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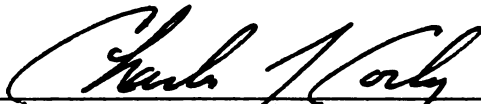
POLICE RESPONSES TO MISDEMEANORS: GENDER
DIFFERENCES AT POLICE ARREST

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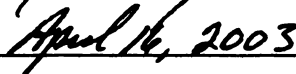
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**POLICE RESPONSES TO MISDEMEANORS:
GENDER DIFFERENCES AT POLICE ARREST**

By

Alex Obi Ekwuaju

A DISSERTATION

**Submitted to
Michigan State University
In partial fulfillment of the requirements
for the degree of**

DOCTOR OF PHILOSOPHY

School of Criminal Justice

2003

ABSTRACT

POLICE RESPONSES TO MISDEMEANORS: GENDER DIFFERENCES AT POLICE ARREST

By

Alex Obi Ekwuaju

A review of studies of police behavior at arrest indicates that two main separate traditions exist regarding differential treatment relative to gender. These traditions are contradictory in their description of how police respond to male and female suspects. The chivalrous perspective asserts that police officers have historically treated female suspects more leniently than male suspects. This protective stance is a result of culturally defined sex role differences and depends on set traditional gender expectations and characteristics that are said to exist between men and women.

An opposing view suggests, contrary to the chivalry argument but consistent with the labeling argument, that female suspects are more likely than their male counterparts to be dealt with in a more severe and formal way. Labeling theorists suggest that individuals with lower status and less power are more likely to have their criminality detected, labeled and sanctioned because these individuals do not have resources to manipulate the system to their benefit. Since women generally occupy less powerful positions in society and have fewer economic and political resources at their disposal, they may be more likely than males to be treated in a more severe and formal way.

Given these two opposing perspectives (chivalry and labeling perspectives), a general hypothesis can be derived regarding police reactions to male and female suspects: police will process female suspects differently than male suspects at arrest.

This research reports an empirical study of police processing of offenders in low-level offenses where officers can exercise a great degree of discretion. Confidential questionnaires were completed by police officers and detectives attached to a relatively large police department in a Midwestern state. The officers were asked to indicate how they would respond in four hypothetical offense scenarios that varied by types of offense, and gender, race, and demeanor of the suspect.

Findings indicate that overall, the gender of the suspect and that of the officer are not directly related to police arrest decisions. Thus, neither the chivalry nor the labeling perspective was supported by the results of this study. Police arrest decisions are not contingent on the race of the suspect. The major variables in determining how police officers will respond are the nature of the offense and the demeanor of the suspect. There is additional evidence that the race of the officer is related to police processing of suspects at arrest. Finally, this study finds that police have a high degree of confidence in the arrest decisions they make. Findings are reconciled with existing literature. Implications for official indicators of male/female arrest statistics and policy are discussed.

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This work is dedicated to the Blessed Virgin Mary, “Mater Dei,” and to my father, Akunne Afam Ekwuaju (deceased) and my two amiable sons, Alex Obi Ekwuaju, Jr. and Michael Olisa Ekwuaju.

ACKNOWLEDGEMENTS

I have no doubt in my mind that it would take a lot of space to thank all those whose assistance, support and encouragement were vital to the completion of this study. I am grateful to all concerned.

Some people, however, were particularly most instrumental to the completion of this work and I would like to acknowledge and thank them. From the depth of my heart, I thank the members of my dissertation committee: Drs. Vincent Hoffman, David Wiley, and Ken Williams. Worthy of special mention is Dr. Charles Corley, chair of the committee. At all material times, these accomplished and highly respected scholars, voluntarily placed at my disposal, out of the abundance of their expert knowledge of the issues, invaluable advice and suggestions. Their guidance and encouragements kept me on the right track and ultimately ensured the success of this journey. I am immensely grateful to all of them.

I would also like to thank the Chief and all officers of the police department where I conducted this study for their assistance, professionalism, and cooperation. Lastly, but really first, I thank Almighty God for His infinite mercies, blessings, guidance, and protection. I alone, however, remain responsible for the contents of this doctoral dissertation and the views herein expressed.

TABLE OF CONTENTS

LIST OF TABLES	ix
LIST OF FIGURES	xi
CHAPTER ONE: Statement of the Problem	1
The chivalry perspective	4
The labeling perspective	6
CHAPTER TWO: Review of the Literature	9
Introduction	9
Gender and police arrest decisions	11
Intersection of Race and Gender	17
Summary	26
CHAPTER THREE: Methodology	27
Data collection techniques	27
The questionnaires	30
The sample	33
Research question	34
Research hypothesis	35
Null hypotheses	35
Variables	35
Questionnaire coordination and control	36
CHAPTER FOUR: Analysis and Results	38
Demographic characteristics of police respondents	38
Summary of responses of the officers	42
Preliminary Findings from a summary of the officers' responses	49
Gender differences in police arrest decisions	53
Impact of gender of the suspect	53
Impact of the gender of the officer	61
Race differences in police arrest decisions	63
Impact of race of the suspect	63
Impact of race of the officer	66
Summary of findings	72
CHAPTER FIVE: Discussion and Conclusions	73
Cautionary remarks	80

Implications for official arrest statistics	84
Policy implications	85
Directions for future research	86
APPENDIX A: The Questionnaire (Type 1)	88
APPENDIX B: SPSS Coding Guide	96
APPENDIX C: Alphabetical List of Variables	100
APPENDIX D: Other Tables and Figures	102
BIBLIOGRAPHY	107

LIST OF TABLES

Table 1. Characteristics of police respondents	40
Table 2. Officers' responses to the four public drunkenness scenarios by suspect race and gender (demeanor is constant = negative)	45
Table 3. Officers' responses to the four shoplifting scenarios by suspect race and gender (demeanor is constant = positive)	46
Table 4. Officers' responses to the four assault scenarios by suspect race and gender (demeanor is constant = negative)	47
Table 5. Officers' responses to the four traffic scenarios by suspect race and gender (demeanor is constant = positive)	48
Table 6. Summary of the distribution of officers' responses to all offenses as contained in all four types of questionnaires (suspect demeanor is constant).....	50
Table 7. Officers' levels of confidence in their decision-making across all four types of offenses	51
Table 8. Gender differences in police arrest decisions controlling for type of offense, race and suspect demeanor	58
Table 9. Independent t-test comparing arrest decisions of male and female officers across all four offenses	62
Table 10. Race differences in police arrest decisions controlling for type of offense, gender and suspect demeanor	65
Table 11. Independent t-test comparing arrest decisions of black and white officers across all four offenses	68
Table 12. Independent t-test comparing arrest decisions of white and Hispanic officers across all four offenses	69
Table 13. Independent t-test comparing arrest decisions of black and Hispanic officers across all four offenses	70

Table 14. Independent t-test comparing arrest decisions of white and minority officers across all four offenses71

Table 15. Number of police officers and types of questionnaires completed and returned104

Table 16. Gender differences in police arrest decisions: SPSS group statistics105

Table 17. Race differences in police arrest decisions: SPSS group statistics106

LIST OF FIGURES

Figure 1. Distribution of hypothetical offense episodes, demeanor, race, and gender across the four types of questionnaires.	102
Figure 2. Race and gender composition of all “police officers” in the department Where data was collected	103

CHAPTER ONE

STATEMENT OF THE PROBLEM

In less serious offenses such as misdemeanors, the gender of the suspect has long been recognized as playing a critical role in police arrest decisions (Walker et al., 2000; Visher, 1983; Pastor, 1978; Price, 1977; DeFleur, 1975). In spite of this awareness, research on how female suspects fare at arrest has for the most part been neglected. Even with the "recent" increase in interest in the study of female criminality (e.g., Moyer 1981; Sloan, 1991), most of the studies focus almost exclusively on how women, as compared to men, fare at the later stages of the criminal justice process (e.g., sentencing decisions, as in Moulds, 1980; Kruttschnitt, 1981). There is therefore a "general failure to study how women fare during initial stages of the criminal justice processing, such as arrest" (Sloan, 1991: 106). Arrest is an important issue and stage in the criminal justice system. In general, it marks the entry point into the sanctioning apparatus of the system. A police decision not to arrest, in essence, constitutes an "acquittal" which most of the time immunizes the suspect from further action by the criminal justice system (Thoreson-Rogers, 1991). The vacuum created by the absence of research in this area is even more significant when one realizes that the percentage of female arrestees is continuously increasing. According to the Uniform Crime Reports (UCR) for example, the percentage increased from 10.6 percent of all arrests in 1958, to 16 percent in 1978, and to 21.8 percent in 1998 (FBI, 1993: 234; FBI, 1998: 227). Do these figures represent changes in actual behaviors or are they more related to public attitudes and police practices?

Research on gender differences at arrest have been criticized on methodological

grounds. There has been virtually no previous research attempting to quantitatively analyze this issue. Most of the analyses to date have taken the form of ethnographic research and case studies (see Nees, 1986; Visser, 1983; Lundman, 1974). Moyer (1981: 237) asserts that most research in this area is "based on speculation and theoretical assumptions about the meaning of data acquired from secondary sources, for example, the Uniform Crime Reports." These studies, according to Visser, (1983:7), "are often inadequate because of incomplete data or poor design." According to Moyer (1981:237), "the need for original empirical research is greatest in the area of the treatment of female offenders by police officers where there appears to be an insufficient interest in research." Sloan, (1991: 107), put it succinctly:

"...many of the studies [on the response of the criminal justice system to female offenders] suffer from design flaws, incomplete data collection, and other methodological problems that have resulted in a lack of consensus among researchers as to how women fare during criminal processing."

It is therefore submitted that there is a general need for original empirical research on gender differences at arrest utilizing a strong research design. It must be added however, that although the existing studies are immensely useful, more systematic quantitative evidence is also needed to investigate this issue.

Another compelling reason that justifies further inquiry into gender differences at arrest is that results of studies that focus exclusively on female processing at the later stages of criminal justice processing (e.g. sentencing), may be compounded by the effects of what occurs at initial stages, including arrest. For example, if one assumes that the female/male population ratio is 50:50, and a study finds that a significantly smaller number of females, compared to males, are processed at the judicial (court) stage of the criminal justice process, this may not necessarily mean that females

commit fewer offenses than males. A plausible alternative hypothesis may be that females commit as many offenses as males but they are afforded preferential treatment at the earlier stages (e.g., arrest and probably also during the District Attorney's decision whether to initiate criminal prosecution or not). It now appears well settled that one effect of eliminating discretion at one stage of the criminal justice processing is to foster it at other stages (Alschuler, 1978). The reverse of this may also be true. This is because the criminal justice system is composed of interdependent and connecting agencies or components rather than separate or independent agencies or arms. What occurs in one stage therefore affects the others. According to Feeley (1979:204), the criminal justice system "is a complex hydraulic system, and pressure exerted at one point inevitably produces deformation at another." It is therefore necessary to study gender differences not only at the later stages, but also at the initial stages of entry into the criminal justice system. In this way, the effects of any prior occurrence that compounds the results of gender differences at later stages are more likely to be identified and explained.

Visher (1983) makes an additional point that, while some studies have analyzed the effects of gender on police arrest decisions, the conclusions reached by researchers concerning the effect of gender on arrest decisions are mixed. For example, in attempting to explain why women might be less likely to be arrested than men, some researchers have concluded that this is due to male officers fearing that charges of "sexual harassment" might be brought against them by the female suspect (see Sloan, 1991). Some analysts have concluded that the reason why women are less likely to be arrested is that male officers believe that women are "unpredictable" in arrest situations

(see Sloan, 1991). Still others have concluded that the reason why women are less likely to be arrested is because officers believe there is a “cultural proscription” against the use of coercion against women, such as that required to make an arrest, which serves to “check” the officer’s behavior (c.f. Bayley & Mendelsohn, 1969; Friedrich, 1977; Niederhoffer, 1967; Rubinstein, 1973). In addition to the above, there is a growing number of criminologists who report that instead of receiving preferential treatment by the criminal justice system, female offenders actually fare much worse than their male counterparts (Feinman, 1979; Smart, 1976). Other studies report that there are no direct effects of gender on the arrest decisions of police officers. Instead, the seriousness of the offense and the demeanor of the suspect appear to be the best predictors of arrest decisions (Moyer, 1981; Visser, 1983).

The Chivalry Perspective

Given the above, a prudent and meticulous review of studies of police behavior at arrest indicates that two main separate traditions exist regarding differential treatment relative to gender. These traditions are contradictory in their description of how police respond to male and female suspects. A long line of serious researchers and academicians who belong to the chivalrous perspective (e.g., Visser, 1983; Lundman, 1974; Pastor, 1978; Sealock and Simpson, 1998; Moulds, 1980; Datesman & Scarpetti, 1980; Anderson, 1976; Pollak, 1950), assert that police officers and other law enforcement officials have historically treated female suspects more leniently than male

suspects. Supporters of the chivalry perspective suggest that females are less likely than males to have their criminal acts detected and sanctioned (Moulds, 1980). In fact, it has been noted that police are less inclined to arrest female suspects (Pollak, 1950; Visser, 1983). According to Haskell and Yablonsky (1973:6) "police are less likely to arrest women than they are men under identical circumstances."

Moreover, it was observed that when arrested, females are more likely than males to have their charges dismissed (Bernstein, Cardascia, & Ross, 1977). Furthermore, it has been suggested that, among convicted offenders, females received less severe sentences than their male counterparts even for similar crimes (Corley et al. 1980). This protective stance is a result of culturally defined sex role differences between males and females: women are defined as sexual beings whose primary purpose is to perform utilitarian functions in the home (Klein 1973:3). The arrest and subsequent removal of women from the home has been discouraged because it would threaten the solvency of the nuclear family (Crites, 1976). Since many female offenders have children, to incarcerate women would place a burden on the rest of society (Crites, 1976). Similarly, the widespread practice of incarcerating females may expose them to an environment detrimental to their role as mothers (Chesney-Lind, 1977). Thus, the chivalrous treatment of females by the criminal justice system is intended to preserve the social order (Harris, 1977). In fact, Visser (1983: 6) suggests that a "chivalrous relationship should be thought of as a barter or exchange," that is, women receive preferential treatment in return for displaying appropriate sex role behavior. Chivalry then exists because of the ways in which women have been defined. These definitions depend on sets of traditional gender expectations and characteristics that are said to

exist between men and women (Corley, Cernkovich, & Giordano, 1989). The line of authorities cited above raises a number of important implications. For example, if this chivalrous attitude is true, then differences in the levels of officially recorded criminality of males and females could be explained in part by patterns of police responses toward female offenders.

The Labeling Perspective

An opposing view suggests that law enforcement officials treat females more harshly than males. In this view, female suspects are more likely than their male counterparts to be dealt with in a more severe and formal way – that is, arrested and referred to court – especially when their alleged criminal acts violate appropriate sex role behaviors (Chesney-Lind, 1977). There is evidence that a woman who commits the same crime as a man is more likely to: (1) be incarcerated; (2) receive a longer term of sentence; or (3) actually serve a longer sentence (see Feinman, 1982; Smart, 1976). Instead of reacting to female offenders in a “chivalrous” manner, criminal justice officials may in fact perceive female felons as being “double offenders”: they have not only violated the law, but have also violated appropriate gender role behavior (Schur, 1983). This position suggests, contrary to the chivalry argument presented above but consistent with the labeling argument, that females are more likely to be labeled deviant and receive harsher sanctions than their male counterparts. Labeling theorists suggest that individuals with lower status and less power are more likely to have their

criminality detected, labeled, and sanctioned because these individuals do not have resources to manipulate the system to their benefit (see Curran, 1983). Because women generally occupy less powerful positions in society and have fewer economic and political resources at their disposal, they may be more likely than males to have their deviance detected, labeled, and sanctioned (see Corley, Cernkovich, and Giodano, 1989:542).

To further complicate matters, Chesney-Lind (1977:51-52) argues that courts actively “sexualize” offenses by reclassifying specific violations as sex-role or sexual violations. According to her, the tendency is to punish female behavior more severely when it falls within these categories. She asserts, for example, that juvenile court is less tolerant of female runaways than male runaways. The absence of supervision and the possibility of sexual relations occurring while away from home seem to elicit more of a negative response toward female than male runaways. Therefore, female runways are often incarcerated “for their own protection,” or for purposes of instilling a sense of “sexual morality” (at page 23).

Apart from the above two main views, some evidence supports the proposition that female offenders are treated no differently than males. In the juvenile jurisdiction for example, Curran found that over a ten-year span (1966-1976), females and males received equal treatment by the juvenile court (Curran, 1983). In addition, Corley, Cernkovick and Giordano (1989: 553) assert that, “contrary to the labeling and chivalry perspectives, findings suggest that judicial sanctions operate independently of sex, race, and age. The research offers support for a legal model in which legal variables such as the seriousness of the offense are important factors in judicial sanctions.” – (See

Klinger, 1994; Moyer, 1980). Overall, however, the literature has emphasized two extremes in sanctioning, thereby implying that male and female suspects are rarely treated similarly. Given these two main opposing perspectives (chivalry and labeling perspectives), a general hypothesis can be derived regarding police reactions to female suspects: police will process female suspects differently than male suspects at arrest.

Lastly, it is well-known that gender has been identified as one of the most consistent extralegal factors that influences criminal justice personnel and juries concerning offensive behaviors (see Muraskin and Roberts, 2002; Walker, 1998). Against this background, Muraskin and Roberts (2002), most recently pontificated that “no work in criminal justice is complete without referring to issues of gender ...” Among other things, this dissertation is a modest attempt to help fill these lacunae or gaps in the literature as described above.

Thus, this research focuses upon the treatment of women, relative to men, at the point of arrest. Specifically, this research attempts to throw more light on the issue of whether women are treated chivalrously, more punitively, or the same as males at the point of arrest.

CHAPTER TWO

REVIEW OF THE LITERATURE

Introduction

According to Goldstein (1993), police decisions not to arrest offenders largely determine the outer limits of law enforcement. By making such decisions, the police define the ambit of discretion that can be exercised by other decision-makers involved in the criminal justice process decision – prosecutor, grand jury, judge, probation officer, correction authority, and parole and pardon boards. The police decision not to arrest, unlike the decision to arrest, is generally of extremely low visibility and consequently seldom the subject of review. Goldstein argues that an opportunity for review and appraisal of non-arrest decisions “is essential to the functioning of the law in our system of criminal justice” (p.78). Goldstein however suggests the necessity of police discretion in processing offenders. He presents the difficulties of total law enforcement (limitations of time, personnel, etc), to support his argument that selective law enforcement is essential for the criminal justice system to function effectively. “Full enforcement,” according to him, “is not a realistic expectation.” (p. 81).

Bittner (1970; 1990), and the National Advisory Commission on Criminal Justice Standards and Goals (1973), both state that police officers exercise considerable discretion and that their decisions not only help define the limits of the criminal justice system, but also have a profound impact on the overall administration of justice.

According to Nees (1986), law enforcement officers exercise broad discretion in carrying out their duties. While most researchers, authors, practitioners, and the public

recognize this as fact, no one has developed a method or approach to help manage the exercise of enforcement discretion. Herein lies the importance of Nees' (1986) research. His research involved the use of vignettes of enforcement incidents. Law enforcement officers from Boulder County were asked to indicate from a series of response options how they would handle the various incidents in the questionnaire. Other groups of respondents (law enforcement supervisors, administrators, prosecuting and defense attorneys, judges, probation officers, community leaders, and members of the community) were asked to select from a series of responses, the option which best fit what they expected or desired officers to do in various hypothetical situations contained in the questionnaire (Nees, 1986). The study was descriptive and exploratory in nature. Results indicate that while differences do exist among the different groups of respondents, the differences were not great. In brief, the differences were among the options which had a lesser impact on the suspects (take no action, warn, or refer to a social service agency). Thus, no significant differences exist among the various groups of criminal justice personnel on how they think law enforcement discretion should be exercised.

In addition to the works cited above, Thoresson-Rogers (1991) suggests that police work is essentially and basically discretionary. That discretion, however, is almost always unregulated by formal guidelines. According to Powell (1990), police exercise of discretion to arrest or to utilize other alternatives is often guided by the values, role conception, biases, and emotions of individual officers.

Moyer (1981), however, found that there are some general "guidelines" that are connected with the police function and the officer's concept of his/her role. Generally,

in serious cases involving a felony or certain misdemeanors, there will be an arrest. In less serious cases, there may or may not be an arrest.

Smith (1982) examined 37 studies of police decisions to invoke the law and found that existing studies clearly suggest that police arrest decisions in less serious misdemeanor cases vary with the attributes of the offender such as race, sex, age, and demeanor. Powell (1990), asserts that a police officer may discriminate between potential arrestees based upon factors such as race, age, or nationality. According to Powell (1990), a police officer may arrest only those who prove uncooperative, sparing the penitent; he may, in fact, make his arrest decision for the best or worse possible reasons. Apart from the factors mentioned above (i.e., race, sex, and demeanor of the suspect), other influential variables in the arrest process identified in the literature include: the presence and wishes of the victim (Black, 1971; LaFave, 1965); and the presence of an audience - arrest more likely in the presence of audience than otherwise (Thoresson-Rogers, 1991).

Gender and police arrest decisions

What does the literature say about the relationship between the specific variable gender and police arrest decisions? As noted earlier, this area has generally been neglected in prior research. In a study on the criminality of women conducted more than fifty years ago, Pollak (1950: 151) asserted that "men hate to accuse women and thus indirectly to send them to their punishment, police officers dislike to arrest them, judges and juries to find them guilty and so on." It is however submitted that this

statement does not have what may seriously be considered an empirical backing.

Similar remarks were made by Haskell and Yablonsky (1973), in an attempt to explain the differences in the levels of officially recorded criminality of males and females. The authors gave as one of their reasons for the lower female arrest rate that "police are less likely to arrest women than they are men under identical circumstances." (p.6). To back up this assertion, the authors argued that a man walking alone at night in a strange neighborhood may be perceived by police and residents as suspicious, dangerous, or potentially involved in a crime, but that a woman would seldom be viewed as a potential criminal under those circumstances.

Price's research, based on UCR data, found that "... the criminal justice system has related to women differently from the way it does to men at every stage of its process" (Price, 1977: 104). As an example, Price stated that although the ratio of arrests was approximately six males to one female in 1970, admissions to state and federal correctional institutions during that year showed a ratio of nearly 21 males to one female. However, Price did not control for the nature of the offense in his study. It is submitted that the three works cited immediately above (that is, Pollak, 1950; Haskell and Yablonsky, 1973 and Price, 1977) consist mainly of research based on secondary data such as the UCR, and, as described by Moyer (1981:237), on "speculation and theoretical assumption."

In his study of arrest discretion for the President's Crime Commission, Black (1980) found that police officers consistently under-enforce the law, arresting only 58 percent of felony suspects and only 44 percent of misdemeanor suspects. The decision to arrest is primarily influenced by situational factors. Officers are more likely to arrest

when the evidence is strong; the crime is of a more serious nature; the complainant or victim requests an arrest; the relationship between the victim and offender is distant (e.g., strangers rather than acquaintances or spouses); and the suspect is disrespectful toward the officer. In Black's study, the gender of the suspect was not a major determinant of arrest decisions.

Pastor (1978) in his study of police-suspect interaction in public drunkenness encounters included gender, race and demeanor of the suspect as independent variables. The study was conducted in Seattle and Boston over a period of fourteen months in 1973 and 1974. Data were collected through participant observation on 1,321 cases. Pastor found that female suspects are "very rarely arrested for public drunkenness" (p. 380). He also found that non-white suspects are more likely to be arrested and that hostility increases the likelihood of arrest for public drunkenness.

Lundman (1974), undertook a study of routine police arrest practices in "a large Midwestern city" over a 15 month period beginning in June 1970. Like Pastor, his study also involved public drunkenness. A group of seven observers trained in the use of an interaction code traveled with police on a random time sample basis and recorded the data using portable electronic field encoding equipment. Random selection also determined the police cars in which the observers rode. The final data consisted of 2,835 potential police-citizen contacts, and 1,978 actual encounters, 195 of which involved public drunkenness. Lundman found that "the sex of the drunkenness offender is not one of the conditions relating to the exercise of police arrest discretion" (p. 132).

Both studies reviewed immediately above are limited to public drunkenness and both have relatively small samples of female suspects. Pastor's study involved 89

females (13.6% of total data), while Lundman's study involved only 15 females or nine percent of the total data used for the study.

Like Lundman (1974), Visher (1983) in her study of the extent of preferential treatment toward female offenders at arrest also used a field research design. Trained civilians riding during 900 patrol shifts observed 5,688 police-citizen encounters in 24 police departments in the St. Louis, Missouri; Rochester, New York; and Tampa-St. Petersburg, Florida metropolitan areas. The data were collected in 1977 and were part of a larger evaluation of police services. The observers recorded citizen and officer characteristics and behavior, in addition to other features of the encounter (e.g., time, place, and nature of offense). Offenses considered were grouped into four – violent, property, disputes and public order. The final sample contained data on 785 police-suspect encounters with 643 male and 142 female suspects. Visher's study included variables such as race and demeanor of the suspect, type of offense, victim-suspect relationship, and location of the encounter. Results indicate that the type of offense was found to be a powerful predictor of arrest for both males and females. Arrest probability increases with the seriousness of the offense. Also race of the suspect was found to influence the arrest decision for both male and female suspects. Blacks are more likely to be arrested than whites. Results further indicate that chivalry exists at the stage of arrest for those women who display appropriate gender behaviors and characteristics (e.g., white, older, submissive, apologetic etc. - see pp. 17; 23). In general, the findings indicate that female suspects who deviate from stereotypic gender expectations lose the advantage that may be extended to female offenders. Specifically, older, white, submissive, and apologetic female suspects are less likely to be arrested than are

younger, black or hostile women. Based on the above findings, Visher (p. 24)

concluded:

“Thus the official picture of female criminality is not representative of crime committed, in general, by females. Second, chivalrous attitudes appear to play a role in patterns of police response toward female criminals. Whether these patterns have diminished in the last several decades, thus giving the perception that female crime is increasing is an open question.”

Friedrich (1977) in his study relied on observational data on the behavior of patrolmen gathered by Reiss, for a study for the President’s Commission on Law Enforcement and the Administration of Justice in the summer of 1966. In an attempt to understand transactions between policemen and citizens, Reiss deployed a total of 36 observers to ride and walk with policemen in three large American cities: Boston, Chicago, and Washington, D.C. The actual observation of police behavior took place over a six week period in each of the three cities (12 observers in each city). The observers had two basic tasks. One was to record in a booklet the details of each and every encounter that they observed between police and citizens, including the number, characteristics, and behavior of the citizens involved, the reason for the encounter, and both the formal and informal actions taken by the police in the situation. The second task was to record in a separate booklet, which was filled out at the end of each shift, summary descriptions of what had occurred during the shift – the number of encounters, the kinds of people encountered, the characteristics of the territory patrolled and the characteristics of the patrolmen observed. At the end of the six week period, a total of 3,955 encounters involving a total of 11,422 citizens were observed.

The basic issue tackled by Friedrich’s study was why policemen act as they do? More specifically, how do organizational, individual, and situational factors affect police behavior?

Analysis of the data indicate that patrolmen in a traditional, “watchman-like” department invoke the legal process less frequently, are sometimes more informal in their manner toward citizens, and exert less effort than patrolmen in a more modern, “legalistic” department. Officers’ actions also vary with their individual characteristics. More experienced officers, compared with less experienced ones, invoke the legal process less often, treat citizens more personally, and work less hard. Morale has little effect on behavior. Further, black officers invoke the legal process, treat citizens impersonally, and work hard more often than white officers work. Racial prejudice leads to higher arrest and ticketing rates for blacks and has a complex impact on the policeman’s manner toward blacks. Among situational factors – overall, the most potent determinants – seriousness of offense and the preference of the complainant most influence formal decisions, while the officer’s manner toward the citizen depends, for the most part, on the citizen’s manner toward the officer. Other situational factors play a role too. Perhaps most interestingly, the presence of other citizens and of a police partner significantly influence police behavior.

Two studies focused on the impact of gender on police arrest decisions in drug cases. Johnson, Peterson, and Wells (1977) examined arrest statistics retrieved from police files in conjunction with self-reported data collected by the Response Analysis Corporation in 1971. The study took place in Cook County, Illinois; Douglas County (Omaha), Nebraska; and the Washington D.C. metropolitan area. The sample consisted of a total of 637 cases, out of which 19 percent were females. The authors concluded that males have a disproportionally higher arrest probability (about five times higher) for marijuana use than do females. However, fewer females are arrested because of

their predominant pattern of drug use in private residences, which is less likely to attract police attention. Males are more likely to use marijuana in public which will attract police attention.

DeFleur (1975), in a study of Chicago police practices in drug enforcement, found that police officers tend to be lenient toward young female offenders if they display certain sex role behaviors, such as crying. However, women who act in an aggressive or hostile manner are labeled as uncooperative and are arrested.

Some ethnographic research suggests that police are reluctant to arrest women because women are considered unpredictable in such situations, and because using coercion as a means of controlling females is contrary to cultural norms (Bayley and Mendelsohn, 1969). Additionally, charges of sexual harassment from arrested females are possible and are not easily defended by patrolmen (Rubinstein, 1973).

Intersection of race and gender

Do black female suspects receive any leniency at police arrest? Some studies indicate that black women are more independent than many white women are because they frequently occupy the role of head of household, and females in black households usually have equal or greater status than male members (see Black, 1980: 124-128; Roberts, 2000). According to Roberts (2000: 63), “most black children in America are born to unmarried mothers.” Gender expectations for black males and females are less differentiated than for white males and females (see Black, 1980; Smith and Visser 1980). Therefore, black females may be less inclined than white females to display

traditional gender behaviors in their encounter with police. If this is so, the implication is that in the criminal justice system, black females may not receive preferential treatment. This argument is supported by one study of court decisions which found that black females, relative to white females, were given more severe dispositions than black males relative to white males (Datesman and Scarpitti, 1980). In fact, in more recent studies, Mann (1989, 1995), studied the treatment of minorities from arrest to incarceration and found that arrest rates for black women exceed those of other ethnic groups. In other instances, black women received higher bails, were not adequately represented in court, received longer sentences, and served more time in prison. According to Mann (1989: 95), "minority women offenders [are] doubly discriminated against because of their gender and race/ethnicity status." (See also Muraskin & Roberts, 2002).

Moyer (1981), using similar variables to Visher (1983 - discussed in detail above) but with a survey research design, studied police arrest decisions in September – December, 1978. 282 confidential questionnaires were completed by police officers and detectives in "a large metropolitan area in a Southeastern state." Each officer was asked to indicate a police decision in five hypothetical situations or scenarios that varied by type of offense, race, sex and demeanor of the offender. To measure the effects of the independent variables (type of offense, race of the offender, sex of the offender, and demeanor of the offender) on the decisions made by patrol officers and detectives (the dependent variable), forty vignettes were constructed. An analysis of the responses of the police officers indicates that decisions of police to arrest are not contingent on the sex and race of the offenders. The major variables in determining how police officers

will respond are the nature of the offense and the manner in which the offender behaves when confronted by the officer. The author therefore concluded that it is possible that the alleged "differential treatment of women by police is simply a myth. On the other hand, it is also possible that more data is needed to test the hypotheses." (p. 245).

The race of the officer does not appear to influence arrest decisions. African American, Hispanic and Caucasian officers arrest people at similar rates and for generally the same reasons. Black (1980), however found some evidence that African American officers were slightly more likely to arrest African American suspects, in part because they appeared to be more willing to comply with requests for arrests made by African American citizens. He admitted, however that the subject has not been researched as thoroughly as it needs to be (Walker, Spohn, and DeLone, 2000).

According to Finn and Stalans (1997), studies on gender biases in police decision making have not directly examined how assailants' gender affects officers' interpretation of situational cues or their decisions in domestic assault situations. That was prior to their study. Therefore, using hypothetical scripts and experimental manipulation, their study examined how disputants' gender and mental state affected 130 officers' inferences about dangerousness, responsibility, credibility, and control and, ultimately, their decisions to arrest or refer for involuntary civil commitment in domestic assault cases. Officers inferred that male victims of domestic assault had more control over their actions and were more responsible than female victims. Mentally ill assailants were viewed as more dangerous and less in control of their actions than normal assailants. Gender influenced arrest decision through officers' assessments of disputants' credibility and responsibility. Female mentally ill assailants were more

likely than males to be referred for involuntary civil commitment. The findings suggest that both gender and mental state affect officers' inference and decisions in domestic assault cases.

Sealock and Simpson (1998), investigated police decisions to arrest and how bias in police decisions can occur. Data are based on 1968-1975 police records incorporated in the 1958 Philadelphia birth cohort. The analysis is based on the assumption that police use type-script (and countertype) heuristics. According to the concept of type-scripts, people, as social actors, are assigned roles according to "type," which is shorthand for any ascribed or achieved characteristics. Commonly identified types in criminological research include gender, race, and socioeconomic status (SES). Logistic regression analyses were performed on police arrest decisions for offenses categorized according to their gender type-script. In the aggregate and when other variables were controlled, females were less likely to get arrested than their male counterparts, and race and SES significantly affected the arrest decision. Among all offenses, the gender-typing variable explained a large portion of the effect of gender alone on the arrest decision. Within gender-type offense categories, evidence was found that officers consider offense seriousness and, most notably, the number of prior police contacts in arrest decisions. The latter played a slightly larger role in the arrest decision for females than for males. Results were confounded by interaction with race and SES.

In 1980, Lawrence Sherman undertook a first attempt to organize, review and codify the published quantitative research examining the causes of police behavior in the United States up to the year 1980 (Sherman, 1980). That review provided a synopsis of the factors known to influence service, detection, arrest, and force behavior. Since

Sherman's summary of findings in 1980, scholarly interest regarding the causes of police behavior has increased. Moreover, more sophisticated modes of analysis have been utilized, producing a large body of findings on how individual, situational, organizational, and community-level variables influence police behavior. Against this background, Riksheim and Chermak (1993) reviewed relevant quantitative research from the 1980s and compared and contrasted their findings with those cited in Sherman (1980). In general, their findings indicate that although our understanding of the causes of police behavior has become more refined since 1980, a number of questions remain unanswered. Riksheim and Cherman's research is considered a major and very significant work. For this review of the literature, a prudent and meticulous computer and manual reference search of most criminal justice/social science indices was conducted and Riksheim and Cherman (1993) remains the most thorough, and comprehensive updated review of studies on the causes of police behavior since Sherman's review in 1980. Much of the remaining part of this concluding section of this review of literature is therefore largely from Riksheim and Chermak's 1993 review of post-1980 literature on causes of police behavior and the authors' comparison of their findings with the position prior to 1980, as reviewed and codified in Sherman (1980).

Riksheim and Chermak (1993) found there have been mixed findings between pre-1980 and post 1980 research regarding suspect characteristics as causes of police behavior. On the effect of gender on police behavior, for example, research prior to 1980 indicated that female suspects were less likely to be arrested than males (Sherman, 1980:82). Sherman cited Friedrich (1977), and Lundman (1974) to support

this view. Further research conducted during the 1980s supported these findings (Sykes and Brent, 1983:217; Smith and Klein, 1984:474). However, a considerable amount of research from the 1980s indicated that gender was not an important predictor of arrest (Smith and Visser, 1980:174; Moyer, 1981:244; Visser, 1983:22), and it remained insignificant across department types, that is, fraternal, legalistic, service, and militaristic (Smith, 1982:28).

Riksheim and Chermak's 1993 review also revealed mixed findings on the impact of suspect race on the police arrest decision. Utilizing a variety of data sets and examining various offenses, most studies from the 1980s found that race had no effect on police arrest decisions. For example, utilizing the Police Service Study (hereafter PSS) observational data, researchers found no relationship between race and decisions to arrest when no complainant was present (Smith, 1986:330), when both complainant and suspect were present (Smith 1984:246), in domestic disturbance encounters (Worden and Politz, 1984:110), or in interpersonal disputes (Smith and Klein, 1984:475). The results held that regardless of whether departments were legalistic, service, militaristic, or fraternal (Smith and Klein, 1984:89; Smith, 1984:28). Analysis of other data sets indicated a similar lack of effect for drunk driving offenses (Hollinger, 1984:178) and for data collected from police responses to vignettes (Moyer, 1981:240).

A few studies, however have found a relationship between race of suspect and the police decision to arrest. In analyzing encounters involving physical interpersonal violence, Smith (1987:776) found that police were more likely to use a "penal style" of control in situations in which both combatants were white than they were when both

were nonwhite. This contradicts the research cited by Sherman (1980:80) indicating that police were more likely to arrest black suspects than white. Among other studies, Sherman had cited Black (1971) to support his view that police were more likely to arrest black suspects than whites. Some recent research, however, has also indicated that black suspects are more likely to be arrested (Smith and Visser, 1981:172; Visser, 1983:21; Smith et al., 1984:244). Visser (1983:21) found the relationship to be much stronger for females than males, while Smith (1984:244) found suspects' race influenced police arrest decisions for females only.

Some research from the 1980s has suggested that the suspect's age is not a significant predictor of police decisions to arrest (Smith and Visser, 1981:172; Visser, 1983:15; Smith, 1984:27). These results differ from those obtained in the previous decade (pre 1980 years), which indicated that young suspects were less likely to be arrested by the police (Sherman, 1980:82). Sherman had cited Lundman (1974) to support this view. However, other research from the 1980s indicated that age does influence arrest when the suspect is female (Visser, 1983:15), when misdemeanants are adults (Krohn et al., 1983:428), or when a department is legalistic (Smith and Klein, 1983:89; Smith, 1984:30).

Most research from the 1980s examining the influence of a suspect's demeanor on police arrest behavior supported previous conclusions (Sherman, 1980:81) that "uncooperative," "abusive," and "antagonistic" citizens were more likely to be arrested than those who were "calm," "cooperative," and "quiet" (Smith and Visser, 1981:172; Moyer, 1981:240; 1982:380; Visser, 1983:16; Smith and Klein, 1983:90; Smith et al., 1984:244; Wooden and Pollitz, 1984:113; Smith, 1986:330; 1987:778; Wooden,

1989:700). Furthermore, male suspects were found to be more likely to be arrested if they had been drinking (Worden Pollitz, 1984:113). Interestingly, some research has suggested that antagonistic behavior and intoxication have little effect on the arrest decision (Waaland and Keeley, 1985:364) and no effect in militaristic departments (Smith, 1984:30). Police also have been found by some research to be more likely to separate dispute when the combatants have been drinking (Smith, 1987:778).

Overall, individual officers' characteristics appear to have little influence on arrest although the influence of many variables remains unresolved. For example, Sherman (1980: 75-76) cited research indicating that better educated officers made more arrests. Sherman cited Bozza (1973) to support this view. The findings from the 1980s are inconclusive. Two analyses of the PSS data (Smith and Klein, 1983:84-85; Worden, 1989:701) showed that an individual officer's level of education had no effect on arrest behavior. However, departments in which officers had higher levels of education (operationalized as an indicator of police professionalism) had lower arrest rates (Smith and Klein, 1983:84-85). Research by Sykes and Brent (1983:217,221) further complicated the issue by indicating that higher median levels of officer education led to increases or decreases in the severity of police sanctions depending on differences in situational factors.

Sherman (1980:73) cited research indicating that less experienced officers made more arrests and cited Friedrich (1977) to support this view. Research from the 1980s produced mixed findings. Some studies showed that officers' length of service increased the likelihood of arrest (Sykes and Brent, 1983:217; Meyers et al., 1989:182 for juvenile drunk driving suspects). Some studies showed that length of service

decreased the likelihood of arrest when measured at the department level (Smith and Klein, 1983:84), and some indicated that length of service had no effect on arrest when measured at the individual level (Smith and Klein, 1983:84); Worden, 1989:701) or when the arrests involved adult drunk driving suspects (Meyers et al., 1989:182).

Sherman (1980:74-75) cited research (Friedrich 1977) suggesting that officer race and attitudes influenced police arrest behavior. Research from the 1980s contradicted these findings. Analysis of the PSS data indicated that race of officer had no effect on police arrest behavior (Worden, 1989:710) and remained non-significant across department types, that is, legalistic, service, militaristic, or fraternal (Smith and Klein, 1983:87-89). Similarly, most research indicated that attitudes had no statistically significant effect on arrest decisions (Smith and Klein, 1983:88; Worden, 1989:687-702; Meyers et al., 1989:182; Smith, 1990:43) although they may have affected arrest behavior indirectly by interacting with situational variables (Worden and Pollitz, 1984:118; Worden, 1989:700).

Research in the 1980s on the effects of officer gender has clarified previous research cited by Sherman. Sherman (1980:73-74) reported mixed findings, citing studies that found female officers made fewer arrests than male officers and one study that reported no difference (Bloch and Anderson, 1974). Research from the 1980s indicated that officer gender had no effect on arrest behavior (Worden, 1989:701).

Finally, Walsh (1986:278) found that officers with high arrest rates were more likely to be married and their wives were less likely to be working. The author speculated that such officers may be making arrests to earn overtime pay.

Summary

As mentioned in chapter one - Statement of the problem, previous research shows that two separate traditions exist regarding differential treatment by police relative to gender. These traditions (chivalry and labeling perspectives) are contradictory in their description of how police respond to male and female suspects. A general hypothesis can be derived from the chivalry and labeling perspectives discussed earlier regarding police treatment of males and females at arrest: Police officers will arrest male suspects differently than female suspects for most types of mid-level, non-felony offenses (controlling for type of offense and demeanor of the suspect).

CHAPTER THREE

METHODOLOGY

Data collection techniques

Different research methods, either as a whole by themselves, or in combination with other methods, have been used to study gender differences at arrest. As seen from the review of the literature above, the two most common research methods that have been employed in this area are the survey and field research methods (see Pastor, 1978; Lundman, 1974; Visser, 1983; Friedrich, 1977 and Moyer, 1981). Notwithstanding that field observation which as said above has also been used in similar studies (e.g., Visser, 1983), is relatively inexpensive, generally yields a deeper understanding of the issues involved, and is fairly flexible, the survey design was chosen in this study mainly because of the problems of objectivity in measurement (instrumentation), which are generally inherent in any field study. Field research may also sometimes be weak in reliability and is also far more time consuming. Lastly, according to Maanen (1973), “observation of police in naturally occurring situations is difficult, lengthy, and often threatening ...” (p. 407).

This study employs the survey method of data collection utilizing closed-ended survey. The survey is the most widely used data-gathering technique in sociology, and it is used in many other fields, as well, including criminal justice (Neuman, 2000). In fact, surveys are almost too popular, but despite the popularity, it is easy to conduct a survey that yields misleading or worthless results. Surveys are appropriate for research

questions about self-reported beliefs or behaviors. According to Neuman (2000: 247), “they are strongest when the answers people give to questions measure variables.”

Every researcher collects data using one or more techniques. The main techniques may be grouped into two categories: quantitative – collecting data in the form of mostly numbers – and qualitative, collecting data in the form of words or pictures. Some techniques are more effective when addressing specific types of questions or dealing with specific kinds of respondents. It takes skill, practice, and creativity to match a research issue to an appropriate data collection technique. The discussions that follow will make clearer the rationale for choosing the data collection method mentioned hereunder.

Data for this dissertation was obtained from police responses to self-administered confidential questionnaires. Robert Groves, a leading expert on surveys, had remarked that “surveys produce information that is inherently statistical in nature. Surveys are quantitative beasts.” (see Groves, 1996: 389; see also Neuman, 2000). Surveys produce predictive data and have been extensively used in criminal justice. They are a powerful tools for obtaining quantitative data for both descriptive, inferential studies and for addressing the issue of causality and, as briefly mentioned above, are the most widely used data-gathering technique in the social science. As briefly mentioned above, they are appropriate for research questions about self-reported beliefs or behaviors. They are strongest when the answers people give to questions measure variables. A survey may therefore be defined as a method of gathering information from a number of individuals, a ‘sample’, in order to learn something about the larger population from which the sample is drawn. Survey can be open or closed-ended. Each form has

advantages and disadvantages. The crucial issue is not which form is best. Rather, it is under what conditions a form is most appropriate.

The closed-ended survey research method of data collection has its advantages and disadvantages. One important attractive feature of a closed-ended survey is that it is easier and quicker for respondents to answer because it asks the questions and also gives the respondent fixed responses from which to choose. The answers of different respondents are easier to compare, code and statistically analyze. The response choices can clarify the meaning of a question for respondents and there are fewer irrelevant or confused answers to questions thus making it easier for the researcher to undertake meaningful data analysis. Respondents are more likely to answer about sensitive topics and there are fewer irrelevant or confused answers to questions. Further, collecting data through the use of a closed-ended survey does not put less articulate or less literate respondents at a disadvantage as other methods could (Neuman, 2000). It might also be added here that replication is easier in studies that collect data by closed-ended survey (Neuman, 2000).

On the other hand, despite the above advantages of data collection strategy by using the closed-ended survey method, the procedure has some disadvantages. Since the questionnaire is closed-ended, ideas can be suggested that the respondent would not otherwise have. Respondents with no opinion or no knowledge can answer anyway. Respondents can be frustrated because their desired answer is not a choice and it is confusing if many response choices are offered. Misinterpretation of a question can go unnoticed, and they may force respondents to give simplistic responses to complex issues. Thus, surveys tend to be superficial because the researcher is unable to probe for

further understanding in relation to the respondent's actual perception.

The questionnaires

The quantitative data for this study were obtained from police responses to self-administered, confidential questionnaires. The questionnaires contained hypothetical offense scenarios or vignettes. This approach has been used in many studies of police decision making. Nees (1986), for example used a series of 20 vignettes covering a series of mid-level offenses in his study of police arrest discretion in Boulder County, Colorado. Moyer (1981), in her study of police arrest decisions, also utilized a series of vignettes similar to those used by Nees (1986).

Vignettes were selected as a valid method for obtaining original empirical data to determine how police respond, or at least say they will respond to a variety of people and situations. The use of hypothetical cases permits the systematic manipulation of the relevant variables. As stated by Alexander and Becker (1978: 93):

"...such a stimulus would more closely approximate a real-life decision-making or judgement-making situation. Furthermore, by holding the stimulus constant over a heterogeneous respondent population, the survey researcher gains a degree of uniformity and control over the stimulus situation ... [T]he vignette technique makes possible an analysis of the effects on people's judgements systematically varying the characteristics used on the situation description"

It should be pointed out here however that vignettes may sometimes be inflexible and respondents may sometimes be biased, or at times outright lie. Another major problem with vignettes is that responses may differ from how officers will respond when actually faced with similar situations in real life.

Each of the questionnaires used in this study was prefaced with a letter thanking

the officers for participating. Each questionnaire contained four hypothetical offense scenarios with four different types of mid level offenses (public drunkenness, shoplifting, assault, and traffic offense). All the offense episodes contain low visibility incidents and were selected because they lend themselves to the broadest range of police discretion (Goldstein, 1993; Bittner, 1970). In the shoplifting and traffic scenarios, the suspects displayed a cooperative (positive) demeanor while in the drunkenness and assault scenarios, they displayed a hostile (negative) demeanor – see Figure 1 (Appendix D). This means that suspect demeanor was constant in each of the four offense scenarios as described immediately above. The race and gender of the suspect(s) in each of the scenarios in the “base” questionnaire (questionnaire one) are as follows: in the public drunkenness scenario the suspects are black female; in the shoplifting scenario, the suspect is a white male; in the assault scenario, the suspect is a black male while the suspect in the traffic offense scenario is a white female.

By changing or manipulating the race and gender of the suspects in each of the four types of crimes, three “other types” of questionnaires containing identical facts and circumstances but with changes only in the race and/or gender of the suspects are obtained - see Figure 1 (Appendix D). Thus the total number of hypothetical offense scenarios was 16. However, since each police officer in the sample responded to four different hypothetical cases, the total number of responses analyzed were four times as many as the number of responding officers. For example, as indicated in chart one, the suspects in drunkenness, shoplifting, assault, and traffic scenarios in questionnaire one are black female, white male, black male, and white female respectively. In questionnaire two, everything is the same as in questionnaire one except that the

respective suspects in the offense scenarios as mentioned immediately above are now white female, black male, white male, and black female respectively (see chart two). The numbers and types of questionnaires completed and returned by police respondents are shown in Table 14 (Appendix D).

As described above, a total of four types of questionnaires containing 16 "different" hypothetical offense episodes were used in this study. Figure 1 (Appendix D) shows the complete distribution of hypothetical offense episodes, suspect demeanor, race, and gender across the four types of questionnaires (one through four) that were used for this study. Four response choices were provided at the end of each vignette and officers were expected to respond by selecting only one answer from the four answers provided. The response choices consisted of: 1= take no action; 2= question the suspect and release; 3= issue misdemeanor summons or citation; 4= arrest. Officers' responses to these choices constitute the dependent variable.

Further, each of the offense scenarios had another question in which the officer was asked to indicate how confident the officer was of taking the action he/she indicated under the offense scenario. Four response choices were provided at the end of each of these confidence level questions: (1) very confident; (2) confident; (3) not sure; (4) not confident; (5) not at all confident.

Following the four vignettes were ten questions designed to collect biographic and other background information about the officers. The questions asked for information on sex, race, age, marital status, rank, number of years in police work, level of education, promotional potential, and number of traffic and non-traffic citations made during the previous year. A complete copy of one type of questionnaire (type

one) is exhibited at the end as "Appendix A"

Each officer received only one type of questionnaire. Thus, the particular type of questionnaire an officer received was determined by random assignment. However, the questionnaires were arranged in such a way that equal numbers of each type of questionnaire were handed out to the officers.

The sample

The police department where the data for this study was collected is one of the largest police departments in a Midwestern state. It is comprised of approximately 369 employees: 268 sworn officers and 101 civilians. The department serves a community of about 119,000 residents covering an area of about 33 square miles. Out of the 268 sworn officers, it was estimated that approximately 230 are patrol and field officers who come into frequent contact with the public in the course of their routine duties. Only full-time sworn field and patrol officers were targeted for this study. This means that about 230 officers were targeted. Administrative staff were excluded because they rarely carry out a significant number of arrests. They do not come into frequent contact with citizens. In addition, civilian employees were also excluded for obvious reasons.

Police departments have a record of cooperating with researchers – at least those who have used similar research methods employed by this study (survey research). For example, both Thoresson-Rogers (1991), and Moyer (1981), yielded response rates of more than 85 percent. In a 1994 study, this researcher had a return rate of 78 percent (Ekwuaju, 1994). Due to the high degree of cooperation that has been received so far

from this police department, added to all the measures and safeguards that have been incorporated in the study, it was expected that enough responses that would be adequate for a good analysis could be obtained. Approximately 250 questionnaires were produced and this researcher met with the police officers just before shift roll calls. Arrangements were made in such a way that this researcher would meet the officers over a period of several days in December of 2002 on days that many of them were scheduled for duty. The range of days enabled this researcher to meet with as many of the police officers as possible. This researcher met with the officers during call sessions at the beginning of each of each shift, briefly addressed them (emphasizing the voluntary and confidential nature of the research), handed out the questionnaires to those that agreed to take them, and collected them after completion. Of the 250 questionnaires distributed, about 132 were completed and returned. Each of the questionnaires took an average of six minutes to complete. The number of police officers who participated in this study and the number of types of questionnaire completed are shown in Table 15 (Appendix D).

Research question

The research question addresses the effect of gender of the suspect on police arrest decisions in non-felony offenses. It explores whether police process females chivalrously or more punitively. Additionally, the effects of other independent variables on police arrest decisions are also explored. These independent variables include gender of police officer, race of the suspect and race of the police officer.

Specifically, the four hypotheses listed below are tested in this study:

Research hypothesis

A general hypothesis can be derived from the chivalry and labeling perspectives discussed earlier regarding police treatment of males and females at arrest: Police officers will arrest male suspects differently than female suspects for less serious non-felony offenses (i.e., drunkenness, shoplifting, assault, and traffic offenses).

Null hypotheses

H0 1. There is no relationship between the arrest decisions of police officers in misdemeanor offenses and the gender of suspects.

H0 2. There is no relationship between the arrest decisions of police officers in misdemeanor offenses and the gender of police officers.

H0 3. There is no relationship between the arrest decisions of police officers in misdemeanor offenses and the race of the suspects.

H0 4. There is no relationship between the arrest decisions of police officers in misdemeanor offenses and the race of police officers.

Variables

Officers' responses to the four response alternatives provided to the four hypothetical offense scenarios constitute the dependent variable (please refer to the

section titled “The Questionnaire” for a full discussion of the response options). This is the way in which officers responded, or at least say they would respond to suspects. Independent variables, chosen in view of the literature review consist of: type of offense (public drunkenness, shoplifting, assault, and traffic offense), gender of suspect (male, female), race of suspect (black/African American, white/Caucasian), and demeanor of suspect (positive or civil, and negative or hostile). A complete list of variables used including officer characteristics and their descriptions are annexed at the end of this study and marked Appendix C.

Questionnaire coordination and control

The Chief of the department where data were collected gave his approval to officially cooperate with this researcher. The chief was told in a letter that: (1) the department would not be identified by name in the study; (2) participation by all officers was strictly voluntary; (3) responses by the officers would be kept anonymous; and (4) the University Committee for Research Involving Human Subjects (UCRIHS) would approve the questionnaire before the actual collection of data. The Chief gave his approval subject to these conditions as itemized above. Subsequent to the above approval, this researcher worked with one of his two Assistant Chiefs (Assistant Chief of Field Services) to finalize the arrangements and other logistics for distribution and collection of the questionnaires. It was agreed that this researcher would attend “briefings” at the beginning of shifts. The department has three shifts each day and it was planned in such a way that this researcher would attend all shifts in all the precincts

of the police department. The data were collected over a period of several days in December of 2002. Table 15 (Appendix D) shows the number of officers and the types of questionnaires completed for this study.

CHAPTER FOUR

ANALYSIS AND RESULTS

Demographic characteristic of police respondents

Table 1 shows the demographic characteristics of the police officers who responded to the questionnaires. As indicated in that table, the majority of the respondents are white (72.9%), male (86.8%), and married (59.7%). While the majority of them (48.8%) have a 2-year degree, many of them (47.3%), have a four-year college degree. The African American and Hispanic composition of the police respondents are 10.9% and 9.3% respectively. Table 1 also shows that most of them are patrol officers (82.9%) and have worked less than ten years in police work as sworn police officers (70.3% - mean experience in years = 8.78; std. dev. = 6.40). The majority of them (48.4%) think they have an “average” promotional potential while 43.0% think they have a “very good” promotional potential. Only 8.6% of them think they have “below average” promotional potential. The age of the respondents ranges from 21 to 48 years, with a mean age of 32.87 years (std. deviation = 6.86), and the majority (40.8%) are between 31 and 40 years of age.

Lastly, Table 1 also indicates that the majority of the police respondents issue between 10 – 20 monthly traffic citations and the range of non-traffic citations every month. The mean number of monthly traffic citations issued by these officers is 2.39 with a standard deviation of 1.16, while the mean number of monthly non-traffic citations is 1.57 with a standard deviation of .58.

Figure 2 (Appendix D), shows the race and gender composition of all sworn “police officers” of the department where the data for this study was collected. A brief comparison with officers who responded to the questionnaires indicates that only about 20 percent of the department’s sworn officers failed to participate in this study. Not all the demographic information that was included in Table 1 was available in respect of the whole department. The department stated that it would take many hours of manual search to retrieve such information. Due to this time and labor constraints, the department was unwilling to undertake such a manual search of their records.

Table 1: Characteristics of Police Respondents

	Number	Valid Percent		Number	Valid Percent
<u>Gender</u>			<u>Rank</u>		
Male	112	86.8	Recruit	5	3.9
Female	<u>17</u>	<u>13.2</u>	Patl. Off.	107	82.9
	129	100%	Master P.O	2	1.6
			Sergeant	10	7.8
			Above Sergeant	3	2.3
			Other rank	<u>2</u>	<u>1.6</u>
				129	100%
<u>Age</u>			<u>Yrs. of exp.</u>		
21 to 30	47	37.6	Less 10 yrs.	90	70.3
31 to 40	51	40.8	10 to 20	30	23.4
41 to 48	27	21.6	21 to 25	<u>8</u>	<u>6.3</u>
48 +	<u>0</u>	<u>00.0</u>		128	100%
	126	100%			
Mean age (in years) = 32.8			Mean experience. (in yrs) = 8.78		
Standard deviation = 6.86			Standard deviation = 6.40		
<u>Race</u>			<u>Education</u>		
White	94	72.9	H. sch. grad	1	0.8
Black	14	10.9	2 year degree	63	48.8
Hispanic	12	9.3	4 year degree	61	47.3
Other	<u>9</u>	<u>7.0</u>	Grad. degree	<u>4</u>	<u>3.1</u>
	129	100%		129	100%
<u>Marital Status</u>			<u>Monthly traffic citations</u>		
Married	77	59.7	Less than 10	28	21.9
Single	41	31.8	10 - 20	53	41.4
Separated	2	1.6	21 -30	26	20.3
Divorced	9	7.0	31 - 40	10	7.8
Widowed	<u>0</u>	<u>0.0</u>	41+	<u>11</u>	<u>8.6</u>
	129	100%		128	100%
<u>Promotional Potential</u>			Mean #, monthly traffic citations = 2.39		
Very good	55	43.0	Standard deviation = 1.16		
Average	62	48.4			
Below avg.	<u>11</u>	<u>8.6</u>			
	128	100%			

Table 1 (cont'd).

	Number	Valid Percent.
<u>Monthly non-traffic citations</u>		
Less than 10	60	47.2
10 – 20	61	48.0
21 – 30	<u>6</u>	<u>4.7</u>
	127	100%

Mean, number of monthly non-traffic citations = 1.57
Std. dev. = .58

Missing cases excluded.

Summary of responses of the officers

Table 2 summarizes the responses of the officers to the public drunkenness scenarios across the four types of questionnaires used in this study. Table 2 shows that five officers (3.9% of all the responses to this scenario) said they would “take no action” to the suspects in response to the information provided in the public drunkenness hypothetical episode. Of these five responses, three were to the questionnaire with black female suspects while the other two were to black male suspects. Twenty three officers (18.1%) indicated they would “question and release” the suspects (eight in response to black female suspects; 12 to white female suspects; 1 to black male suspects, and the remaining two to white male suspects). Thirteen officers (10.2%) responded that they would “issue misdemeanor citations.” Of these 13 responses, five were to black female suspects; two to white female suspects; four to black male suspects and the other two were to white male suspects. The last and most serious response option in the questionnaire was the arrest option. In the public drunkenness scenarios under consideration, 86 officers (67.7%) said they would “arrest” the suspects. Of these 86 arrest responses, 18 of them were to black female suspects; 16 were to white female suspects; 27 were to black male suspects, while the remaining 25 were to white male suspects. It is noted briefly that the most serious disposition here (27 N or 21.3%) of the “arrest” responses were returned to the questionnaire with black male suspects – this is however, not a “finding” of this study.

Table 3 summarizes the officers’ responses to all the shoplifting offense scenarios across the four types of questionnaires used in this study. Table 3 shows that four officers (3.1%) indicated that they would “take no action” toward the suspects in

response to the information provided in the shoplifting hypothetical episodes. Of these four responses, one was to white male suspects; one to black male suspects while the remaining two were to white female suspects. Seven officers (5.3%), indicated they would “question and release” the suspects - (five in response to black male suspects and the remaining two to black female suspects). Three officers (2.3%) said they would “issue misdemeanor citations” to the information provided in the shoplifting scenarios under consideration. The three responses were to the questionnaire with black male suspects. Table 3 also shows that 117 officers (89.3%) said they would “arrest” the suspects. The 117 responses were distributed as follows: 33 to white male suspects; 24 to black male suspects; 31 to white female suspects while the remaining 29 were to black female suspects. Again, it is noted briefly that the most serious disposition here (33 N or 25.2%) of “arrest” responses were returned to the questionnaire with white male suspects – this is however, not a “finding” of this study.

The responses of the officers in the assault scenario are particularly interesting. This scenario received the least amount of variability in the officers’ responses. As Table 4 shows, six officers (4.6%) indicated they would “take no action” toward the suspects. Of these six responses, one was to black male suspects; three to white male suspects, while the remaining two were to black female suspects. Only one officer said that he or she would “question and release” the suspect in the assault scenario under consideration. This response was to white male suspect. As shown in Table 4, none of the officers indicated he or she would “issue a misdemeanor citation” to the suspects in this scenario. However, one hundred and twenty three officers or 94.6% of all respondents to this scenario indicated they would “arrest” the suspect. Of this number,

33 were to black male suspects; 28 to white male suspects; 31 to black female suspects while the remaining 31 were to white female suspects. It is noted briefly that the most serious disposition here (33 N or 25.4%) of “arrest” responses were returned to the questionnaire with black male suspects – again, this is not a “finding” of this study.

In the traffic offense scenarios, Table 5 shows that six officers (4.6%) indicated they would “take no action” toward the suspects in response to the information provided in this scenario. Of the six responses, one was to a white female suspect; one to a black female suspect; two to white male suspects while the remaining two were to black male suspects. Seventeen officers (13.1%) said they would “question and release” the suspects. The 17 responses were distributed as follows: 10 to black female suspects while the remaining seven were to black male suspects. One hundred and six officers (81.5%) said they would “issue misdemeanor citations.” Of these 106 responses, 32 were to white female suspects; 20 to black female suspects; 32 to white male suspects while the remaining 22 were to black male suspects. Only one officer indicated that he or she would “arrest” the suspect in this traffic offense scenario under consideration. That lone response was to black female suspects.

Table 2: Officers' responses to the four public drunkenness scenarios by suspect race and gender (suspect demeanor is constant – negative).

OFFICERS' RESPONSES	SUSPECTS				TOTAL
	Black Female	White Female	Black Male	White Male	
Take no action	3 (2.4%)*	-	2 (1.6%)*	-	5 (3.9%)*
Question and let go	8 (6.3%)	12 (9.4%)	1 (.8%)	2 (1.6%)	23 (18.1%)
Issue misd. citation	5 (3.9%)	2 (1.6%)	4 (3.1%)	2 (1.6%)	13 (10.2%)
Arrest suspect	18 (14.2%)	16 (12.6%)	27 (21.3%)	25 (19.7%)	86 (67.7%)
TOTAL	34 (26.8%)	30 (23.6%)	34 (26.8%)	29 (22.8%)	127 (100%)

* = Percentage of total responses to all four public drunkenness scenarios

Table 3: Officers' responses to the four shoplifting scenarios by suspect race and gender (suspect demeanor is constant – positive).

OFFICERS' RESPONSES	SUSPECTS				TOTAL
	White Male	Black Male	White Female	Black Female	
Take no action	1 (.8%)*	1 (.8%)*	2 (1.5%)*	-	4 (3.1%)*
Question and let go	-	5 (3.8%)	-	2 (1.5%)	7 (5.3%)
Issue misd. citation	-	3 (2.3%)	-	-	3 (2.3%)
Arrest suspect	33 (25.2%)	24 (18.3%)	31 (23.7%)	29 (22.1%)	117 (89.3%)
TOTAL	34 (26.0%)	33 (25.2%)	33 (25.2%)	31 (23.7)	131 (100%)

* = Percentage of total responses to all four shoplifting scenarios

Table 4: Officers' responses to the four assault scenarios by suspect race and gender (suspect demeanor is constant – negative).

OFFICERS' RESPONSES	SUSPECTS				TOTAL
	Black Male	White Male	Black Female	White Female	
Take no Action	1 (.8%)*	3 (2.3%)*	2 (1.5%)*	-	6 (4.6%)*
Question and let go	-	1 (.8%)	-	-	1 (.8%)
Issue misd. citation	-	-	-	-	-
Arrest suspect	33 (25.4%)	28 (21.5%)	31 (23.8%)	31 (23.8%)	123 (94.6%)
TOTAL	34 (26.2%)	32 (24.6%)	33 (25.4%)	31 (23.8%)	130 (100%)

* = Percentage of total responses to all four assault scenarios

Table 5: Officers' responses to the four traffic offense scenarios by suspect race and gender (suspect demeanor is constant – positive).

OFFICERS' RESPONSES	SUSPECTS				TOTAL
	White Female	Black Female	White Male	Black Male	.
Take no action	1 (.8%)*	1 (.8%)*	2 (1.5%)*	2 (1.5%)*	6 (4.6%)*
Question and let go	-	10 (7.7%)	-	7 (5.4%)	17 (13.1%)
Issue misd. citation	32 (24.6%)	20 (15.4%)	32 (24.6%)	22 (16.9%)	106 (81.5%)
Arrest suspect	-	1 (.8%)	-	-	1 (.8%)
TOTAL	33 (25.4%)	32 (24.6%)	34 (26.2%)	31 (23.8%)	130 (100%)

* = Percentage of total responses to all four traffic offense scenarios.

Preliminary findings from a summary of officers' responses to all offense episodes

Table 6 summarizes the distribution of officers' responses to all the offense scenarios in the four types of questionnaires. As indicated in that table, the public drunkenness, shoplifting, and traffic offense scenarios each contain responses from all the four response options: take no action; question and release the suspects; issue misdemeanor citation; and arrest suspect. However, the traffic offense scenario has the least percentage of respondents (.8%) who indicated they would take the most serious action (arrest). This is in contrast to the other two scenarios (public drunkenness and shoplifting) mentioned immediately above where the percentage of officers who indicated they would arrest the suspects ranges from 67.7% to 94.6%.

The responses to the assault scenario raise some interesting issues. They differ radically from the other three scenarios considered above in several unique respects. The assault scenario contains the least amount of variation across the four response options provided to the officers. The assault scenario is the only one that does not contain responses from all the response options. The responses are not only "tightly" distributed but they tilt heavily toward "arrest." In fact, Table 6 indicates that the assault scenario has the highest percentage of officers (94.6%) who indicated they would take the most serious action - "arrest" the suspects. Can this uniqueness be linked to the nature of the offense and to the negative or hostile demeanor portrayed by the suspects? It is difficult, and may involve some degree of speculation to offer a widely acceptable ranking of the four offenses in order of seriousness. This notwithstanding, assault seems the most serious of the four offenses. In the questionnaire, this scenario was presented

Table 6: Summary of the distribution of officers' responses to all offenses as contained in all four types of questionnaires (suspect demeanor is constant).

RESPONSES	TYPES OF OFFENSE							
	Drunkenness - demeanor		Shoplifting + demeanor		Assault - demeanor		Traffic + demeanor	
	N	%	N	%	N	%	N	%
Take no action	5	3.9	4	3.1	6	4.6	6	4.6
Question & let go	23	18.1	7	5.3	1	.8	17	13.1
Issue misd. citations	13	10.2	3	2.3	-	-	106	81.5
Arrest suspect	<u>86</u>	<u>67.7</u>	<u>117</u>	<u>89.3</u>	<u>123</u>	<u>94.6</u>	<u>1</u>	<u>.8</u>
Total	127	100	131	100	130	100	130	100

Table 7: Officers' levels of confidence in their decision-making – across all four types of offenses

Levels of Confidence	Types of Offenses							
	Drunkenness - demeanor		Shoplifting + demeanor		Assault - demeanor		Traffic + demeanor	
	N	%	N	%	N	%	N	%
Very Conf.	76	59.4	97	73.5	118	89.4	98	74.8
Confident	50	39.1	35	26.5	14	10.6	31	23.7
Not Sure	2	1.6	-	-	-	-	2	1.5
Not Conf.	-	-	-	-	-	-	-	-
NAA* Conf.	-	-	-	-	-	-	-	-
Total:	128	100	132	100	132	100	131	100

* NAA = Not at all confident

as involving some measure of bodily harm – an occurrence the average citizen and indeed a typical police officer might be expected to consider more serious than public drunkenness, a minor traffic offense, or shoplifting. The assault scenario is the only scenario with an identifiable “victim.” In addition, it may be observed that while the combined percentages of **arrest** responses to the two offenses with a positive demeanor, (that is, shoplifting and traffic offense) is 90.1% - a percentage which is less than 100%; that of the other two offenses with a negative demeanor (public drunkenness and assault) is 162.3% - a figure which is greater than 100%. Furthermore, one of the two offense scenarios with a positive demeanor is the traffic episode. That scenario is also unique in having the least percentage of respondents (.8%) who indicated that they would take the most serious action – arrest the suspects. It therefore seems to me that these patterns of arrest responses suggest that a suspect’s demeanor and the type of offense both are relevant variables in police arrest decisions. When the offense is “serious” and the suspect’s demeanor is negative, police officers are more likely to arrest than when the offense is relatively less serious and the suspect’s demeanor is positive.

An examination of the respondents’ levels of confidence in making the arrest decisions they indicated appears to strengthen the above argument. As described earlier, each of the offense scenarios had another question in which the officer was asked to indicate how confident he/she was in taking the action he or she had indicated under the offense scenario. Table 7 summarizes the results of the officers’ levels of confidence in all four offense scenarios. While a key “finding” from the table is that there is very little lack of confidence in the officers’ arrest decisions, it is also seen that assault had the

greatest percentage of officers (89.4%) with the highest level of confidence – “very confident” in their arrest decisions.

The major finding from the above analysis so far suggests that suspect demeanor and the type of offense are relevant variables in police arrest decisions. When the offense is “serious” and suspect demeanor is negative, almost every police officer (94.6%) will arrest the suspect and the officer has the highest percentage of confidence (89.4%) or feels “very confident” in making the arrest. From here, it is intended to embark into further inquiries, this time utilizing more advanced statistical procedures to test the specific hypotheses outlined earlier in this study.

Gender differences in police arrest decisions

Impact of gender of the suspect

To analyze police responses to the questionnaires for gender differences in police processing of suspects at arrest, a series of independent sample t-tests comparing police arrest decisions on male and female suspects were executed for each of the four offense scenarios. Police arrest decisions on all males were also compared to their decisions on all females. The effect of race was controlled by comparing white males to white females and black males to black females. Suspect demeanor was held constant in each of the four offenses as a result of the manner in which the scenarios were depicted in the questionnaires. Type of offense was controlled or held constant by running the test for each offense separately.

Although a simple comparison of means of police arrest decisions on male and female suspects is easy, one is faced with an important question here. Does the

discrepancy in the means reflect a fundamental distinction or difference in the two groups from which the means were computed, or can the difference be explained in terms of chance? T-tests are very appropriate for comparing sample means of two groups for statistical significance. T-tests tell us whether the two sample means reflect two different populations or are drawn from the same population. Table 8 shows gender differences in police arrest decisions controlling for type of offense, race and suspect demeanor. As indicated, the means for the two groups (male and female suspects) are numerically different. For example, Table 8 indicates that for the public drunkenness scenario, the mean of police arrest decisions for males is 3.71 while that of females is 3.12. However, the difference only indicates one of two possibilities. The higher mean (males), may indicate that males are treated more harshly (arrested more) than females (the rationale for this possible conclusion will be explained later in this section). If this is the case, the discrepancy in the means reflects a real difference in police treatment at arrest. On the other hand, the higher mean may simply be a chance happening in which case the difference in the means is considered unimportant or trivial. To help decide whether there is a real or statistically meaningful difference between the differences in mean treatment of males and females, this researcher turns to the statistics of *hypothesis testing*. In hypothesis testing, the null hypothesis (H_0) is usually that an observed difference between two means is trivial. The rival hypothesis (H_1) is that the observed difference is real. Thus null hypothesis one (H_{01}) in this study is that there is no difference between the means of police arrest decisions for males and females. The t-test significance test determines the probability that H_0 is true. If the probability is

small, say 5 percent or less, H_0 will be rejected in favor of H_1 (rival hypothesis). This is accomplished with Student's Independent Samples t-tests.

The common alpha level set for statistical significance for such tests is usually .05 (Babbie, 1983: 417-426). According to Lurigio, Dantzker, Seng and Sinacore (1997: 124), "in hypothesis testing, you must select a chance probability for rejecting H_0 . Although a number of such probabilities can and should be chosen, most statisticians select 5 percent (Cohen, 1990). This is called the *level of significance*." If the resulting significance level is small enough (in this case .05 or less), the hypothesis that the means of the two populations samples are equal is rejected – which means that the null hypothesis being tested will be rejected (Norusis, 1988).

Tests of significance are conducted as either one- or two-tailed tests. A one-tailed test uses a cutoff score that is located in either the upper or the lower tail of the t distribution. Two-tailed tests use cutoff scores that are located in both the upper tail and the lower tail. The basic difference between a one-tailed and a two-tailed test is illustrated by this example. Assume that you conduct a one-tailed t-test in which you expect that group A performs better than group B. Given that you are conducting a one-tailed test, you can reject H_0 only if group A performs significantly better than group B. However, if you conduct a two-tailed test, you can reject H_0 if group A performs significantly better than group B or if group B performs significantly better than group A. Given the above, Lurigio, et al. (1997:222) advised:

"We recommend two-tailed tests of significance even if there is a strong expectation about the results. A one-tailed test should be conducted only in rare situations in which results are expected to be in one direction and the investigator does not want to or is not ethically bound to report results opposite the expectation."

According to Norusis (1993: 256), “a two-tailed test is used to detect a difference in means between two populations regardless of the direction of the difference.” Against the background of the foregoing, all the t-test procedures here involve two-tailed tests.

According to Norusis (1993), “the minimum specifications are:

- One or more numeric test variables.
- One numeric or short string grouping variable.
- Group values for the grouping variable.”

The tests in this study meet the above specifications. A four-option response was provided to the officers and a four-point scale was used to code the responses of the officers to the offense scenarios (See Appendices A and B for copies of the questionnaire and coding guide respectively). The responses were ranked in order of severity starting with the most lenient treatment (take no action) to the most severe treatment (arrest). The responses consisted of: 1 = take no action; 2 = question and release; 3 = issue misdemeanor citation; and 4 = arrest. The maximum mean police response is therefore 4.00, indicating “arrest.” The minimum mean is 1.00 indicating “take no action.” From the minimum mean of 1.00 (i.e., take no action), the higher the mean, the more severe the police response, until the most severe police response which is arrest (4.00).

Given the above, to test the four specific null hypotheses, a series of independent sample t-tests were conducted. Null hypothesis one (H0 1) states that there is no relationship between the arrest decisions of police officers and gender of suspects in low-level offenses. Police arrest decisions on male suspects were compared to their decisions on female suspects. The effect of race was controlled by also comparing white males to white females and black males to black females. Suspect demeanor was

held constant in each of the four offense scenarios as a result of the manner in which the scenarios were depicted in the questionnaires. Table 8 shows the results of gender differences in police arrest decisions (See also Table 16, Appendix D for a detailed SPSS Group Statistics printout).

Table 8: Gender differences in police arrest decisions controlling for type of offense, and suspect race and demeanor

	<u>Whites</u>			<u>Blacks</u>			<u>All</u>	<u>All</u>	
	Males	Females	t.	Males	Females	t.	Males	Females	t.
<u>Drunkenness</u>									
x response	3.79	3.13	-3.17*	3.64	3.11	-2.30*	3.71	3.12	-3.79*
<u>Shoplifting</u>									
x response	3.91	3.81	.61	3.51	3.87	-1.98*	3.71	3.84	-1.06
<u>Assault</u>									
x response	3.65	4.00	-2.04*	3.91	3.81	.61	3.78	3.90	-1.03
<u>Traffic</u>									
x response	2.88	2.93	.55	2.64	2.65	.07	2.76	2.80	.33

* = p less than .05

As indicated in Table 8, in the public drunkenness scenario, males (mean treatment = 3.71), when compared to females (mean treatment = 3.12), are treated slightly more harshly by police. The same result holds when race is introduced as a control variable and white males (mean treatment = 3.79) are compared to white females (mean treatment = 3.13); and black males (mean treatment = 3.64) are compared to black females (mean treatment = 3.11). A look at SPSS “Group Statistics” – Table 16 (Appendix D) indicates that the standard deviations (that is, variability within groups), are .7055 for males and 1.0157 for females (.5593 and .9732 for white males and white females respectively; .8121 and 1.0664 for black males and black females respectively). This suggests that there is less variability in police treatment of males than females with or without race as a control variable. Police officers use their discretion less for both white and black males when compared to their opposite sex. A relevant question here is whether these differences in treatment between (not within) the groups are significant or obtained by chance? Table 8 shows that the *t* values for males, when compared to females, is -3.79; white males when compared to white females = -3.17; and -2.30 for black males compared to black females. All three *t* values are statistically significant (*p* = less than .05). All three *t* values are equal or greater than +/- 1.96, which is necessary for the *p* value to reach statistical significance at 95% confidence interval. This means in effect that the police respondents treated males slightly more harshly when compared to females irrespective of race. There is therefore support for null hypothesis one (H0 1) to be rejected for the public drunkenness offense.

In the shoplifting scenario, white males are treated a little bit harsher than white females. However, the level of treatment here is slightly more severe (as indicated by higher mean) than in the public drunkenness scenario considered above. This difference in treatment is however not statistically significant. Table 8 also indicates that black males are treated slightly more leniently than black females and as indicated in Table 8, this difference in treatment is significant at .05 level. When all males are compared to all females, the males are treated slightly more leniently than females. However, the difference in treatment is trivial and not statistically significant. H_0 1 is therefore not rejected in the shoplifting offense because the difference in treatment between all males and all females is not statistically significant.

In the assault scenario, white males are treated less leniently than white females, all of whom received the most severe treatment (arrest), as indicated by the most severe mean score for white females – 4.000 (no variability within group treatment). This difference in treatment is statistically significant at .05. Black males are treated slightly harsher than black females but the difference is trivial. When all males are compared to all females in the assault offense scenario under discussion, all males are treated slightly more leniently than all females but the difference in treatment is trivial. H_0 1 is therefore not rejected in the assault scenario.

In the traffic offense scenario, the males are consistently treated more leniently with or without race as a control variable. However, none of these differences in police processing at arrest was significant at .05 significance level. H_0 1 is therefore not rejected in the traffic offense scenario.

To summarize, the gender differences in the analyses of police arrest decisions, results indicate that except in public drunkenness scenario, the gender of the suspect is not directly related to police processing of suspects.

Impact of gender of the officer

The second null hypothesis (Ho 2), is concerned with the relationship between police arrest decisions and the gender of the officer. In this analysis, all four offenses were first computed into one offense. A comparison was then performed between the mean arrest scores of male officers and those of female officers. As discussed earlier, the maximum mean response to each offense is 4.00. Since the four offenses have been added or computed together, the maximum mean score is now 16.00. The closer the mean score is to 16.00, the more severe the response of officers to the suspects. As Table 9 indicates, the mean arrest score of male officers is 13.8868 while that of female officers is 13.8000. The table also indicates that the standard deviation of male officers is 2.0299 while that of female officers is 1.6125. This suggests that there is more variability in the arrest decisions of male officers when compared to female officers. Male officers therefore appear to use more discretion than female officers. The t value for the comparison is .158 while the significance value at the 95% confidence interval is .874, a figure which is clearly more than .05. There is therefore no support for rejecting Ho 2. The implication from this analysis is that the gender of the police officer is not directly connected with police arrest decisions.

Table 9: Independent sample t-test comparing arrest decisions of male and female officers across all four offenses.

Sex	N	Mean	Std. dev.	t	d.f	p.
Male	108	13.8868	2.0299			
				.158	119	.874
Female	15	13.8000	1.6125			

Race differences in police arrest decisions

Impact of race of the suspect

The third null hypothesis (H0 3) is concerned with the relationship between police arrest decisions and the race of the suspects. To test this hypothesis, a series of independent t tests comparing police arrest decisions on white and black suspects was conducted for each of the four offenses. Police decisions for all whites were compared to their decisions for all blacks for each of the four offenses. To control for the effect of gender, white males were compared with black males and white females with black females. Suspect demeanor was held constant in each offense as a result of the manner in which the scenario was presented in the questionnaire. The findings are summarized in Table 10.

As indicated, there are some differences in police treatment of white suspects when compared to black suspects in the public drunkenness scenario - both with and without gender as a control variable. When all whites are compared to all blacks, in the public drunkenness scenario, Table 10 indicates that whites are treated more harshly. Table 17 (Appendix D) shows that the standard deviation for whites is .8575 while that of blacks is .9776. These two figures indicate variability within groups and suggests that officers use more discretion in processing white suspects than black suspects. However, all these differences are trivial since none of them is significant at .05 significance level. There is therefore little support in rejecting H0 3 for public drunkenness both with and without gender as a control variable.

In the shoplifting scenario, white suspects were treated slightly more harshly when compared with black suspects. However, when gender is introduced as a control

variable, two contrary trends are observed. While police response to white females is less severe than the response to black females (3.81 vs. 3.87), the response to white males is more severe than the response to black males (3.91 vs. 3.51). However, only the difference in police response between white and black males is statistically significant at the .05 significance level. The other differences are not statistically significant. H0 3 is therefore not rejected in the shoplifting scenario.

In the assault scenario, white suspects were treated slightly more leniently when compared with black suspects (3.82 vs. 3.86). However, when gender is introduced as a control variable, again as in the shoplifting scenario, two contrary trends are observed. While police response to white females is more severe than the response to black females (4.00 vs. 3.81), the response to white males is less severe than the response to black males (3.65 vs. 3.91). However, these differences in treatment are trivial and none is statistically significant at the .05 significance level. H0 3 is therefore not rejected in the assault scenario.

In the traffic scenario, whites consistently received more severe dispositions than blacks both with and without gender as a control variable. The differences in treatment are statistically significant except in the treatment between white and black male suspects. H0 3 is therefore rejected for the traffic offense variable.

Summarizing the findings on race differences in police arrest decisions, Table 10 indicates that except as found in traffic offenses, race of the suspect is not a relevant variable. Overall therefore, race of the suspect is not directly related to police arrest decisions.

Table 10: Race differences in police arrest decisions controlling for type of offense and suspect gender and demeanor

	<u>Males</u>			<u>Females</u>			<u>All</u>	<u>All</u>	
	<u>White</u>	<u>Black</u>	<u>t.</u>	<u>White</u>	<u>Black</u>	<u>t.</u>	<u>Whites</u>	<u>Black</u>	<u>t.</u>
<u>Drunkenness</u>									
x response	3.79	3.64	-.81	3.13	3.11	-.06	3.45	3.38	-.45
<u>Shoplifting</u>									
x response	3.91	3.51	2.27*	3.81	3.87	-.33	3.86	3.68	1.5
<u>Assault</u>									
x response	3.65	3.91	1.38	4.00	3.81	-1.39	3.82	3.86	.35
<u>Traffic</u>									
x response	2.88	2.64	1.75	2.93	2.65	2.33*	2.91	2.65	2.88*

* = p. less than .05

Impact of race of the officer

The fourth null hypothesis (H0 4) is similar to the second null hypothesis discussed above except that H0 4 deals with officer race (H0 2 deals with officer gender). As in H0 2, all four offenses were first computed into a single offense and t-tests comparing the mean arrest scores of white officers with black officers were executed. As discussed earlier, the maximum mean response to each offense is 4.00. Since the four offenses have been added or computed together, the maximum mean score is now 16.00. The closer the mean score is to 16.00, the more severe the response of officers to the suspects. The results are shown in Table 11. As indicated in that table, the mean arrest score of white officers is 14.2022 (with a standard deviation of 1.4157), while that of black officers is 12.6154 (std. dev. = 2.1031). This suggests that compared to black officers, white officers are likely to make more arrests but process suspects with less discretion. Table 11 also indicates that the difference between the mean arrest scores of white and black officers is statistically significant at .05 level. H0 4 is therefore rejected in this comparison between the differences in arrest treatment by white and black police officers.

Three other analyses involving the impact of race of the officer in police arrest decisions were also performed. Table 12 shows t-test comparisons between the mean arrest scores of white and Hispanic officers; Table 13 exhibits the comparison between black and Hispanic officers, while Table 14 shows the comparison between white officers and the other minority officers (blacks, Hispanics and others) combined. There are some differences in the disposition of the groups but in respect to the first-two comparisons mentioned above, the differences are trivial. There is therefore little

support in rejecting H0 4 in these comparisons – that is differences between white and Hispanic officers and black and Hispanic officers. As briefly mentioned above, Table 14 shows the results of an independent sample t-test between the arrest disposition of white officers and other races (blacks, Hispanics and others – hereinafter called “minority officers”). As indicated in that table, the mean arrest score of white officers is 14.2022 while that of minority officers is 12.9688. The standard deviation (variability within group) of white officers is 1.4157 while that of minority officers is 2.8791. This suggests that white officers use lesser discretion in processing suspects at arrest than minority officers. Table 14 also indicates that the comparison between the mean scores of white officers and minority officers is statistically significant at .05 level of significance. There is therefore support for H0 4 to be rejected for this comparison (that is, between white and minority officers).

Summarizing, the implication from the last four analyses described above is that there are mixed findings as to the impact of the race of the officer in police arrest decisions. White officers are likely to arrest more than African American officers and minority officers, and this difference is statistically significant. However, when distinct racial minority groups are introduced as a control variable, results indicate that race of the officer is not a relevant variable in police arrest decisions. Based on the main comparison between white and black officers above, there seems to be available evidence to support the rejection of H0 4. Thus, white officers are likely to effect more arrests than black officers and minority officers.

Table 11: Independent sample t-test comparing arrest decisions of black and white officers across all four offenses.

Race	N	Mean	Std. dev.	t	d.f	p.
White	89	14.2022	1.4157			
				3.528	100	.001
Black	13	12.6154	2.1031			

Table 12: Independent sample t-test comparing arrest decisions of white and Hispanic officers across all four offenses.

Race	N	Mean	Std. dev.	t	d.f	p.
White	89	14.2022	1.4157			
				1.242	97	.217
Hispanic	10	13.5000	3.3747			

Table 13: Independent sample t-test comparing arrest decisions of black and Hispanic officers across all four offenses.

<u>Race</u>	<u>N</u>	<u>Mean</u>	<u>Std. dev.</u>	<u>t</u>	<u>d.f</u>	<u>p.</u>
Black	13	12.6154	2.1031			
				-.773	21	.448
Hispanic	10	13.5000	3.3747			

Table 14: Independent sample t-test comparing arrest decisions of white and minority officers across all four offenses.

Race	N	Mean	Std. dev.	t	d.f	p.
White	89	14.2022	1.4157			
				3.136	119	.002
Minority*	32	12.9688	2.8791			

* Minority = African American, Hispanic and Other racial group officers.

Summary of findings

On the basis of this research, there is some justification to suggest that the major variables in determining how police officers will respond are the nature of the offense and the manner in which the offender behaves when confronted by the officer. Gender of the suspect is overall not directly related to police arrest decisions. In effect therefore, neither the chivalry nor the labeling perspectives as summarized earlier above was supported by the results of this study. Gender of the officer is not directly related to police arrest decisions. Race of the suspect is overall not directly related to reported police arrest decisions. Race of the officer appears a relevant variable that interacts with other variables in police arrest decisions. Lastly, results of this research indicate that police officers have a high degree of confidence in the arrest decisions they make.

CHAPTER FIVE

DISCUSSION AND CONCLUSIONS

As reported earlier, a “preliminary finding” of this study is that when the offense is “serious” and the suspect demeanor is negative, police officers are more likely to arrest than when the offense is relatively less serious and the suspect demeanor is positive. There seems to be unanimity on the impact of the seriousness of the offense on police arrest decisions. Perhaps offense seriousness may be the most important and reoccurring variable on police arrest decisions (Sherman, 1980; Riksheim & Chermak, 1993). The first part of this finding (the impact of seriousness of the offense), was therefore not only expected but also consistent with the literature on police arrest decisions. However, research findings on the effects of certain individual characteristics of the suspect are either almost evenly divided or unresolved. Nevertheless, among individual characteristics, there is much controversy on such variables such as race and gender. On the other hand, the impact of suspect demeanor, even though it is an individual characteristic, has received relatively more support than race and gender. Moyer (1981, 1982); Stone (1985); Visher (1983); Corley et al. (1989); Riksheim & Chermak (1993); and Sloan (1991) are just a few of the many studies that report similar finding as to the relevance of demeanor of the suspect on police arrest decisions. The second part of my finding is therefore also consistent with a majority of the literature.

The major variables in determining how police officers will respond are the nature of the offense and the manner in which the offender behaves when confronted by the officer. It is generalized that the combined effects of these two variables (that is, type of

offense and suspect demeanor) influenced the respondents to decide to arrest 95% of all the suspects in the assault scenario. As stated earlier, all the suspects in the assault scenario exhibited a hostile or negative demeanor. As to the nature of the offense, it is submitted that assault involving bodily harm or injury is more serious and is, in fact, punished more severely by most criminal statutes than drunkenness, shoplifting, and traffic offenses. The effect of demeanor is, however, significantly more important for some kinds of crimes than for others. This explains why drunkenness, in which all the suspects displayed a hostile demeanor, were not all arrested but still had a higher arrest percentage than traffic offense in which the suspects displayed a cooperative demeanor. This suggests that for more serious crimes, suspect demeanor is not very influential. This position is supported by all prior research reviewed for this study (see Sherman, 1980; Riksheim and Chermak, 1993).

The results of the analyses conducted in this study on gender differences on police arrest decisions indicate that except in the drunkenness offense, there is no statistically significant differences between police treatment of males and their treatment of females in the rest of the three offenses considered – see Table 8. This notwithstanding, there are still some substantive (though statistically not significant) gender differences in police decisions worth discussing. Contrary to expectations, females consistently received harsher dispositions than males in shoplifting, assault, and traffic offense scenarios. This trend is not consistent with the direction of the findings reported by the majority of studies that found gender differences in police treatment at arrest. These studies generally support the chivalry perspective as discussed above under “statement

of the problem.” Even though this comparison is not statistically significant, how could this trend be explained?

It has been argued that agencies actively “sexualize” offenses by reclassifying specific violations as sex-role or sexual violations (Chesney-Lind, 1973). The tendency is to punish female behavior more severely when it falls within these categories. The offenses involved here are shoplifting, assault and traffic offenses and none is an offense of a sexual nature. Can Chesney-Lind’s argument be extended to cover these offenses? Families, and indeed society as a whole, have historically found reasons to generally punish women more severely when sexual violations are involved. Unless a high leap can be made and justified, it is difficult to rationalize the need for extending Chesney-Lind’s argument to cover the offenses under discussion here.

On the other hand, labeling theorists suggest that women are likely to be dealt with in a more severe manner than their male counterparts. Labeling theorists suggest that individuals with lower status and less power are more likely to have their criminality detected, labeled, and sanctioned because these individuals do not have resources to manipulate the system to their benefit (Corley et al., 1989; Curran, 1983). This “finding” of harsher treatment of females than males is therefore consistent with studies that support the labeling perspective (Chesney-Lind, 1973; 1977; Curran, 1983). However, as mentioned above, the finding of a harsher treatment of females than males for the three offenses mentioned above is not statistically significant and therefore not a firm finding of this study. This position is supported by at least one study which failed to find a statistical significance. Visher (1983:22), reported that “the overall arrest

percentages for males and females (20% versus 16%) are not significantly different and chivalrous treatment of female suspects is not apparent.”

Gender analyses in this study also indicate that when race is introduced as a control variable – white males compared to white females and black males compared to black females – the consistent pattern of harsher treatment of females reported above did not hold. For example, overall, black females received harsher treatment than black males and as seen in Table 8, the differences in treatment in the shoplifting scenario is significant. This finding of harsher treatment of black females over black males is unsupported by a majority of the literature, which suggests significantly more lenient police treatment of female over male suspects (Pollark, 1950; Haskell & Yablonsky, 1973; DeFleur, 1975; Price, 1977; Pastor, 1978; Sealock and Simpson, 1998).

However, some studies have suggested that black women do not receive the preferential treatment that their white counterparts get (see Black, 1980; Smith & Visser, 1980; Datesman and Scarpitti, 1980; Roberts, 2000). According to these studies, black women are more independent than many white women because they frequently occupy the role of head of households, and females in black households usually have equal or greater status than males members. Gender expectations for black males and females are less differentiated than for white males and females, with females in black households usually having equal or greater status than male members. Therefore, black females may be less inclined than white females to display traditional gender behaviors in their encounters with police thereby losing the preferential treatment enjoyed by their white counterparts. If this is so, the implication is that in the criminal justice system, black females may not receive preferential treatment and may in fact sometimes be treated

more harshly than their male counterparts. This position is supported by one study of court decisions, which found that black females, relative to white females, were given more severe dispositions than black males relative to white males (Datesman and Scarpitti, 1980).

Finding that the gender of the officer does not influence police arrest decision is consistent with recent (post-1980) research on the issue. Research in the 1980s on the effects of officer gender has clarified previous (prior to 1980) research cited by Sherman (1980). Summarizing pre-1980 position, Sherman (1980: 73-74) reported mixed findings, citing four studies that found female officers made fewer arrests than male officers and one study that reported no difference (see Block and Anderson, 1974; Sherman, 1975; Sichel et al., 1977; Forst, Lucianovic, and Cox, 1977). However, research from the 1980s indicate that officer gender had no effect on arrest behavior (Worden, 1989: 701). It is noted here that patterns of arrest identical to those reported prior to 1980 studies were actually found but the difference in the arrest decisions of the officers are not statistically significant. As reported earlier, the pattern found by this study is that male officers use more variability in their disposition options and are likely to make more arrests than female officers. However, the differences here are trivial. In an attempt to reconcile the conflict between prior and post-1980 research on this issue, it is important to point out here that this study did not control for type of offense, race, or demeanor of the suspects in this particular analysis (impact of gender of the officer in police arrest decisions). Furthermore, this study had a small number of female officers ($N = 15 = 12.9\%$). Did this small number of female officers affect the results of the present analysis under discussion? The gender composition of the police

department studied follows the national pattern of gender composition of most local police departments with 100 or more sworn officers (U.S. Department of Justice, 2000: 53). Therefore, most other police departments will invariably produce same small representative sample of female officers. Again, due to differences in agency policies, it was not advisable to combine officers from different departments. Only the mean arrest scores of the officers and not their number or the number of arrests they made were compared. It is therefore submitted that this difference in the number of female officers may not have affected the results of this analysis.

The finding of this study on gender differences in police arrest decisions shows that overall, the gender of either the suspect or the police officer, is not directly related to police arrest decisions in the offenses considered. As stated by Sloan (1991: 119),

“Indeed, gender may not be a significant factor in police arrest decisions but instead, arrest decisions are based on other factors such as the seriousness of the offense or the demeanor of the suspect.”

Visher (1983), Moyer (1981, 1982), and Stone (1985), all report that gender in and of itself is not a significant predictor of arrest decisions. The results of this study may point to a basic agreement with the findings of these other more seasoned researchers mentioned above although different methodologies have been used.

Results of race differences in police arrest decisions reported in this study indicate that except in the traffic scenario, there is no statistically significant difference between police treatment of white suspects from that of blacks in the rest of the three offenses considered. It seems therefore, that except as reported in the traffic scenario, race is not directly related to police arrest decisions. However, in the traffic scenario, contrary to expectations and to reports of earlier research (Friedrich, 1977; Powell, 1990), whites are treated more harshly than blacks. This is a surprising result.

The analyses on racial differences conducted in this study shows that when gender is introduced as a control variable, the above results hold except in one interesting instance. In the shoplifting scenario, white males were significantly treated more harshly than black males. This is another surprising result and runs against the results reported previously. Powell (1990) for example, found that “race of [the] offender is a variable that strongly influences their [polices’] decision making process” (p. 15). He reported that whites are treated more leniently than blacks. Friedrich (1977) concluded in his study that racial prejudice leads to higher arrest and ticketing rates for blacks and has a complex impact on the policeman’s manner toward blacks.

Given this, how does one explain the main finding of a lack of significance of race in police arrest decisions? It is necessary to point out that some of the respondents reported in the comment section of the questionnaire that they have clear, aggressive and continuing race relations programs in the department. The details of those programs were not made available to this researcher. However, it appears reasonable to speculate that it is possible that these programs might have contributed to this positive finding as to a lack of effect of race of the suspect on a police arrest decision. It is also possible that these programs have nothing to do with this positive finding and that race is simply not a factor in police arrest decisions, at least, in the jurisdiction studied.

The finding that white officers are likely to arrest more suspects than black officers and minority officers (black, Hispanic and other racial groups combined) is supported by prior-1980 literature. Summarizing the pre-1980 position, Sherman (1980: 74-75, 76) cited research suggesting that an officer’s race and attitudes influence police arrest behavior. According to him, “Theorists of many persuasions have argued that

black police officers behave differently from white officers.” (p. 74). black officers are more aggressive and make more arrests than white officers (Friedrich, 1977; Sherman, 1980). However, research from the 1980s contradicted the above findings. Analysis of the PSS data indicated that race of officer had no effect on police arrest behavior (Worden, 1989: 701) and remained non-significant across department types, that is, legalistic, service, militaristic, or fraternal (Smith and Klein, 1983: 87-89).

Again, as in the effect of the impact of officer gender as discussed above, it is pointed out that this study had a small non-white number of police officers and did not control for type of offense, gender, or demeanor of the suspect in this particular analysis. However, based on the reasons adduced earlier above, the same conclusion was reached (that is, the small number of black and other minority officers most probably did not affect the results).

Cautionary remarks

A few cautionary remarks on factors that may have affected the results of this study are warranted. The issue as to whether what respondents indicated they would do in hypothetical crime episodes and whether it corresponds to how they would actually behave in the course of their daily routine duties is crucial to the validity of this study and also to most studies with similar research designs. Against this background, every possible effort was made to obtain unbiased responses and this researcher believes that the responses are unbiased. Due to the importance attached to this issue, it is considered that a little detail is necessary.

Vignettes were selected as a valid method for obtaining original empirical data to determine how police respond, or at least say they will respond to a variety of people and situations. The use of hypothetical cases permits the systematic manipulation of the relevant variables. As stated by the authors of one study,

"...such a stimulus would more closely approximate a real-life decision-making or judgment-making situation. Furthermore, by holding the stimulus constant over a heterogeneous respondent population, the survey researcher gains a degree of uniformity and control over the stimulus situation ... [T]he vignette technique makes possible an analysis of the effects on people's judgments while systematically varying the characteristics used on the situation description"

(Alexander & Becker, 1978: 93). It should be pointed out here however that vignettes may sometimes be inflexible and respondents may sometimes be biased, or at times lie outright. Another major problem with vignettes is that responses may differ from how officers will respond when actually faced with similar situations in real life.

Each of the questionnaires used in this study was prefaced with a letter thanking the officers for participating. Included in that letter of consent were assurances that responses would remain strictly and absolutely confidential. Further, the directions requested that any officer who had any concerns about this research was free to contact the dissertation chair whose name, address, telephone number, and e-mail address were listed therein. The consent letter (see Appendix A) was signed by both the dissertation chair and this researcher and was subsequently approved by the University Committee on Research Involving Human Subject (UCRIHS). The measures outlined above were, among other things, intended to create an atmosphere conducive for the officers not only to volunteer information, but also to give honest and unbiased responses.

The Chief of the department where the data for this study were collected gave his approval to officially cooperate with this researcher. The chief was told in writing that:

(1) the department would not be identified by name in the study; (2) participation by all officers was strictly voluntary; (3) responses by the officers would be kept anonymous; and (4) the University Committee for Research Involving Human Subjects (UCRIHS) would approve my questionnaire before data was actually collected. The chief gave his approval subject to these conditions as itemized above. It is necessary to add here that this researcher fulfilled both the “letter and spirit” of the above conditions.

The questionnaires were constructed to minimize attempts to adjust responses artificially on the basis of race, gender, demeanor, type of offense and seriousness of offense. However while officers certainly perceived variation by race and gender across the episodes, demeanor and type of crime were also varied. Thus, it may be difficult to equalize deliberately the severity of responses based on race, gender and demeanor of the suspect.

Only full-time sworn field and patrol officers (about 230) were targeted for this study. Administrative staff were excluded because they rarely carry out any meaningful number of arrests and do not come into frequent contact with the citizens. In addition, civilian employees were also excluded for obvious reasons.

As mentioned earlier (see the section on methodology), the data used in this study were limited to police practices in a relatively large police department in a Midwestern state. While findings technically indicate police practices in the department sampled, they are suggestive in respect to other police departments and should not be considered definitive of the general behavior of all police officers.

Again, while the total number of scenarios responded to by the police respondents was approximately 528 (132 officers multiplied by the number of

scenarios in each questionnaire, minus missing data), the number of “cases” in each cell was much smaller (528 divided by 16 = 33). In addition, the percentage of female respondents (12.9%), as well that of “minority officers” (blacks = 10.9%; Hispanics = 9.3%; others = 7.0%) were small and this might have affected some of the statistical analyses. However, there is not much one can do here since this mirrors the composition of most police departments nationwide. Furthermore, t-tests are appropriate and in fact actually designed for analyses with such a number of cases. This notwithstanding, this study may be better described in generic terms, that is, “police” rather than in terms of race/gender of police officers.

A few of the officers, especially women and racial minorities, were concerned about the confidentiality of the specific biographic data requested. A couple of officers for example noted that they were the only one in their race, gender, or role assignment group and felt concerned about the anonymity of their responses. They were reassured on the absolute confidentiality with which all research subjects and materials are treated by both this researcher and Michigan State University.

The generalizability of this study may also be affected by the fact that the extent to which the attitudes and characteristics of officers in the same department who did not participate are different from those who did is not known (that is, there may be a self-selection problem). However, this may not be a serious impediment since not more than about 20% of the eligible officers did not participate in the study.

The above cautions notwithstanding, on the basis of this research, there is some justification for believing that: The major variables in determining how police officers will respond are the nature of the offense and the manner in which the offender behaves when confronted by the officer. Gender of the suspect is overall not directly related to police arrest decisions as neither the chivalry nor the labeling perspective was supported. Gender of the officer is not related to police arrest decisions. Race of the suspect is overall not directly related to police arrest decisions. Race of the officer appears a relevant variable that interacts with other variables in police arrest decisions. Lastly, this analysis indicates that police officers have a high degree of confidence in the arrest decisions they make.

Implications for official arrest statistics

Do these findings have any implications for official indicators of male/female criminality? It has been suggested that the levels of criminality included in official arrest statistics, such as the Uniform Crime Reports (U.C.R) under-represent the involvement of female criminal activity. This conclusion was reached based on the finding that females receive preferential treatment by police during arrest (Visher, 1983). Such an implication is not supported by the findings of this study. If any differences exist in officially recorded levels of male/female crime levels, such differences may not be significant.

Policy implications

The demographic characteristics of the respondents clearly shows that certain groups – women and non-whites in particular, appear to be underrepresented in the police department studied. As mentioned earlier, this is also the pattern of gender and race composition of most police departments across the nation (U.S. Department of Justice, 2000). The policy implication is for some changes to be made in the recruitment policy of police departments. Such changes will provide for a system whereby more qualified women and non-whites are given opportunities to serve in our police forces. The present official position of President Bush on affirmative action may not help matters here.

The trivial relationship between the variables studied and police arrest decisions was linked partly to aggressive educational programs in the department studied. If this is correct, similar programs are highly recommended for other police jurisdictions. This study did not however investigate the nature and extent of these programs.

Apart from re-focusing attention on the issues of gender and race disparities at arrest, and the utility of policy implications offered above, this study is also useful and significant in other respects. For example, findings suggest that gender disparity at arrest may have existed in earlier times but is no longer with us any more (Sherman, 1980). If this is correct, it implies that meaningful research efforts should be diverted to other neglected areas.

Further, the argument is presented that unlike the procedure adopted by almost all prior research, relatively smaller cities, not big cities, offer more logical sites for

studying gender differences at arrest. Another unique and special aspect of this study worthy of mention is that it offers an insight into the degree of levels of confidence officers have in their arrest decisions. This study found a high degree of confidence in officer arrest decisions. This implies that these patterns of responses are likely to be repeated by the officers. Departmental policies and training materials can then be based or guided by the patterns of police arrest decisions as reported by this study.

Directions for future research

For the future, findings as to the effect of officer race on arrest decisions, which are clearly inconsistent with post-1980 research merits further investigation. As mentioned before, this study did not control for type of offense, race, and suspect demeanor in analyzing the effect of officer race on arrest decisions. It is suggested that other research techniques (e.g., field observation) be incorporated into future studies to strengthen research validity. Furthermore, following the procedure adopted by this study, it is recommended that in future research it be considered to incorporate Hispanic officers in the analyses. While a few studies have done this, such considerations were merely peripheral and incidental. The percentage of Hispanic officers are continuously growing (U.S. Department of Justice, 2000). They constitute a 9.3 percentage of respondents in this study while black officers represent 10.9 percent of the respondents.

Race and gender-based differences at arrest are behavioral attitudes that are capable of changing with time, place, departmental policy and even the prevailing

civil rights environment. It is possible that patterns of arrest reported in this study are limited to the period and department sampled. If this is so, future studies utilizing appropriate sampling techniques and involving many police jurisdictions, and conducted over a period of time, may offer additional insights into the issue.

Finally, both theoretically and empirically, social psychologists have reported for years that there is at least a moderate relationship between people's attitudes and their behavior (see Sloan, 1991). Against the background of the foregoing, if criminologists are to gain a clearer understanding of the nature and extent of female crime and how the criminal justice system responds to it, efforts must be made to examine not only the statistics on female crime but also how the attitudes of criminal justice personnel affect their behavior. Only then can a more complete picture of the criminal justice system's response to female crime begin to emerge (see Sloan, 1991).

APPENDICES

APPENDIX A

THE QUESTIONNAIRE (Type 1)

Please read each of the following incidents carefully and circle only the answer that comes closest to how you would respond, given the information provided.

Case # 1:

While on routine patrol duty one day, you observe two African American women arguing loudly at a shopping center parking lot. As you approach, you realize that the two women are certainly drunk and arguing over a bottle of brandy. When you attempt to question them, they become hostile and tell you to mind your own business. Then they begin to curse you for not being out catching the real criminals.

(a). Given the above incident, which one of the following comes closest to how you would respond?

1. Take no action
2. Question the suspects and let them go.
3. Issue a misdemeanor summons or citation.
4. Arrest them.

(b). How confident are you that you would take the action you indicated in (a) above?

1. Very confident.
2. Confident.
3. Not sure
4. Not confident
5. Not at all confident.

Case # 2:

At a local discount department store, you notice a Caucasian man trying on a new pair of shoes and then walking into another section of the store wearing the new shoes. You next observe him dropping a radio into his shopping bag. As he walks toward the front of the store, he puts two candy bars in his pocket. He then looks at his watch and walks out of the door without paying for the new shoes, the radio or the candy bars. When you stop him, he becomes very embarrassed, apologizes, and starts crying.

(a). Given the above incident, which one of the following comes closest to how you would respond?

1. Take no action
2. Question the suspect and let her go.
3. Issue a misdemeanor summons or citation.
4. Arrest her.

(b). How confident are you that you would take the action you indicated in (a) above?

1. Very confident.
2. Confident
3. Not sure
4. Not confident
5. Not at all confident

Case #3:

At 1: 00 a.m., police receive a report of a loud and heated argument in an apartment complex. When you arrive, an African American man comes to the door and asks you to leave. He is very angry and states that slightly hitting his cousin with a stick is a private family dispute. The man is uncooperative and refuses to answer questions, while his cousin lies on the floor. A check at the hospital finds his cousin to be in satisfactory condition.

(a). Given the above incident, which one of the following comes closest to how you would respond?

1. Take no action.
2. Question the suspect and her go.
3. Issue a misdemeanor summons or citation.
4. Arrest her.

(b). How confident are you that you would take the action you indicated in (a) above?

1. Very confident.
2. Confident
3. Not sure
4. Not confident
5. Not at all confident

Case #4:

During routine patrol duty, you observe a Caucasian woman in a 2003 model Lexus 300 series driving 50 M.P.H. along a street with a posted limit of 35 M.P.H. The car screeches to a halt at a red light and then two blocks later goes through a yellow light coming very close to a car making a right turn. At this point, you stop the driver. The woman is very polite and states she just purchased the car and was trying it out. A routine check reveals only one previous violation for speeding.

(a). Given the above incident, which one of the following comes closest to how you would respond?

1. Take no action
2. Question the suspect and let him go.
3. Issue a misdemeanor summons or citation.
4. Arrest him.

(b). How confident are you that you would take the action you indicated in (a) above?

1. Very confident.
2. Confident
3. Not sure
4. Not confident
5. Not at all confident

Please supply some background information about yourself by circling the appropriate response or filing in the blank.

6. Sex:

- 1. Male
- 2. Female

7. Race:

- 1. White
- 2. Black
- 3. Hispanic
- 3. Other (please specify): _____.

8. Age:

Year of birth: 19.....

9. Marital status:

- 1. Married
- 2. Single, never married
- 3. Separated
- 4. Divorced
- 5. Widowed

10. Present rank:

- 1. Recruit
- 2. Patrol officer
- 3. Master police officer
- 4. Sergeant
- 5. Above sergeant
- 6. Other: specify

11. Length of time in police work as a sworn officer

Specify: _____ year(s).

12. Highest grade completed at school:

- 1.High school graduate
- 2.Two year degree
- 3.Four year degree
- 4.Graduate degree

13. How do you perceive your promotional potential in the police department?

- 1.Very good
- 2.Average
- 3.Below average

14. About how many traffic citations do you usually write in a **one-month** period?

1. 0 - 9
- 2.10 – 20
- 3.21 – 30
- 4.31 – 40
- 5.41 – 50

15. About how many non-traffic misdemeanor arrests do you usually make in a **one-month** period?

- 1.0 – 9
- 2.10 – 20
- 3.21 – 30
- 4.31 – 40
- 5.41 - 50

16. What is your present role assignment in the department?

Briefly describe:

Comments: Please feel free to add any comments you like. Thank you for your assistance.

CONSENT FORM

**Prospective Participants
Police Midwest Survey
The United States of America**

Dear Participating Officer:

Having obtained the necessary approvals to distribute this confidential questionnaire, we hereby invite you to participate in this research if you so desire.

Please do not write your name or provide any information that may identify you. Your individual responses will be reported in aggregate form only. All information you provide will remain in possession of the researchers and will be held in the strictest confidence. Your privacy will be protected to the maximum extent allowable by law.

The attached questionnaire contains four series of scenarios that an officer may encounter while on duty. Please read each scenario carefully and circle the response that best describes your response to the proposed scenario. If a protocol that describes your potential action is not included, please feel free to write in your own. The estimated time required to complete this survey is five minutes.

The individual researchers and Michigan State University want to ensure that all research participants are treated fairly and their rights protected. If you have any questions regarding this particular study, please feel free to contact the supervising research investigator Dr. Charles J. Corley, at 522 Baker Hall, East Lansing, MI 48824. You may also reach Dr. Corley via telephone at (517) 353-5225 or by e-mail at: corley@msu.edu. Furthermore, if you have any questions or concerns regarding your rights as a study participant, you may contact Ashir Kumar, M.D., Chair of the University Committee on Research Involving Human Subjects (UCRIHS) by phone: (517) 355-2180, fax: (517) 432-4503, email: ucrihs@msu.edu or regular mail: 202 Olds Hall, East Lansing, MI 48824.

Participation in this project is entirely voluntary. You may choose not to participate at all or decline to answer certain questions. Indication of your consent is acknowledged upon receipt of your completed questionnaire. Please feel free to keep this introductory letter for your records.

Thank you for your participation.

**Charles J. Corley, Ph.D.,
Associate Professor and Dissertation Chair**

**Alex O. Ekwuaju
Doctoral Candidate**

APPENDIX B: SPSS CODING GUIDE

<u>VARIABLE AND CODES</u>	<u>NAME (WIDTH)</u>	<u>COLUMN</u>
1. Case Identification Code exact (001-200+)	CASEID (3)	1- 3
2. Questionnaire type Code exact (1 – 4)	QUEST (1)	4
3. Public Drunkenness response 1 = Take no action 2 = Question and let them go 3 = Issue misd. summons 4 = Arrest them 9 = Missing	PDRUNK (1)	5
4. Confidence level (PDRUNK) 1 = Very Confident 2 = Confident 3 = Not sure 4 = Not confident 5 = Not at all confident 9 = Missing	CONDRUNK (1)	6
5. Shoplifting response 1 = Take no action 2 = Question and let him go 3 = Issue a misd. Summons. 4 = Arrest him 9 = Missing	SHOPLIFT (1)	7
6. Confidence level (SHOPLIFT) 1 = Very Confident 2 = Confident 3 = Not sure 4 = Not confident 5 = Not at all confident 9 = Missing	CONFSHOP (1)	8

7. Assault Response	ASSAULT (1)	9
1 = Take no action		
2 = Question and let him go		
3 = Issue a misd. Summons		
4 = Arrest him		
9 = Missing		
8. Confident level (ASSAULT)	CONFASS (1)	10
1 = Very Confident		
2 = Confident		
3 = Not sure		
4 = Not confident		
5 = Not at all confident		
9 = Missing		
9. Traffic Offense response	TOFFENSE (1)	11
1 = Take no action		
2 = Question and let her go		
3 = Issue a misd. summons		
4 = Arrest her		
9 = Missing		
10. Confidence level (TOFFENSE)	CONFTO (1)	12
1 = Very Confident		
2 = Confident		
3 = Not sure		
4 = Not confident		
5 = Not at all confident		
9 = Missing		
11. Officer Sex	OFSEX (1)	13
1 = Male		
2 = Female		
9 = Missing		
12. Officer Race	OFRACE (1)	14
1 = White		
2 = Black		
3 = Hispanic		
4 = Other (please specify):		
9 = Missing		

13. Officer Age	OFAGE (2)	15-16
Code exact: Year of birth: 19		
99 = Missing		
14. Officer Marital Status	OFMSTAT (1)	17
1 = Married		
2 = Single, never married		
3 = Separated		
4 = Divorced		
5 = Widowed		
9 = Missing		
15. Officer Present Rank	OFRANK (1)	18
1 = Recruit		
2 = Patrol Officer		
3 = Master Police Officer		
4 = Sergeant		
5 = Above Sergeant		
6 = Other: specify		
9 = Missing		
16. Officer yrs of experience	OFEXP (2)	19-20
Code exact (in years): Specify	years	
99 = Missing		
17. Officer Education (highest)	OFEDU (1)	21
1 = High School Graduate		
2 = 2 year degree		
3 = 4 year degree		
4 = Graduate degree		
5 = Missing		
18. Officer Promo. potential	OFPROMO (1)	22
1 = Very good		
2 = Average		
3 = Below average		
9 = Missing		

19. # of mthly traffic citations	MTCITAT (2)	23-24
1 = 0 – 9		
2 = 10 – 20		
3 = 21 – 30		
4 = 31 – 40		
5 = 40 - 50		
99 = Missing		
20. # of mthly non-traffic citations	MNTCITAT (2)	25-26
1 = 0 – 9		
2 = 10 – 20		
3 = 21 – 30		
4 = 31 – 40		
5 = 41 - 50		
99 = Missing		
21. What is your present role assignment in the department? Briefly describe:		Qualitative
22. <u>Comments:</u> Please feel free to add any comments you like. Thank you for your assistance.		Qualitative

APPENDIX C

ALPHABETICAL LIST OF VARIABLES

VARIABLE NAME	VARIABLE DESCRIPTION	VARIABLE LABEL
Dependent Variables		
Assault	Police responses to the assault offense scenarios.	Assault
Public Drunkenness	Police responses to the public drunkenness offense scenarios	Pdunk
Shoplifting	Police responses to the shoplifting offense scenarios	Shoplift
Traffic	Police responses to the traffic offense scenarios.	Toffense
Independent Variables		
Case Identification	Case number	Caseid
Confidence Level, Assault	Police responses to assault confidence level question.	Confass
Confidence Level, Public Drunkenness	Police responses to public drunkenness confidence level question.	Condrunk
Confidence Level, Shoplifting	Police responses to shoplifting confidence level question	Confshop
Confidence level, Traffic	Police responses to traffic confidence level question.	Conftr
Number of monthly Traffic citations	Range of traffic citations issued by the police officer per month	Mtcitat
Number of non-traffic Monthly citations	Range of non-traffic citations issues by the officer per month.	Mntcitat

Officer Age	Age of the police officer	Ofage
Officer Education	Highest education attained by the police officer	Ofedu
Office marital status	Marital status of the police officer	Ofmstat
Officer Present Rank	Present rank of the police officer	Ofrank
Office promotional Potential	Promotional potential as perceived by the police officer	Ofpromo
Officer Race	Race of the police officer	Ofrace
Officer Sex	Gender of the police officer	Ofsex
Officer years of experience	Highest number of years as a sworn police officers	Ofexp
Questionnaire	Type of questionnaire (1 through 4)	Quest

APPENDIX D

SPSS SOFTWARE PRINTOUT AND OTHER TABLES/ FIGURES

Figure 1: Distribution of hypothetical offense episodes, demeanor, race, and gender of the suspect across the four types of questionnaires.

Offenses	⇒	Public Drunkenness	Shoplifting	Assault	Traffic Offense
Demeanor	⇒	Negative	Positive	Negative	Positive
Quest. One	=	BF	WM	BM	WF
Quest. Two	=	WF	BM	WM	BF
Quest. Three	=	BM	WF	BF	WM
Quest. Four	=	WM	BF	WF	BM

CODES:

BF = Black Female
 WF = White Female
 BM = Black Male
 WM = White Male
 Quest . = Questionnaire

Figure 2: Race and gender composition of all “police officers” in the department where data was collected.

	Native American	Asian/ Pacific Islander	African American	Hispanic	Caucasian
Males	3	5	22	12	95
Females	0	0	7	4	29
TOTAL	3	5	29	16	124

Table 15: Number of police officers and types of questionnaire completed and returned.

Type of Questionnaire	N completed	Percent*
Quest 1	34	25.8
Quest 2	33	25.0
Quest 3	34	25.8
Quest 4	31	23.5
TOTAL =	132	100%

* = from SPSS output

Table 16: Gender differences in police arrest decisions: SPSS Group Statistics.

Gender Groups	# of scenarios	Mean	Std. dev
Pdrunk: Quest 1 (Black Female)	34	3.1176	1.0664
Quest 3 (Black Male)	34	3.6471	.8121
Quest 2 (White Female)	30	3.1333	.9732
Quest 4 (White Male)	29	3.7931	.5593
All Males	63	3.7143	.7055
All Females	64	3.1250	1.0157
Toffense: Quest 1 (White Female)	33	2.9394	.3482
Quest 3 (White Male)	34	2.8824	.4777
Quest 2 (Black Female)	32	2.6563	.6016
Quest 4 (Black Male)	31	2.6452	.6082
All Males	65	2.7692	.5525
All Females	65	2.8000	.5062
Shoplift: Quest 1 (White Male)	34	3.9118	.5145
Quest 3 (White Female)	33	3.8182	.7269
Quest 2 (Black Male)	33	3.5152	.8704
Quest 4 (Black Female)	31	3.8710	.4995
All Males	67	3.7164	.7346
All Females	64	3.8438	.6228
Assault: Quest 1 (Black Male)	34	3.9118	.5145
Quest 3 (Black Female)	33	3.8182	.7269
Quest 2 (White Male)	32	3.6563	.9370
Quest 4 (White Female)	31	4.000	.0000
All Males	66	3.7879	.7548
All Females	64	3.9063	.5261

Table 17: Race differences in police arrest decisions: SPSS Group Statistics.

Racial Groups	# of scenarios	Mean	Std. dev
Pdrunk: Quest 1 (Black Female)	34	3.1176	1.0664
Quest 2 (White Female)	30	3.1333	.9732
Quest 3 (Black Male)	34	3.6471	.8121
Quest 4 (White Male)	29	3.7931	.5593
All Whites	59	3.4576	.8575
All Blacks	68	3.3824	.9776
Toffense: Quest 1 (White Female)	33	2.9394	.3482
Quest 2 (Black Female)	32	2.6563	.6016
Quest 3 (White Male)	34	2.8824	.4777
Quest 4 (Black Male)	31	2.6452	.6082
All Whites	67	2.9104	.4167
All Blacks	63	2.6508	.60000
Shoplift: Quest 1 (White Male)	34	3.9118	.5145
Quest 2 (Black Male)	33	3.5152	.8704
Quest 3 (White Female)	33	3.8182	.7269
Quest 4 (Black Female)	31	3.8710	.4995
All Whites	67	3.8657	.6251
All Blacks	64	3.6875	.7319
Assault: Quest 1 (Black Male)	34	3.9118	.5148
Quest 2 (White Male)	32	3.6563	.9370
Quest 3 (Black Female)	33	3.8182	.7269
Quest 4 (White Female)	31	4.0000	.0000
All Whites	63	3.8254	.6849
All Blacks	67	3.8657	.6251

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