engage in such actions rather than police forces as a whole. Lersch and Mieczowski (1996), for example, report that 7% of officers in an American force they were studying were "chronic" offenders who received 1/3 of public complaints. They tended to be younger, less experienced, and were

accused of using force after a proactive encounter they had personally initiated. Interestingly, they were also praised by police administrators as more “productive” officers.

Indeed, some researchers argue that “problem” officers are reflective of problems in departments, categorizing departments according to the level and type of misconduct found within them: (1) rotten apples; (2) pervasive but unorganized misconduct; and (3) pervasive and organized misconduct. The phenomenon of problem officers has been noted by researchers since the 1970's (e.g. Goldstein found 0.6% of LA officers fit the profile), and in 1981 the U.S. Commission on Civil Rights suggested all departments create “early warning systems” to ID such officers - by 1999 almost 40% of larger U.S. forces had such data-based police management tools in place. Encompassing individual officers, supervisors, entire departments, and police-community relations, such systems have 3 basic components: selection of problem officers (e.g. complaints, frequent use of force), intervention (education and deterrence to change behavior) and post-intervention monitoring. Research has shown that early warning systems can improve the actions of officers and reduce complaints (e.g. in Minneapolis 1 year after introduction, complaints about these officers fell 67%).

Given the types of problems noted above, the question arises: who will police the police? In some cases, Royal Commissions or public inquiries are formed to deal with high profile incidents (e.g. the Donald Marshall case). However, the most common ways to ensure that the police are accountable for their actions are: (1) internal investigations; (2) citizen oversight; and (3) civil liability.

Internal investigations involve the police themselves investigating potential wrongdoing by officers (of course this is criticized as a conflict of interest and biased in favor of the police, something that came to light in the Marshall case where officers acted like a fraternity to protect each other).

Citizen oversight, on the other hand, involves the creation of a separate civilian commission or review agency to investigate allegations of police misconduct. First instituted after a 1981 investigation of the Toronto police (above), this model has since grown across the country. In Ontario, currently, the Special Investigations Unit now has jurisdiction over the entire province, with powers to review complaints, monitor internal police investigations, refer cases to a civilian board of inquiry, and make recommendations to the police to improve practices. In this role, the Commissioner is granted considerable powers of search and seizure, to subpoena witnesses, and to order hearings. Comprised of 1/3 lawyers, 1/3 police appointees, and 1/3 municipal appointees, this body holds hearings

where misconduct must be established beyond a reasonable doubt. Most complaints come from individuals who have been charged in an incident. They break down as follows: improper police behavior (49%); physical abuse (34%); verbal abuse (32%); unprofessional conduct (29%) and neglect of duty (25%). In 1992-93, 52% of cases involve the commission taking no action, a second category involves a finding that the evidence supports the officer (16%), followed by a category where no action is taken because the complaint was made in bad faith (23%). Taken together, this makes up 91% of reported incidents. Most of these matters involved incidents on the street, followed by those in residences, police buildings, or in a public place.

In 1990 a new *Police Services Act* was passed covering all of Ontario. It also established a special investigations unit composed of civilian investigators who conduct criminal investigations of police actions that result in serious injuries, including sexual assaults and deaths. Ontario is the only province currently with such a system. Between 2001-2005 just over 10,000 incidents were investigated, mostly custody injuries, vehicle injuries, and custody deaths. 11 charges were laid involving custody incidents, 6 for sexual assault and 3 for vehicular incidents.

Note, there is also a Commission for Public Complaints against the RCMP.

The third mechanism for controlling police misconduct is through civil liability. In this respect, individual officers may be held accountable for their misconduct and sentenced to a period of incarceration. The police department may also be sued (e.g. by victims who weren't warned that a serial rapist was active in the area). Such cases, however, are relatively rare.

(7) The Changing Composition of the Police:

During the past 25 years, Canadian police forces have started to hire more women, visible minority and Aboriginal officers in order to better serve their communities. For many, a police force that represents the sexual, ethnic and racial composition of their community is an essential feature of effective policing. This is not only psychologically positive for previously marginalized groups, but helpful in gaining public confidence in the face of perceptions that police are basically bigoted organizations. Pressure in this direction began in the 1970's in Canada, particularly following the growing number of visible minority immigrants. Issues of police representation vs. isolation from the community, as well as about who in fact should be recruited became common. While slow in the beginning, police began actively recruiting women and other minorities as time went on.

With regard to women, the number of female officers in Canada was small until recently. Remaining below 1% for a long time, it only reached 2% in 1980, then growing to 3.6% in 1985, 10.9% in 1990, 10.9% in 1994, 13.7% in 2000 and 17.3% in 2003. In 1997 there were 7495 female officers in Canada, which grew to 10,579 by 2003. Moreover, women are gradually entering the upper echelons of police administration (1.7% of senior officers in 1996; 3.5% in 2001, and 5.5% in 2005). Women in noncommissioned ranks went from 3% in 1996 to 6.3% in 2001, growing again to 9.7% in 2005. In 1996 women comprised 13.5% of all constables, rising to 20.7% in 2005. In 2002, we ranked 7th on a list of 26 countries in the proportion of female officers. The first female police chief was appointed in Guelph in 1994, Calgary became the first city over 100,000 with a female chief in 1995. Women have since been appointed Commissioner of the OPP, Chief Constable of B.C., and have also made major inroads in the RCMP.

But before this growth of female representation, the role of women in policing was largely restricted to social service issues, juvenile and family violence - often reflecting male stereotypes. While later challenged, the initial breakthrough for equal treatment was the elimination of exclusionary physical requirements (e.g. height and weight). Complaints to the government resulted in such rules being eliminated and forces advertizing for women interested in policing as a career.

But probably the most significant breakthrough came through the introduction of employment equity, involving the outlawing of discrimination against, and the targeted hiring of, women, visible minorities, people with disability and Aboriginals.

Nevertheless, many departments have more trouble keeping women than hiring them. It is alleged that many departments are caught in a macho time-warp that perpetuates the myth that only men can do patrol. Male officers in such an environment are said to feel threatened and women are treated as outsiders. However, in a study of why individuals left police work, Crawford and Stark-Ademic (1994) report that women primarily left to raise a family (56%), followed by moving, joining another force, burnout, feelings of inadequacy or dissatisfaction with shift work. Men, on the other hand, left primarily to change careers (41%), out of feelings of disillusionment (32%), burnout (23%), shift work, family issues, or the danger of the job.

Still, when questioned about their job experiences, most officers report having to work harder than men to receive credit for their work. Most also feel that their competence is often questioned, that they are judged by different standards, and any mistakes they make are attributed to their gender. This type of experience is found in many developed countries, not just Canada.

Interestingly, however, some believe that women officers are more compassionate, less aggressive, and less competitive. This may result in different styles, citizen preferences, and skills (e.g. defusing violent encounters, being less subject to citizen complaints of brutality).

Yet despite evidence showing female and male officers basically performing equally, policewomen have sometimes experienced gender conflicts at work. Some male officers perceive women to lack both the physical and emotional strength to perform well in violent confrontations. It is argued that male officers hold almost uniformly negative attitudes towards policewomen. Yet, Hunt (1990) reports that male and female officers develop similar attitudes towards their occupational duties and job satisfaction.

This isn't to say that women officers no longer experience gender conflicts at work. Martin (1991) reports that, in the US, a high percentage of female officers experienced some form of bias and that 75% of both new and experienced officers experienced sexual harassment (e.g. displays of pornography, jokes or comments based on sexual stereotypes). Ademic (1994) made a similar conclusion in a Canadian study. 18% referred to sexual harassment and sexual discrimination. Moreover, the perception of the performance of women officers was often based on gender stereotypes (if weak they are a risk; if strong, an affront to the maleness of the others).

Finally, let us consider Aboriginal and other visible minority police officers. Little has been written about such officers in Canada, partly because relatively few have in fact become police officers (1.1% in 1986, largely in Ontario). By 1996 the proportion had grown to 3% visible minority and another 3% Aboriginal. Again, these numbers were mostly concentrated in Ontario, though there were also significant improvements in Montreal. By 2001 the number of visible minority officers had grown by a further 38% over 1996, while Aboriginal officers had increased 27%. The relatively small number of such officers in Canada is often the result of their limited access to the law enforcement profession. Studies have found that unrelated job requirements have deterred large numbers from applying (e.g. the debate over Sikh's being able to wear turbans vs. RCMP tradition). Such arbitrary hiring policies have been termed a form of systemic discrimination, flying in the face of the Employment Equity Act. Indeed, Jain (1994) has recommended proactive recruitment programs to reach out to potential visible minority officers, reassessment of biased screening tests and questionable job interview procedures. An Advisory Committee to the Ottawa police found that found that psychological tests can lead to many areas where sexual, religious and cultural assumptions could lead to misinterpretation, stressing the need for multicultural representation throughout the selection process. The Ontario Task Force on Race Relations

and Policing also asserted that there is something akin to a glass ceiling preventing career advancement for minority officers. This is despite the fact that, of the limited research done, Aboriginals feel that the police are a foreign presence and do not feel understood - exhibiting a preference for Aboriginal influence on policing their communities. Basically, there are many benefits for increasing the number of Aboriginal/visible minority officers in Canadian police - improving police effectiveness, crime prevention, and changing the image of the police in these communities.

(8) The Police and Private Security:

A final issue in policing in recent decades has been the growth of private security - actually larger than the public police sector throughout the 1990's and beyond. Differences between the two sectors include: (1) more women employed in private security; (2) more security guards either under 25 or over 54 than police; (3) police are better educated; (4) more visible minorities among security guards; and (5) police make much more money.

Police and private security are regulated differently: the former are accountable to the state, various levels of government, the law, the constitution, as well as to police commissions, external review boards, internal affairs divisions, even to criminal and civil litigation. Private security is regulated by differing provincial legislation and varying standards across the country.

Working in a variety of locations such as malls, industrial facilities, banks and corporate offices, security officers either wear uniforms or work undercover, often employing security cameras and other devices to detect wrongdoing. Private security became popular following various government studies in the 1970's and 1980's (e.g. by the Rand Corporation). Three points stand out: (1) structural changes in society resulted in the growth of enclosed, private industries needing security; (2) much of the resistance to private security came from public police fearing loss of personnel; and (3) private security "polices" areas and conduct themselves in ways often "outside" the realm of public police forces. Indeed, a 1990 Solicitor General's report urged "new strategic partnerships" between both types of policing to better preserve peace in communities.

Some argue private security is growing because citizens have concerns about the ability of public forces to protect them or their property. However, this raises issues of distribution of security based on who can pay, less respect for those detained and lower levels of professional competence. Beyond this, concerns have been raised that many offences are not referred to the public system, being dealt with privately outside the protections afforded by the Charter - in effect, two criminal justice systems operating at

the same time, one public, one private.

Summary:

Police today face many critical issues as they develop policies, enforce the law and interact with the public. Police effectiveness must be carefully assessed, particularly given their discretion to enforce the law, moves toward “zero tolerance” policies, studies showing that police do not “over arrest” members of any particular group, but that situational and community factors play a crucial role.

Social issues have also come to affect police operations, with women and minorities entering the ranks in growing numbers. While research indicates that their performance is equal to that of men, the percentages of women and minorities on police forces still falls short of their percentage of the population. Indeed, as their numbers grow, an emerging issue is the number of women and minorities in senior positions.

Finally, police use of force and police deviance are important. While police use of deadly force is relatively uncommon in Canada, more evidence exists of police deviance - and some measures have been taken to curb police overextending their powers with citizens.