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Analysis of Special Operations Division Cases: Strategies to Promote Racial Equity

BRIEFING MEMORANDUM

March 2022

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TO: Robert J. Contee III, Chief, Metropolitan Police Department

THROUGH: Marvin Haiman, Chief of Staff, Metropolitan Police Department
Inspector Kimberly Dickerson, Metropolitan Police Department

FROM: Amber Hewitt, Chief Equity Officer, Office of the City Administrator

DATE: March 21, 2022

SUBJECT: Analysis of Special Operations Division Cases: Strategies to Promote Racial Equity

I. Purpose

This report provides a high-level analysis of discrimination complaints between 2009 and 2020 by six Black women that allegedly occurred within the Special Operations Division (SOD) of the Metropolitan Police Department (MPD) in Washington, D.C. The Office of Racial Equity, which is housed within the Office of the City Administrator, completed this analysis at the request of MPD. This memo proposes best practices and nine actionable policy recommendations that aim to promote racial equity, through an intersectional lens, within MPD.¹

II. Historical Context and Background

Historical Context

The Equal Employment Opportunity Commission (EEOC) enforces Title VII of the 1964 Civil Rights Act and other federal law, regulation, and agency guidance which broadly form U.S. anti-discrimination policy. Specific to race, Title VII makes it:

*unlawful to discriminate against any employee or applicant for employment because of race or color in regard to hiring, termination, promotion, compensation, job training, or any other term, condition, or privilege of employment. Title VII also prohibits employment decisions based on stereotypes and assumptions about abilities, traits, or the performance of individuals of certain racial groups.*²

Since 1997, race-based discrimination charges have been one of the largest categories of EEOC filings, comprising between 30—37% of charges annually. While there has been a slight dip in race-based charges in recent years, this has been accompanied by a rise in color-based charges. EEOC also contemplates intersectional charges; while not exhaustive, the Commission cites seven major cases involving Black women since 2007 as illustrative of an ongoing, systemic culture of gendered racial discrimination in the U.S. workplace.³ Research also demonstrates that

¹ Intersectionality is defined as the interconnected nature of social categorizations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.

² Title VII, 29 CFR Part 1601

³ “Significant EEOC Race/Color Cases.” *U.S. Equal Employment Opportunity Commission*, 2020.

<https://www.eeoc.gov/initiatives/e-race/significant-eeoc-racecolor-casescovering-private-and-federal-sectors>.

“plaintiffs who make intersectional claims are only half as likely to win their cases as plaintiffs who allege a single basis of discrimination.”⁴

Background

The analysis presented in the following section is based on the review of investigative memoranda, incident summary sheets, and reports conducted by the Internal Affairs Bureau at MPD. The case files of six Black female Senior Police Officers were reviewed; they are referred to in this report as SPO1, SPO2, SPO3, SPO4, SPO5, and SPO6. **It is not the intended purpose of this document review to substantiate findings from the investigations, but rather to shore up themes and trends that could inform policy solutions and best practices.** It is also beyond the scope of this review to provide a comprehensive critique of employment and antidiscrimination laws. However, the intersectional nature of select claims do not fit narrowly into the Title VII antidiscrimination frameworks.

The analysis and subsequent recommendations were informed by the following guiding questions:

- What were the protection and accountability mechanisms in place to address complaints?
- How do the complaints connect back to department culture?
 - What role, if any, do gendered racial microaggressions and gendered racism play?⁵
- What trends emerge that could potentially speak to the overall treatment of Black, Indigenous, and People of Color (BIPOC) officers in this department?
- What opportunities exist for MPD to address internal culture and refine EEO policies and procedures?

III. Analysis

Five themes emerge from reviewing the aforementioned documents: (1) unique lived experiences of Black women police officers, (2) presence of male-dominated culture and endorsement of gendered racial stereotypes, (3) potential chilling effect due to perceived retaliation, (4) opportunity to increase transparency and consistency in the EEO process and (5) lack of balance between evidence presented in Internal Affairs investigations. This review is not the first time that these issues have been brought to the surface either internally or externally.

Theme 1. Unique Lived Experiences of Black Women Officers

All cases reviewed as part of this analysis were filed by SOD officers who identify as Black women. Research asserts that Black women face unique stereotypes and biases that neither white women nor Black men face in the workplace.⁶ Intersectionality theory, popularized by legal scholar Dr. Kimberlé Crenshaw, helps to explain this phenomenon. Crenshaw states that intersectionality is a framework that can be used to “critique antidiscrimination laws and policies for failing to properly acknowledge compounded forms of discrimination based on the intersection of two or more protected categories, such as race and sex.”⁷ Black women continue to face challenges when filing

⁴ Best, R. K., Edelman, L. B., Krieger, L. H., & Eliason, S. R. (2011). Multiple disadvantages: An empirical test of intersectionality theory in EEO litigation. *Law & Society Review*, 45(4), 991-1025.

⁵ Gendered racism refers to the simultaneous experience of both racism and sexism. Gendered racial microaggressions are defined as “subtle and everyday verbal, behavioral, and environmental expressions of oppression based on the intersection of one’s race and gender.

⁶ Bowman Williams, J. (2021). Beyond Sex-Plus: Acknowledging Black Women in Employment Law and Policy. *Employee Rights and Employment Policy Journal*, Forthcoming.(2021). *Georgetown Law Faculty Publications and Other Works*, 2407.

⁷ Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. *u. Chi. Legal f.*, 139.

intersectional claims, despite experiencing high rates of discrimination and harassment. Furthermore, the EEOC offers limited guidance to navigate intersectional claims given that a common employer defense is that the race claim fails because Black men are not discriminated against and the sex claim fails because white women are not discriminated against.

Navigating intersectional claims and determining a course of action can be complex, especially if there is insufficient evidence to support a legal finding of discrimination. For example, there may be a threshold of evidence which would still require corrective action by IAD, even if a claim of discrimination under the law failed. This challenge also raises questions around the use of comparative evidence given the lack of white women officers in the SOD. Because Title VII prohibits discrimination against Black women even if the employer does not discriminate against white women or Black men, a discrimination finding may still be possible if there are no white women in the environment who may provide comparative evidence. This means that the EEOC acknowledges the unique lived experience of Black women due to their identity being at the intersection of being Black and being women.

Theme 2. Challenging Male-Dominated Culture and Gendered Racial Stereotypes

Undertones related to the impact of male-dominated work culture were present throughout the documents. Historically, police departments have been male-dominated and can be considered to have a “traditionally masculine subculture.”⁸ See Table 1 for a description of the race, ethnicity, and gender makeup of the SOD division.

Table 1. Race, Ethnicity, and Gender Makeup of the SOD⁹			
	Male	Female	Total
Asian	12	0	12
Black	73	14	87
Hispanic	10	4	14
Native American	1	0	1
White	95	7	102
Totals:	191	25	216

This theme speaks to the interplay between male-dominated culture and gendered racial stereotypes. It also underscores the results of a 2020 qualitative study of women in law enforcement which concluded that “the mere presence of more female officers is not sufficient to overcome the hypermasculine work environment, and a concerted effort to modify the subculture itself must be undertaken and sustained to effectuate change.”⁸ Characteristics of a hypermasculine work environment are not always overt. In fact, the more subtle and everyday expressions of discrimination and oppression (i.e., gendered racial microaggressions) based on a person’s race and gender may also impact individuals’ experiences in a given culture. Recent research demonstrates that common themes of gendered racial microaggressions include: (a) expectations of the angry Black woman, (b) struggle for respect, (c) invisibility, and (d) silence and marginalization.¹⁰ These

⁸ Brown, T. C., Baldwin, J. M., Dierenfeldt, R., & McCain, S. (2020). Playing the game: A qualitative exploration of the female experience in a hypermasculine policing environment. *Police Quarterly*, 23(2), 143-173.

⁹ Data provided by MPD. ORE does not necessarily endorse the race and ethnicity categories present in the table.

¹⁰ Lewis, J. A., Mendenhall, R., Harwood, S. A., & Browne Hunt, M. (2016). “Ain’t I a woman?” Perceived gendered racial microaggressions experienced by Black women. *The Counseling Psychologist*, 44(5), 758-780.

findings present an opportunity for MPD to examine its departmental culture for the effects of stereotypes in the workplace.¹¹

Theme 3. Potential Chilling Effect Due to Perceived Retaliation

According to MPD's General Order which establishes the EEO program,

Employees of the MPD shall not be subjected to any form of retaliation, disciplinary or corrective action, transfers, or changes in assignment solely because the employee opposed what he/she believed to be an unlawful employment practice or made a charge, testified, assisted, or participated in an investigation, proceeding, or hearing under Title VII and the D.C. Human Rights Act.

Notwithstanding, there are several examples of perceived retaliation in the cases reviewed. Examples from case files highlight occurrences where Black women officers expressed experiences of invalidation and having a targeted status. The cumulative effect of these experiences could potentially lead to a chilling effect (e.g., lack of open communication related to claims of discrimination) or complainants seeking a more serious course of action.

Theme 4. Opportunities to Increase Transparency in the EEO Process

As in the previous theme of perceived retaliation, complainants alluded to a lack of transparency in the EEO process. There is an opportunity for MPD to increase transparency by mandating training for all employees on EEO processes and antidiscrimination laws. The U.S. Department of Justice states that “any law enforcement agency should ensure the organization appropriately trains all members, supervisors, and managers in the purpose and process of internal affairs—including outcomes—and that the agency’s expectations are articulated clearly.”¹²

Examples from case files raise questions around how witnesses are identified, what determines a complete investigation, how to ensure balance and diversity among witnesses, and the potential benefit of an independent alternative dispute resolution office. Best practice describes a “complete investigation” as one that includes all relevant information required to meet the goals of the review with respect to “good faith professional judgement.”¹³ There is an opportunity for MPD to expand upon the current General Order to include supplementary information that addresses these concerns.

Theme 5. Lack of Balance Between Evidence Presented in Internal Affairs Investigations

There are three types of evidence typically reviewed in EEO cases: direct evidence, circumstantial, and statistical evidence.¹⁴ This analysis points to a lack of statistical evidence to investigate discrimination claims. Standard statistical analysis in discrimination cases would compare the treatment of the unprotected group to the treatment of the protected group to determine whether there is a statistically significant difference.¹⁵ There is an opportunity for MPD to consider which investigations would benefit from the incorporation of statistical evidence in addition to testimony and evidence. There are limitations to such analysis since “intersectional claims of discrimination by

¹¹ MPD is one of twelve agencies across District government participating in a pilot cohort and have volunteered to undergo an internal evaluation of existing policies and practices on racial equity.

¹² US Department of Justice. (2019). Law enforcement best practices: Lessons learned from the field.

¹³ COPS Office, “Standards and Guidelines for Internal Affairs.”

¹⁴ <https://www.eeoc.gov/federal-sector/management-directive/chapter-6-development-impartial-and-appropriate-factual-records>

¹⁵ Tinkham, T. (2010). The uses and misuses of statistical proof in age discrimination claims. *Hofstra Labor and Employment Law Journal*, 27.

definition involve smaller groups of individuals, having sufficiently large samples to conduct relevant statistical analyses may pose an obstacle to both plaintiffs attempting to establish evidence of discrimination and employers looking to conduct proactive analyses.”¹⁶

IV. Best Practices

The Office of Racial Equity (ORE) presents the following best practices for responding to EEO complaints regarding race and gender, listed in random order, which were informed by reviewing case files of six SOD officers and conversations with MPD personnel. The recommendations in the following section are informed by the best practices presented below. Also, please see the Appendix section for case studies from other jurisdictions.

General Best Practices: Best EEO practices typically seek to mitigate incidents and avoid escalation to an employee EEOC complaint and/or charge. In 1998, EEOC coordinated a task force to gather private sector EEO best practices; the task force surveyed nearly 250 companies, civil rights organizations, and labor unions, in addition to government commissions and committees responsible for labor issues.¹⁷ The report finds the most successful organizations adopt a “SPLENDID” framework for equal employment opportunity and diversity. The acronym stands for:

- S Study the laws and standards which define employer responsibilities. Understand racial inequity root causes and other barriers facing BIPOC employees. Train managers and employees in EEO rights and responsibilities.
- P Plan for equity by developing a vision statement and anticipating potential employment burdens, barriers, and resolutions.
 - Note: MPD is part of the District’s inaugural racial equity pilot cohort and the department is currently drafting a racial equity vision statement.
- L Lead by ensuring management at all levels is modeling and enforcing EEO best practices and championing diversity.
- E Encourage this behavior by structuring reward systems to promote diversity and equity and enforce compliance. E.g., tying EEO evaluations to management performance standards and managerial compensation.
- N Notice the impact of policies and practices through ongoing monitoring and evaluation of progress and compliance, including via staff feedback.
- D Discuss the moral, legal, and business imperative of diversity, equity, and inclusion. Organizations should not assume a common, baseline staff understanding. Train staff and seek buy-in.
- I Inclusion. White staff, especially white males, need to be included in these processes. All staff must understand their shared stakes in progress. Planning and implementation groups (e.g., DEI working groups) should reflect the diversity of all staff.
- D Dedication to long-term success by weathering difficult moments/cases and ensuring DEI efforts are fully and properly resourced for success.

Best Practices on Dispute Resolution: In the event an incident does escalate to an employee complaint, the 2017 EEOC task force report recommends “alternative dispute resolution” (ADR) methods which range from internal discussion with direct supervisors or HR to establishing peer

¹⁶ <https://blog.dciconsult.com/eeoc-seeks-assurance-of-protections-in-intersectional-sex-age-discrimination-claim>

¹⁷ Jones, Reginald E. “Best” Equal Employment Opportunity Policies, Programs, and Practices in the Private Sector: Task Force Report,” *U.S. Equal Employment Opportunity Commission*, 2nd ed., G.P.O, 1998.

<https://www.eeoc.gov/best-practices-private-sector-employers>.

review, panel, or ombudsman processes. The ADR process could address the need for more transparency and open communication. It creates an additional path to resolve issues, especially for those issues (e.g., labor management) that might be outside the scope of EEO processes.

The internal third-party mediator design appears to be a common option among both public and private entities. Their functions can range from those similar to a Human Resources office, to an independent investigative body, to a full adjudicative body. Should MPD consider establishing an ombudsman or other ADR office, ORE strongly counsels against instituting a binding arbitration agreement policy for employees. While such agreements are increasingly common, they create a chilling effect on reporting discrimination and ultimately do not protect the employer from litigation of the case by EEOC as a matter of public interest.¹⁸

Another option for dispute resolution is the adoption of restorative practices.¹⁹ Three principles of fair process underlie restorative practices: (1) engagement that permits participants to share their views and be involved in the decision-making process; (2) explanation that provides participants with the reasons for the decisions made and (3) expectations that ensure everyone clearly understands what is expected of them in the future.²⁰

V. Recommendations

One of the clearest recommendations across all sources is to have current, explicit policies which describe and prohibit discrimination on the books for most supervisory functions. Once a complaint has been lodged or a charge filed, MPD must ensure supervisors are doing everything possible to prevent reprisal, which can create a secondary complaint. The 2005 General Order is clear in its description of antidiscrimination protections; however, ORE recommends updating the Order, developing supplemental materials, and adopting the following actions:

1. Update the General Order based on the best practices described above and identified gaps by staff.
 - a. Align all references of retaliation with the [2016 Enforcement Guidance on Retaliation and Related Issues](#).
 - b. Include examples of conduct that may result in disciplinary action.
 - c. Frame antidiscrimination goals in affirmative terms and where applicable avoid negative terms such as “avoiding discrimination against protective groups,” and consider adopting language that promotes an inclusive culture and open communication.
2. The Chief of Police should consider developing a messaging strategy for each new hire and manager highlighting the Department’s commitment to an inclusive culture. This approach would lay the groundwork for subsequent messaging and training such as mandating training on EEO policy for all members of the Department. As stated in the MPD General Order,

¹⁸ “Recission of Mandatory Binding Arbitration of Employment Discrimination Disputes as a Condition of Employment,” *U.S. Equal Employment Opportunity Commission*, 2019. <https://www.eeoc.gov/wysk/recission-mandatory-binding-arbitration-employment-discrimination-disputes-condition>

¹⁹ The DC Human Rights Amendment Act established mandatory mediation, effective October 1, 1997. Mediation is an alternative dispute resolution (ADR) process that is used by the DC Office of Human Rights (OHR) as an alternative to investigation and is available to claimants if desired. Complaints that are not resolved in mediation are forwarded to an investigator as mandated by the DC Human Rights Act (Act) to be completed in no more than 120 days.

²⁰ <http://legalnews.com/oakland/1484292>

“supervisors shall ensure that all employees are treated according to these guidelines. Every employee of the Department, sworn and civilian, regardless of rank, title or position, shall be held responsible for the contents of this Directive.” Mandatory training, and inclusion of this mandate in an updated General Order, would help achieve this goal. Further, educating personnel and correcting behavior should be the goal of an agency’s disciplinary policy.²¹ Anti-discrimination, retaliation, and harassment trainings should be in person, involve real case studies, and include interactive scenarios in which managers practice the skills discussed.

Specifically, ORE recommends adopting the following language as part of the updated General Order. This language is inspired by the San Francisco Police Department’s [General Order](#).

Suggested Language:

MANDATORY TRAINING To ensure that all members are informed of the Department’s EEO policy and in an effort to prevent discrimination, harassment (including sexual harassment) and retaliation from occurring, the Department shall provide mandatory, discrimination, harassment, and retaliation prevention training to all members as follows:

A. All new Department hires shall complete mandatory training within 30 days of hire.

B. All Department sworn (sergeants and above) and civilian supervisors shall attend mandatory training within the first 30 days of appointment to a supervisory position.

C. All Department members shall complete mandatory training each year.

D. Supervisors and managers are mandated to conduct annual (calendar year) discussions with their staff regarding the prevention of discrimination, harassment (including sexual harassment), and retaliation.

3. Seek additional guidance on how to better navigate and ultimately investigate intersectional (i.e., race and sex) claims of discrimination. The EEOC offers free technical assistance and resources for employers to ensure that they understand their responsibilities and adhere to investigative best practices. More information on these programs may be found by reaching out to Monica Colunga (monica.colunga@eeoc.gov), the Washington, D.C.-area EEOC Outreach Coordinator.²²

Available resources include:

- Outreach and educational programming on the laws enforced by the EEOC
- Technical Assistance Program Seminars to increase in-house EEOC knowledge capacity
- Written training and technical assistance materials for additional guidance on specific EEO concerns

²¹ https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

²²

https://eeoc.custhelp.com/app/answers/detail/a_id/361/session/L3RpbWUvMTYzOTUyMDMxNS9nZW4vMTYzOTUyMDMxNS9zaWQvZlVhZDQ2pDNXhyUEZWS0UxczFWUW5meVBGQXRLd3VrR2JlMDJfTmM5Mlp1RUdSY3VO SUMIN0UzaEdCdm1xOXRXRmR6eVRnOHZiTHNRQVlXVDNPODhaUURQd0pLY0JpaFF5X1JYSjJvbTg1Y1liZ VdvdHVyczJ2SzlXS0ElMjElMjE%3D

- Situation-specific presentations from EEOC representatives at meetings and seminars²³
4. Evaluate the impact of EEO policies and practices through ongoing monitoring and evaluation of progress and compliance, including via staff feedback. To accomplish this, the Department first needs to determine priority areas for measurement (e.g., number of new hires and managers trained on EEO policies). The Department could also consider pre- and post-training surveys to measure change in knowledge and awareness of policies.
 5. There is an opportunity for the Department to build upon existing structures, within Human Resources, to consider a formal path for alternative dispute resolution in appropriate cases.

ORE recommends that the following materials are created in collaboration with our office:

6. Develop a standalone fact sheet on retaliation and EEO activities based on the 2016 EEOC guidance. See [here](#) and [here](#) for examples.
7. Develop a standalone fact sheet and workshop for managers on gendered racial microaggressions.
8. Institute on-demand webinars which reinforce the above policies, ideally with an interactive component (i.e., scenario-based) which assess employee comprehension and compliance with the training module.

VI. Conclusion

This report provided a high-level analysis of EEO complaints between 2009 and 2020 by six Black female officers that allegedly occurred within the Special Operations Division (SOD) of the Metropolitan Police Department (MPD) in Washington, D.C. Considering this analysis, the Office of Racial Equity (ORE), within the Office of the City Administrator, proposed eight actionable policy recommendations that aim to redress past harms, address gaps in policy and practice, and promote racial equity, through an intersectional lens. In addition to these recommendations, it is imperative that MPD take an organizational learning approach at this critical juncture.²⁴ MPD must define its antidiscrimination goals: is the department focused on addressing the root causes of discrimination through the promotion of learning and change at the individual and organizational level? ORE stands ready to assist MPD in tackling these questions and implementing the proposed recommendations.

If you have any questions or need additional information, please contact Chief Equity Officer Amber Hewitt at Amber.Hewitt@dc.gov.

²³ <https://www.eeoc.gov/outreach-education-technical-assistance>

²⁴ Eisenberg, D. T. (2015). The Restorative Workplace: An Organizational Learning Approach to Discrimination. *U. Rich. L. Rev.*, 50, 487.

Appendix

Case Studies from Other Jurisdictions

Most successful and settled cases of individual or class action employment discrimination lawsuits against police departments result in monetary damages for the plaintiff. In some cases, however, judges also require policy changes to address discriminatory organizational cultures. See examples of several such cases below.

Prince George's County, MD (2021)

In December 2018, a group of 12 Black and Latino police officers in Prince George's County, Maryland filed a suit against the county's police department alleging racial discrimination in hiring, discipline, promotions, and general conduct.²⁵ An expert report included in the filing outlined allegations against specific officers as well as information about the department's culture and was released to the public in partially redacted form to encourage transparency during the case.²⁶

At the same time that the report was released, the judge ordered the department to make changes to their promotion system. The case settled for \$2.3 million in 2021, and the terms of the settlement required the following internal departmental policy changes:²⁷

- Policy changes aimed at increasing promotion process fairness
- Clear, written guidance on punishments for department personnel engaging in “racist or discriminatory conduct”
- Not allowing officers to use race or other demographic factor to make policing decisions
- Revised policies to clarify discipline if managers do not properly fulfill their duties during use of force reviews
- Revised equal employment opportunity policy to cover anti-discrimination, anti-retaliation and bias-free policing to ensure thorough and fast resolution of internal complaints
- Creation of a new Office of Integrity and Compliance to manage complaints

²⁵ Bui, Lynh and Chason, Rachel. 2018. “Police officers sue Prince George's County, Md., alleging racial discrimination.” *Washington Post*, December 12, 2018. https://www.washingtonpost.com/local/legal-issues/police-officers-sue-prince-georges-county-md-alleging-racial-bias-and-discrimination/2018/12/12/0bf5353c-fe36-11e8-862a-b6a6f3ce8199_story.html.

²⁶ Mettler, Katie. 2021. “Judge says expert report detailing alleged racist police behavior should be released to the public.” *Washington Post*, February 11, 2021. https://www.washingtonpost.com/local/public-safety/prince-georges-police-discrimination-lawsuit-records/2021/02/11/8198d32e-6bd6-11eb-9ead-673168d5b874_story.html.

²⁷ Chason, Rachel and Mettler, Katie. 2021. “Prince George's will pay Black and Latino officers \$2.3 million to settle police discrimination lawsuit.” *Washington Post*, July 20, 2021. https://www.washingtonpost.com/local/legal-issues/prince-georges-police-lawsuit-settlement/2021/07/20/5953b608-e66b-11eb-a41e-c8442c213fa8_story.html.

Fort Collins, CO (2017)

In April 2016, two Latino members of the Fort Collins, CO Police Services filed a lawsuit against the department alleging discrimination on the basis of race and nationality, as well as retaliation for making discrimination claims over the course of their employment. The plaintiffs alleged discrimination in discipline, hiring, and promotion processes, as well as a lack of action on the part of department leadership in addressing racial discrimination.³⁵

The case was settled in 2017 for \$425,000 (an amount which included attorney's fees). Policy changes required as part of the settlement included the following:

- “Conduct follow-up investigations on alleged policy violations that emerged during an independent investigation and take action if employees are found to have violated policies.
- Provide a process separate from police management to report complaints of discrimination, retaliation and create an independent office within the city manager's office that will field and resolve complaints.
- Work with the FOP to deliver a training strategy that educates police employees about how to address harassment, discrimination and retaliation in the workplace.
- Work to achieve within five years a police workforce that "reflects the diversity of the community" and is subject to city review in terms of hiring, promotion and pay. Recruitment strategies will also be studied to determine whether new ways exist to reduce any "unconscious bias."
- Track progress and, on a biannual basis, convene the police chief, city leadership and members of the FOP to discuss potentially emerging issues.”³⁶

³⁵ Pohl, Jason. 2016. “2nd officer alleges Fort Collins police discrimination.” *Coloradoan*, September 8, 2016. <https://www.coloradoan.com/story/news/2016/09/08/2nd-officer-alleges-fort-collins-police-discrimination/90015596/>.

³⁶ Pohl, Jason. 2017. “City to pay \$425K settlement in discrimination suit.” *Coloradoan*, January 18, 2017. <https://www.coloradoan.com/story/news/2017/01/18/fort-collins-settles-police-discrimination-lawsuit/96722688/>.

Salt Lake City, UT (2015)

In September of 2015, three white female police officers in the Salt Lake City, UT Police Department filed a sexual harassment suit against individual supervisors, the police department, and the city.³⁷ In suit claims which were supported by an Internal Affairs review, the officers alleged sexual harassment by the city's former Deputy Police Chief.

The lawsuit was dismissed in October of 2015 after the group settled out of court. Each plaintiff received \$85,000 in damages, and the Salt Lake City Police Department committed to the following internal actions:³⁸

- Modify internal sexual harassment policies in consultation with the three plaintiffs
- Hire more female officers
- Increase anti-harassment training courses by adding a new course with the city's human resources department and a new course with an outside expert
- Require that the police department consult with the city's human resources department and counsel to determine an appropriate course of action
- Establish a new position to provide a resource for discussion of sexual harassment concerns

³⁷ Reavy, Pat. 2015. "3 officers file sex harassment lawsuit against ex-deputy chief, ex-chief, SLC." *KSL News*, September 4, 2015. <https://www.ksl.com/article/36371531/3-officers-file-sex-harassment-lawsuit-against-ex-deputy-chief-ex-chief-slc>.

³⁸ Dobner, Jennifer and McFall, Michael. 2015. "Salt Lake City settles police harassment lawsuit tied to Burbank." *Salt Lake Tribune*, October 15, 2015. <https://archive.sltrib.com/article.php?id=3063394&itype=CMSID>.