

Female Police Officers and Use of Firearms in the New York City Police Department

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Abstract

The mandate for police officers in the United States to be armed while not on official duty is an area that has not been thoroughly researched. In 1981, the New York City Police Department's (NYPD) "Carry Policy" went from mandating officers to carry their firearms at all times (both on and off duty) to one in which officers could use discretion as to when to carry their weapons when not working. As part of a research study regarding the carrying of weapons by off duty police personnel of the NYPD, a questionnaire was designed and administered to members of the NYPD. This research has revealed that there are clear differences between males and females as it relates to assignment, the carrying of weapons, the taking of police action, and the display and use of the firearm while on and off-duty, and the amount of stress experienced while taking enforcement action while not working.

Key Words

Women in Policing, Police Firearms, Police use of Force, NYPD

Introduction and Literature Review

It is apparent that when police officers use their weapons, whether on or off duty, the effects can be far reaching. Policing is one of the few professions where one can legally take a life. As Fyfe has stated, "...no other government service has been granted as much latitude in the use of force as have the police." (Fyfe, 1978:1) To date, a great deal of time and effort has been put into studying police use of force by police officers when they are on duty, however, a neglected area of study is police officers' use of deadly physical force when off duty. Several researchers, Sherman (1980a), Fyfe (1980) and Blumberg (1991) agree that this is a fertile area for research. Fyfe (1980:80) stated, "...it is genuinely appropriate to conclude by recommending a test of the assumption that armed off-duty police contribute to the public good."

When one considers the number of times off-duty officers discharge their weapon, the need for research becomes obvious. In New York State according to the Report to the Governor by the New York State Commissioner on Criminal Justice and the Use of Force Volume 1 (1987:163), 26% of all deaths attributed to the police during the years 1981 through 1985 occurred while the officer was off-duty. In New York City from 1975 through 2009, over 20% of all firearm discharges occurred while the officer was off-duty (Firearms Discharge Assault Report, 1975-2009).

Off-duty shootings, according to the nationwide statistics from 1975 to 2009, range from 15.2% to 27% of all firearm discharges (Knoohuizen, Fahey, and Palmer, 1972; Public Interest Law Center of Philadelphia, 1975; Milton, Halleck, Lardner, and Albrecht, 1977; Nowicki and Stahl, 1978; Fyfe, 1978; Geller and Karales, 1981; Donahue, 1983; Geller and Scott, 1992; White, 1999; New York City Police Department Firearms Discharge Assault Report, 1975-2009). Even though close to one fourth of all shootings by police officers occurred while the officer was not officially working, the circumstances, justification and necessity for such action remain unknown.

Methodology

In evaluating the NYPD's directives to possess firearms while on and off duty (i.e. the "carry" policy), there were several items of information that could not be found in any existing data. Several key questions needed to be answered by the officers themselves. The focus of the survey was to gather data regarding four areas of interest related to the Carry Policy. There were: 1) to ascertain how often uniformed members of the NYPD carry their weapon off-duty, as the current "carry" policy is discretionary; 2) to determine how often off-duty members take action of a law enforcement nature with and without their weapon and how often they report such action; 3) to identify how stressful members would find having a policy prohibiting them from carrying their weapon off duty; and, lastly, 4) to ascertain the numbers of felonies, misdemeanors, violations and offenses in which off-duty members intervened.

Therefore, a ten item survey was distributed to members of the Department requesting information regarding the officer's demographics, weapon information, and stress. Within the demographics was the data concerning gender, rank, time with the Department, assignment, residence. Included in the weapon information data was when the weapon was carried and why, action taken with and without the weapon when off duty, types of crimes prevented/terminated with and without the weapon, reports filed when action was taken with and without the weapon. The data concerning stress focused on how stressful it would be if they were prohibited from carrying their weapons when off duty. A pre-test of the survey was done using officers in a variety of assignments. One minor revision was made.

A convenience sample of 3,236 subjects was collected at the NYPD shooting ranges. The NYPD has a policy requiring that uniformed members "qualify" (demonstrate competency in the use of their weapons) twice each year at agency firearm ranges throughout the City. Ten indoor ranges are used for testing those using a .38 caliber service revolver, and the outdoor range on City Island (Bronx, New York) qualifies those with a 9mm service weapon. The range used by those

with .38 caliber weapons is determined by the officer's place of assignment. The surveys were distributed during July 1, 1994 to September 30, 1994 qualifying cycle. At the time of the survey there were 30,496 uniformed members of the NYPD; of the 5,000 (16% of the total number of NYPD uniformed members) questionnaires distributed, a total of 3,538 members completed the survey, a 70.8% response rate. The estimated error, using the standard sampling error formula, is within 1.5%.

The survey was anonymous, confidential and optional. Each of the range officers, both on the day and evening tours, was contacted and the purpose of the study was explained. Their assistance was requested in distributing the survey with a cover letter, to each member attending their range. The surveys and a sealed box with an opening in the top marked "Completed Surveys," were delivered to each of the ranges. The survey was distributed to members attending the cycle. An additional 301 surveys were completed when former NYPD Chief of Department John Timoney distributed the survey to the regional police commanders for dissemination to the NYPD's executive ranks, i.e. captains and above. This was done because uniformed members in the rank of captain and above do not attend the regular qualifying firearms cycle. However, some police regional command headquarters distributed the survey to other ranks, adding to the number of questionnaires completed by all (n=3538). On October 1, 1994, all questionnaires were picked up from the eleven firearms ranges and the data was entered into the Statistical Program for the Social Sciences (SPSS) for Windows.

Frequencies for each of the twenty-three variables contained in the code book were produced. The demographic variables for each of the following tables are self-explanatory. Gender was coded into male and female. Rank was coded into Police Officer, Detective, Sergeant, Lieutenant, Captain, and above Captain. Residence was coded into those who live within the five boroughs of New York City (NYC) and those who live outside the city limits. It should be noted for the rank variable that the designated ranks are listed in ascending order. For example, a Sergeant is above the rank of Detective and Police Officer. Other variables that were recoded will be explained with reference to the particular table in which they are reported.

Two demographic variables which were recoded so that the information would yield more interpretable results were the variables capturing tenure within the NYPD and the type of assignment of the officer. Respondents entered the actual time working for the department, which ranged from one year to 40 years. The variable was recoded into five year increments, until 26 years with the department and then respondents with more than 26 years to 40 years were collapsed into one category.

Assignments were categorized into patrol, administrative, detective bureau, organized crime control bureau, “detail” (i.e. specialized assignment), and the internal affairs bureau. Patrol has traditionally been referred to as the “backbone of the department,” and the majority of personnel and resources are assigned to patrol. Members in the patrol services bureau respond to emergencies, either assigned by a 911 dispatcher or observed while safeguarding the streets. The “administrative” assignment refers to those job functions that sustain patrol operations. This would include the property officer, highway safety officer and latent print officer. Members assigned to the detective bureau conduct investigations of all complaints referred to investigative units by the patrol force, identify and apprehend suspects associated with these investigations, provide witness protection, and extradite wanted persons. The organized crime control bureau's members concentrate their law enforcement efforts against traditional and non-traditional organized crime, narcotics sales at all levels, public moral related violations and organized auto larceny. “Detail” assignments refer to those members assigned to ancillary functions within the department including the recruitment section, communications and pension section. Members assigned to the internal affairs bureau are responsible for the efficient and complete investigation of all allegations of corruption/serious misconduct and to establish and promote the highest integrity standards among members of the NYPD.

Characteristics of the Survey Respondents

Table I. Five Demographic Characteristics of Survey Respondents by Total Uniformed NYPD Personnel

Demographic	Total NYPD Personnel		Survey Respondents	
	%	N	%	N
Gender				
Male	85.5	(26074)	82.7	(2863)
Female	14.5	(4422)	17.3	(599)
Rank				
Police Officer	71.2	(21728)	76.9	(2713)
Detective	12.2	(3727)	10.3	(362)
Sergeant	11.1	(3399)	8.2	(288)
Lieutenant	3.6	(1126)	2.2	(79)
Captain	1.1	(344)	1.8	(64)
Above Captain	0.5	(172)	0.6	(21)
Years with Department				
1 – 5	36.7	(11209)	34.6	(1225)
6 – 10	32.3	(9836)	35.6	(1260)
11 – 15	19.3	(5868)	19.2	(678)
16 – 20	1.3	(394)	1.8	(62)
21 – 25	5.5	(1680)	3.6	(127)
26 – 40	4.8	(1479)	3.8	(131)
Assignment				
Patrol	73.0	(22262)	71.6	(2506)
Administrative	8.2	(2501)	10.3	(362)
Detective Bureau	10.0	(3050)	9.8	(344)
O.C.C.B.	5.1	(1555)	4.3	(151)
Detail	2.1	(640)	2.8	(99)
I.A.D.	1.6	(488)	1.1	(37)
Residence				
NYC	55.7	(16999)	59.4	(2087)
Outside NYC	44.3	(13497)	40.6	(1429)

As can be seen from Table 1, the survey respondents were representative of the uniformed members of the NYPD.

Findings

Tables II, III, IV and V describe the relationship between gender and carrying of a weapon off-duty, assignment, taking police action with and without a weapon off-duty, and how stressful it would be if the respondent was prohibited from carrying a weapon off-duty.

Table II. Relationship between Gender and Frequency of Carrying Weapon while Off Duty

GENDER							
	Male	%	Female	%	Total	%	X2
How Often Weapon Carried Off-duty							14.34*
Always	1384	48.3%	240	40.1%	1624	46.9%	
Never	163	5.7%	45	7.5%	208	6.0%	
Sometimes	1316	46.0%	314	52.4%	1630	47.1%	
Total	2863	82.7%	599	17.3%	3462	100.0%	

* p < .005. ** p < .0005. ***p < .00005.

Males are statistically significantly more likely to “always” carry their weapon while off-duty (48.3% in comparison to only 40.1% of the women) whereas women are statistically significantly more likely to carry “sometimes” (52.4% of the females in comparison to 46% of the males) when they are off-duty. Is it easier for men to carry a concealed weapon than it is for women? If a woman is wearing a dress, for example, concealing a weapon may be difficult and the NYPD does not sanction officers carrying weapons other than on their person. The style of men's civilian clothing may make it easier to conceal a weapon.

Table III continues to examine the role gender plays in understanding off duty attitudes and behaviors regarding carrying a weapon.

Table III. Relationship between Gender and Type of Work Assignment

	GENDER			X2
	Male	Female	Total	
Assignment				88.93***
Patrol	2113	347	2460	
Percentage	74.5	58.9	71.8	
Administrative	237	117	354	
Percentage	8.4	19.9	10.3	
Detective Bureau	267	65	332	
Percentage	9.4	11.0	9.7	
OCCB	123	25	148	
Percentage	4.3	4.2	4.3	
Detail	69	27	96	
Percentage	2.4	4.6	2.8	
IAD	29	8	37	
Percentage	1.0	1.4	1.1	
Total	2838	589	3427	
Percentage	82.8	17.2	100.0	

* $p < .005$. ** $p < .0005$. *** $p < .00005$.

The type of assignment varied statistically significantly by gender in several areas. Specifically, males were statistically significantly more likely to be assigned to patrol (74.5%) and conversely, females were statistically significantly more likely to be assigned to administrative duties (19.9%). Oftentimes, females seek assignments that offer steady hours because they are the primary caregivers at home. Additionally, females tend to enter the department with previous administrative experience. For example, females will have secretarial experience and therefore be more likely to be assigned to a position where their knowledge of word processing will be utilized (i.e. typing complaint reports in the crime reporting room or working the switchboard, if she had previous receptionist experience).

Females (4.6%) were also more likely to be in details as compared to males (2.4%). This may partially be explained in that details such as Vice Enforcement, which targets prostitution, require a female presence to be effective (i.e. women pose as prostitutes and soliciting "johns" are arrested). There are an equal number of males and females assigned to both the organized crime control bureau and the internal affairs division.

Table IV Relationship Between Gender and Taking Police Action Off-Duty With and Without Weapon Displayed

GENDER				
	Male	Female	Total	X2
Took Police Action Off-duty and Displayed Gun				39.49***
Yes	691	74	765	
Percentage	24.3	12.4	22.2	
No	2154	522	2676	
Percentage	75.7	87.6	77.8	
Total	2845	596	3441	
Percentage	82.7	17.3	100.0	
Took Police Action Off-duty Without Displaying Gun 3.68				3.68***
Yes	33.4	29.2	32.7	
Percentage	1846	410	2256	
No	66.6	70.8	67.3	
Percentage	2772	579	3351	
Total	82.7	17.3	100.0	

* $p < .005$. ** $p < .0005$. *** $p < .00005$.

Table IV examines the relationship between gender and taking police action off duty with and without ones' weapon. Both men and women are overwhelming (75.7% and 87.6% respectively) unlikely to take police action off-duty displaying their weapons. However, males (24.3%) are twice as likely to take police action off-duty displaying their weapon as females (12.4%). A chi-square for significance indicates that men are statistically significantly more likely to take action off duty while displaying their weapon as their female counterparts ($p < 0.00005$). There was no statistical significant difference between men and women in taking police action without displaying their weapons off-duty.

As can be seen in Table V, males were statistically significantly more likely than females to feel "very" stressed if they were not able to carry their weapons off-duty, whereas females were statistically significantly more likely than males to feel "somewhat" stressful if they were not able to carry their weapon off-duty.

Table V Relationship between Gender and Stress

GENDER				
	Male	Female	Total	X2
How Stressful if Not Able to Carry Off-duty				37.96***
Not at All	285	76	361	
Percentage	10.1	12.9	10.6	
Slightly	140	42	182	
Percentage	5.0	7.1	5.3	
Somewhat	648	181	829	
Percentage	22.9	30.7	24.3	
Moderately	328	71	399	
Percentage	11.6	12.1	11.7	
Very	1424	219	1643	
Percentage	50.4	37.2	48.1	
Total	2825	589	3414	
Percentage	82.7	17.3	100.0	

* $p < .005$. ** $p < .0005$. *** $p < .00005$.

Since women (40.1%) are less likely than men (48.3%) to “always” carry their weapon (Table 53), it is logical that they would not feel as highly stressed as their male counterparts if carrying a weapon off-duty were prohibited.

Conclusion

Although the NYPD had revised their “carry” policy in 1981, there has been no comprehensive research or agency analysis conducted regarding the carrying of weapons by off duty police personnel. In this article, the focus was to examine the results of a survey completed by 3538 uniformed members of the NYPD. The survey respondents were found to be representative of the agency and the estimated error, using the standard sampling error formula, was within 1.5%.

In terms of gender, males were statistically significantly more likely to always carry their weapon and be assigned to patrol than females. Males were found to have been twice as likely to have taken enforcement action while off-duty and while displaying their weapon, while there was no significant difference between men and women regarding taking police action off-duty without drawing their weapon. However, males were statistically significantly more likely to feel “very stressed” if they were prohibited from carrying their weapon while not working. This may be correlated to the males' predominant response that noted that most “always” carried their weapon while off-duty.

The findings of this study open the door to further research concerning the difference between male and female behavior regarding not only the carrying of a weapon while off duty, but the difference in taking enforcement action while not working. It would be interesting to conduct a follow up study which would focus on these differences. Although not discussed in this article, the broader research study included the times in which males and females discharge their weapon. A further in-depth examination of both of these areas may provide a wealth of information about law enforcement personnel working in American metropolitan areas.

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