

Selecting Police Personnel for Tactical Assignments: Considerations for Female Officers

**Tomas C. Mijares
Southwest Texas State University**

This article examines the procedures for the physical testing of police officers for assignments in tactical operations. The issues associated with the trends toward diversity among applicants are discussed in the context of relevant litigation addressing liability for negligence in assignment. Analysis of data collected through direct observation and interviews revealed several similarities among the members of the sample group of police departments. Recommendations are made for the inclusion of female officers without compromising standards for selection and the effectiveness of the tactical unit.

Historical Background

For the past two decades, several factors have been at work to change the demands placed on American law enforcement. First, a quantum increase in the number and variety of weapons has been made available for law enforcement applications. Unfortunately, criminal elements throughout the world enjoy access to the same technology without the legal, social, moral, and economic constraints endured by law enforcement agencies. The seemingly unlimited budgets of organizations involved in illegal drug traffic have produced a new breed of criminal whose weapons usually surpass those of modern military and police forces. The ruthless nature of these well organized criminals indicates that they have no reluctance to employ these weapons.

In addition, the frequency and magnitude of special threats have in-

creased beyond the wildest imagination of the beat-cop of the early 1960's. Regardless of organizational size and jurisdictional responsibility, it is extremely naive for the police administrator to deny the possibility of a critical incident. The Howard Johnson Motel incident in New Orleans, the McDonald's Restaurant massacre in San Ysidro, and the fatal shooting of 23 customers in a central Texas cafeteria are disturbing reminders of how a well armed individual can easily inflict unspeakable carnage at any time and at any place.

Finally, a growing sense of social awareness and a diminishing sense of political efficacy among several different groups have produced alliances with varying goals and strength both among the left (Sterling, 1981) and the right (Coates, 1987) wings of the political spectrum. What is particularly disturbing for law enforcement has been the realization that irrespective of political philosophies, these groups share the commonalities of substantial financial resources, impressive armories, sophisticated training, a proclivity for violence, and a very strong commitment to their respective causes.

Several law enforcement agencies have found that death, injury, and property damage are the unnecessary results of inadequate resources being used by untrained police personnel operating without sound leadership, established policy, and acceptable tactics. Consequently, specialized police tactical units have been created to contain, control, and de-escalate critical situations when normal patrol responses are ineffective.

Research Goals and Objectives

Various task analyses have revealed that emotional stability (Kolman, 1982), a non-argumentative personality (Jacobs, 1983), and an above average intellectual capacity (Cole, 1988) are some of the characteristics desired in tactical officers. However, since tactical operations often require a great deal of strenuous activities that generally involve extraordinary muscular exertion, physical fitness is one of the most commonly employed criteria for the selection of tactical personnel.

The Impact of Civil Liability

Because of the legal doctrine of vicarious liability, the chief executive of a law enforcement agency has the responsibility of ensuring that unqualified personnel are not placed into positions where their personal

limitations may prevent them from taking appropriate action. **Negligent assignment** describes a situation when the chief of a police department fails to reassign unfit officers to positions where they are less likely to be confronted with the factors present in incidents where they have not performed properly (*Moon v. Winfield*), 388 F. Supp. 31, N.D. Ill., 1974). For example, an officer who has been reinstated after disciplinary proceedings for mistreatment of blacks should not be reassigned to a one-person patrol car in a black neighborhood.

The concept of administrative negligence has historically been directed toward unwarranted uses of force by police officers and improper driving techniques during pursuits of criminal suspects. However, the concept has been expanded to include a failure to establish, maintain, and enforce standards of physical fitness among police officers (*Parker v. District of Columbia*).

Duties performed by tactical personnel are among the most hazardous and critical tasks performed by today's police officer. These duties require great extremes of physical exertion in terms of muscular strength, stamina, and aerobic conditioning. Decisions made and actions taken during operations are subject to very close scrutiny and controversy. Given the possibility of incidents such as the barricaded subjects at the Texas Tower in Austin, Texas and at the McDonald's Restaurant in San Ysidro, California, the police administrator can expect to be confronted with the unexpected. Also, given the availability of sophisticated, highly technical weaponry to private citizens and the freedom of movement inherent in American society, the possibility of a tactical confrontation exists everywhere and at any time. The successful police administrator must be able to identify and select personnel who can perform the physical and mental tasks of tactical operations under extremely difficult and provocative conditions. Personnel assigned to tactical operations must receive extremely close scrutiny in the selection and training process (*Downs v. United States*). Failure to anticipate and prepare for these events subjects the administrator to unnecessary allegations of neglect from every direction.

Implications for Female Officers

The whole issue of muscular strength and endurance is one of significant importance in the selection of tactical officers. A task analysis of any tactical unit would indicate that the assignment is one of the most physi-

cally demanding in modern law enforcement. Typically, a tactical officer must be able to scale a vertical surface, often without the aid of climbing apparatus. The officer must be able to support full bodyweight while engaged in various activities such as rappelling or carrying an injured person. The officer must be able to carry a 75-100 pound battering ram from a parked vehicle to a barricaded scene and then immediately use it to force entry. The officer must be able to employ a variety of martial arts to block, parry, counter and subdue an aggressive subject. The officer must be able to carry an unconscious person to a place of safety. To compound the situation, these tasks are usually performed under great physical and psychological stress. In most situations, the officer is carrying several pounds of equipment and wearing a 30 pound protective piece of body armor when performing these tasks.

Clearly, these tasks require considerable muscular strength and endurance. An officer who does not possess the physical ability to perform these tasks is not only unproductive, but also a distinct liability to the organization and a risk for serious injury. However, the use of physical testing of candidates for any specialized position is not without some controversy and potential legal challenge. Since women tend to possess less upper body strength than men, the use of physical testing as a selection instrument can present the appearance of gender discrimination. As a group, females tend to score lower on physical performance tests that have been developed and standardized for males (Schofield, 1989). In order to comply with the guidelines established by *The Equal Opportunity Act of 1972*, various testing procedures have been modified or eliminated at the pre-employment level of selection. However, the issue of physical fitness as a selection criterion for a tactical assignment remains unresolved.

Thus, the administrative problem for law enforcement executives is to reconcile the demands of legislation and litigation with the need to establish and maintain the selection standards required to fulfill the mission of a tactical unit. Accordingly, the purpose of this research is to examine the selection methods employed for this critical assignment and to articulate the findings from the perspective of currently existing legal demands and principles of personnel management.

METHOD

Data needed to examine the research problem were collected through

interviews with the supervisors of 26 different tactical units. These subjects were responsible for the supervision of over 1000 tactical officers. Examination of written department policies and direct observation were used to collect additional information on the selection and training methods employed by the sample group of tactical units.

RESULTS

Despite the fact that females compose nearly ten percent of the law enforcement population (Martin in Moyer, 1992), the sample data indicate that only one percent of the tactical officers are female. The reasons for this inconsistency are largely a matter of conjecture by the respondents and are generally undocumented. Among the explanations offered by the respondents in this study included the lack of seniority needed to apply for a position in a tactical unit, the lack of military experience, the irregular hours, and the demanding physical standards required for selection and continued assignment. In most instances the same rationales are applicable to male applicants for assignment. Female officers have occasionally been assigned to positions in hostage negotiation, chemical agent disbursement and long rifle officer.

Supervisory representatives from 25 of the 26 tactical units indicated that they employ some sort of physical fitness testing procedure as part of the process for selection to the unit. The instrument most commonly used by 22 of the 25 units is a variation of the Personal Fitness Test used by the United States Army, Navy and Air Force and is a combination of running (three miles under 25 minutes) and calisthenic exercises (minimums of 30 pushups, 60 situps and five pull-ups) to determine cardiovascular condition and muscular strength and endurance. None of the supervisors was able to cite any sort of specific validation process used prior to implementation of the selection process and each indicated that imitation of other tactical units was the accepted standard procedure.

The relatively few departments that have placed female officers in tactical assignments have revealed some remarkably consistent trends. First, female officers who have successfully met all selection criteria and completed all training requirements with their male counterparts appear to be equally motivated for assignment to the same tasks. In a type of informal mutual support system, tactical officers tend to be able to put aside many of the racial, ethnic, gender and social barriers that can hamper many law enforcement operations. The extreme selectivity and

rigorous training of tactical operations serve as an individual motivator and as a group bonding agent.

In addition, the responding supervisory personnel felt that in some cases female officers possess inherent characteristics that are actually a distinct advantage in tactical operations. For example, a smaller physical stature has allowed some female officers to be especially adept at window entry under stealth conditions and other activities conducted in cramped quarters requiring agility and flexibility. Some supervisors conjectured that female officers can be particularly helpful in assuaging the anxieties of hostages immediately following rescue operations. However, it must be noted that these conjectures have not been documented or verified by any sort of empirical study.

DISCUSSION AND RECOMMENDATIONS

Based on the responses of the personnel surveyed, a number of recommendations have become evident. First, relevant criteria must be established for any assignment beyond entry-level employment and all selection and testing procedures must be validated. Law enforcement officers who are assigned to tactical duty must display many personal characteristics not normally addressed in most discussions of personnel selection criteria. The need for these characteristics is the direct result of the practical, legal, and ethical considerations that must be made by the chief executive of the department. Failure to establish and abide by relevant and appropriate selection criteria can compromise efforts to complete the mission of the tactical unit and can subject the administrator to avoidable allegations of negligence. Failure to include qualified representatives from all parts of society invites criticism and possible litigation and deprives the agency of personnel resources that should be regarded as definite assets. Second, although their numbers are relatively small, some female officers have shown remarkable determination and ability to be assigned to a tactical unit. When a police department provides the physical means and supervision to prepare for the selection process, female officers can demonstrate the same capability to use the conditioning effect to meet the requirements as their male counterparts (Fahey & Hutchinson, 1992). The physical fitness level of police personnel as a group would preclude many current employees, both male and female, from consideration for assignment to a tactical unit without first participating in a physical conditioning program. Any department intending to

develop a tactical unit should announce the time, date, location and requirements of testing long in advance. This procedure allows the candidate the opportunity to prepare for the testing.

Thus, many of the allegations of improper discrimination through the selection process can be overcome through properly supervised exercise programs conducted in preparation for the physical testing. The department physical fitness coordinator should provide an adequate training assessment, exercise counseling, and individualized exercise program supervision for all persons interested in applying for a position with the tactical unit prior to actual testing for selection. By providing equal access to an exercise program, a law enforcement agency can effectively avoid allegations of discrimination when it employs a validated physical testing instrument as a means for personnel selection.

Third, any instance of a failure to meet the physical fitness criteria should be followed by an opportunity to re-take the physical fitness test provided that the applicant can otherwise meet the requirements of assignment to the tactical unit. Thus, the testing procedure is not used merely as an elimination instrument but actually can serve as a means of motivating personnel to maintain a level of physical fitness that will allow them to participate safely and without compromise in the training and operations of a tactical unit.

Fourth, since the mission of each tactical unit is subject to modification according to changes in crime patterns, periodic task analyses must be conducted to ensure that the appropriate selection criteria are being employed by law enforcement management. In the event that criteria are to be changed, new criteria must be published throughout the agency and a selection mechanism must be put into operation to identify those candidates who meet the new criteria.

Finally, continuous legal research must be conducted to determine the liability of the agency in the event that the selection process identifies a medical or psychological condition that has developed between the time of original employment and the date of testing. The exact cause of some conditions may be difficult to define with any degree of certainty. Conditions which are determined to be caused by the work environment may be addressed through existing offices of the personnel management system. However, conditions which are determined to be caused by the environment external to the workplace will be much more difficult to address.

References

- Coates, J. (1987). *Armed and dangerous: The rise of the survivalist right*. New York: Hill and Wang.
- Cole, D. (1989). Tactical Unit Personnel Selection in San Diego County. *The Tactical Edge*, 7(4), 30-33.
- Downs v. United States*, 522 F. 2nd 990 (1975)
- Fahey, T. and Hutchinson, G. (1992). *Weight training for women*. Mountain View, CA: Mayfield.
- Jacobs, J. (1983). *SWAT Tactics*. Boulder, CO: Paladin.
- Kolman, J. (1982). *A guide to the development of special weapons and tactics teams*. Springfield, IL: Charles C. Thomas.
- Martin, S. E. (1992). The changing status of women officers: Gender and power in police work. in Moyer, I. L. *The changing roles of women in the criminal justice system*. Prospect Heights, IL. Waveland.
- Moon v. Winfield*, 388 F. Supp. 31, N.D. Ill., (1974)
- Parker v. District of Columbia*, 271 F. 2d. 708, (1988)
- Schofield, D. L. (1989, June) Establishing health and fitness standards: Legal considerations. *FBI Law Enforcement Bulletin*, pp.25-31.
- Sterling, C. (1981). *The Terrorist Network*. New York: Holt, Rinehart and Winston.
- Thomas v. City of Evanston*, 610 F. Supp. 422, D.C., Ill., (1988)
- Weider, J. and Reynolds, W. (1989). *Joe Weider's Ultimate Bodybuilding*. Chicago: Contemporary Books.