

Transcript: "Podcast: Review of Gender Equity in the Department of Justice's Law Enforcement Components," June 2018

Stephanie Logan (SL): Welcome to the latest podcast from the Department of Justice Office of the Inspector General. I'm Stephanie Logan, a Public Affairs Specialist in our office.

Today we released a report about gender equity in the Department's law enforcement components: the ATF, the FBI, the DEA, and the U.S. Marshals Service. The review assessed gender equity based on two factors, gender diversity in the workforce and employees' perceptions of gender-based treatment, equity, and discrimination. We found that while views about gender equity varied by position type and gender, women in Criminal Investigator positions consistently reported distinctly more negative perceptions of equity, and reported more experiences of differing treatment and discrimination than other staff. We use the term "Criminal Investigators" to include Special Agents and Deputy U.S. Marshals.

We also found that women were underrepresented in Criminal Investigator positions as well as promotion selections, and they occupied few senior leadership positions in headquarters and in the field. Overall, the review concluded that the components need to do additional work to address concerns and negative perceptions related to gender equity and to promote an equitable culture within each component.

I'm here with Donellen Schlosser and Andrea Davis, Inspectors in our Evaluation and Inspections Division. Thanks to you both for joining me.

Donellen Schlosser (DS): Thank you for having us, Stephanie.

SL: So before we get into the findings, I'd like to ask you, Donellen: why did you initiate this review?

DS: Sure, that's a great question. First, over a period of time we received several complaints related to this particular issue, including from Department employees and members of Congress. But broader than that, equity of all kinds is an important value to the Department of Justice, and the Department has a policy of equal employment for all staff on the basis of merit. So we initiated this review to help these components ensure they are fulfilling these values and complying with policy.

SL: So Andrea, describe to me where you started with this review. What did you look at first?

Andrea Davis (AD): Well, first, we wanted to gain an actual understanding of the breakdown of the number of women in the workforce, in different types of positions, and in leadership roles. Before we could do anything else, we had to understand the make-up of the components' populations. Second, we wanted to see how women were represented in the promotions. So we conducted a series of analyses comparing promotions data with workforce

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data. For example, we looked at the gender make-up of the qualified applicant lists and the resulting selections. The quantitative data gave us a big picture of the components' workforces and helped us gain an understanding of some of the perceptions.

SL: And in looking at the breakdown of gender in the workforce, what did you find?

AD: We found that women made up 39 percent of the total staff and only 16 percent of Criminal Investigators. Women were much more likely to be employed in professional staff positions – such as Human Resources Specialists and Management Analysts. Fifty-seven percent of the professional staff population were women. And these numbers are for fiscal year 2016 and include the data of all four components combined.

We also found that there were few women in leadership and supervisory positions across all four law enforcement components at both the headquarters and field levels. When women did hold headquarters executive leadership positions, they were usually in administrative or support rather than operational units. We looked at a 6 year period, and during that time, women held 81 of the 498 headquarters executive leadership positions that were available. But only 14 of these 81 positions were overseeing operational work. Additionally, women held only between 6.3 and 11 percent of the top leadership positions in the field across the four law enforcement components.

DS: That's right. We also analyzed promotion data and we found women were underrepresented in competitive promotions in Criminal Investigator positions at ATF and DEA when compared to their proportion of the population at the next lower grade level, which is the potential applicant pool. Further, our data analysis may indicate that women encounter difficulty advancing into Criminal Investigator supervisory positions at ATF, DEA, and FBI. Lastly, we observed that each component had a substantial percentage of qualified applicant lists for first- and second-line supervisory positions that contained no women.

SL: So after you understood these numbers and breakdown of women in each agency and in promotion selections, you gathered some really interesting and extensive qualitative data. Can you tell me a little more about how you went about collecting that data?

DS: Yes. It was really important to us that we gather as much information as we could from a wide variety of each agency's population, including different genders, job types, and supervisory levels. We wanted to better understand staff perceptions about gender equity. So we gathered input and information in three different ways: interviews, focus groups, and a survey. The interviews and focus groups gave us the ability to ask more open-ended questions and hear about specific staff experiences with gender-based

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treatment, including discrimination, and also helped us target areas of discussion for the survey. In total, we conducted focus groups and interviews with over 400 staff members.

We then sent an online survey to all staff members in the four components to give everyone an opportunity to provide input. Over 8,000 staff members responded to the survey and with the focus groups, interviews, and surveys combined we were able to obtain input from 15 percent of the total population of the four components which gave us confidence in the strength of our evidence.

SL: So Andrea, after you analyzed all of this qualitative data, what did you find?

AD: We found that men and women varied widely in their perceptions about gender equity, and female Criminal Investigators overwhelmingly had the most negative views. For example, female Criminal Investigators felt that they were at a disadvantage for receiving promotions and performance bonuses because of their gender. They also felt they were more adversely affected than men by the limited work/life balance of the Criminal Investigator position. Also, staff of both genders felt that personnel decisions like promotions and special assignments were influenced more by personal relationships than by merit, and many reported the existence of a "good old boys club" culture at their agency. But female Criminal Investigators more frequently reported than other staff that this culture had a negative effect on their career.

We also found that staff had limited trust in the EEO process, and they feared stigma and retaliation if they were to file an EEO complaint. Staff told us in interviews, focus groups, and the survey that they had experienced discrimination and did not report it to the EEO office because of these negative perceptions. We believe as a result that the EEO process could be limited as a tool to address discrimination in the components.

SL: So Donellen, you haven't mentioned sexual harassment specifically. Was this something that your review looked at?

DS: Yes. Sexual harassment is a form of gender discrimination and we had a number of staff share their experiences in focus groups and interviews. We included a question about sexual harassment in our survey, and while most survey respondents did not perceive sexual harassment to be prevalent, we found that when it does occur, its negative effects on staff and the agency can be widespread.

SL: Alright, so, connect the dots for me here. How do the interviews, focus groups, and survey responses relate to the hard data of gender breakdowns that we talked about in the beginning? What does all of this tell us?

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DS: We believe the negative perceptions we heard may be influenced by the low percentage of women in both Criminal Investigator positions and leadership positions in each of the agencies, as well the underrepresentation of women in promotion selections. Also, the leaders of each of the components expressed the importance of gender diversity to effectively accomplish their mission, and the components have taken steps to increase diversity. But additional work is needed to address the concerns and negative perceptions related to gender equity and to promote an equitable culture within each component.

SL: And Andrea, what can the Department and each of these agencies do to enhance a culture of gender equity?

AD: We recommended that the components identify barriers to the recruitment, hiring, promotion, and retention of women, especially in the Criminal Investigator positions. We also recommended that the components develop methods to improve the objectivity and transparency of the merit promotion process. Finally, we recommended that the components develop and implement methods to address the perceptions of stigma and retaliation related to the EEO process.

SL: Donellen, Andrea, thank you so much for speaking with me today.

AD: Thank you for having us.

SL: That's it for today. To read the report, you can visit our website oig.justice.gov. Or you can read it on Oversight.gov. Thank you for joining us.

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