CHAPTER LEARNING OBJECTIVES

• Identify and elaborate on the major ethical issues facing the field of policing.
• Define the general concept of police corruption and identify specific forms of corruption as espoused by Barker and Roebuck (1974); Delattre (2002), and Rosoff, Pontell, and Tillman (2007).
• Describe the relationship between corruption of authority and the ability to comprehend the larger issue of police misconduct.
• Describe the ways in which society at large influences police corruption.
• Compare and contrast internal and external forms of police corruption.
• Identify and elaborate on the effects of acts of perjury by police on the criminal justice system.
• Comment in detail regarding the concept of noble cause corruption and whether or not this working philosophy mitigates the serious nature of police misconduct.
• Define the concept of psychological brutality and whether or not this should be considered a form of misconduct.
• Identify at least three recent organizational practices that have shown promise toward a reduction in the frequency of acts of police misconduct.
• Offer detailed commentary regarding whether or not corrupt practices by police have decreased in the past decade.
Introduction

Police misconduct is a complicated topic with a long and convoluted history in the United States. Misconduct may be broadly divided into two categories—corruption and physical or emotional abuse—and may be either organizational or individual in nature. Each of these categories includes numerous subcategories, which often overlap, and are violations of the ethical standards of police officers. As pointed out in earlier chapters, in a general sense, ethics refers to the moral obligation of humans to act in ways that are good and proper. Applied specifically to police officers, ethical conduct is especially important because of the authority granted officers and because of the difficulty of overseeing the daily behavior of police officers on the street.

Police possess at least two capacities whose use raises special ethical problems. Police are entitled to use coercive force and to lie and deceive people in the course of their work. Moreover, as sociologist Egon Bittner reminds us, while “few of us are constantly mindful of the saying, He that is without sin among you, let him cast the first stone, only the police are explicitly required to forget it.” (Klockars, 1989, p. 427)

In addition, of course, police performance has traditionally been subject to a good deal of moral controversy, partly because officers deal with moral issues on a regular basis and partly because their behavior has sometimes offended the moral sensitivities
of others. Finally, the police engage in discretionary behavior regularly, and other citizens must place a good deal of trust in police conduct with little in the way of assurances that that conduct is subject to adequate control (Klockars, 1989). Many ethical violations by the police fall under the general heading of conduct unbecoming a police officer and are investigated by other police officers. In light of the potential for police misconduct resulting from the periodic need to coerce or deceive the public, there is clearly a need for more attention to police ethics than is commonly paid.

In our present era of community policing, law enforcement executives, government officials, community groups, and academicians all advocate policing strategies that include partnerships with the public in the control and suppression of crime, thus providing for an overall improvement in the quality of life. Such strategies, sound though they are, require an atmosphere of trust and confidence between the citizenry and those who have been sworn to serve and protect them—the police. Unfortunately, various acts of misconduct by a minority of police officers occur all too frequently, serving to create an aura of suspicion, mistrust, and uncertainty between the police and the public they serve. When allegations of corruption arise and are confirmed, effective policing strategies are severely inhibited.

This issue of misconduct in the field of policing is the focus of this chapter, and we provide a brief historical analysis of police conduct; identify various forms, causes, and consequences of police corruption; and offer recommendations for an improved response to this serious problem.

**Police Corruption**

One need only briefly examine daily media accounts to realize the breadth of corrupt and unethical law enforcement practices. Consider the recent news items listed in Tables 9.1a and 9.1b. Unfortunately, accounts of police misconduct are not hard to find. The examples in Table 9.1a were located after only a cursory search of a news service database. Even more alarming for police executives is that these particular acts of misconduct pertain to allegations of criminal conduct, and criminal offenses perpetrated by police officers represent only a small percentage of the activities routinely classified as police misconduct. Before examining the various forms of police misconduct, a few words regarding this phenomenon are in order.

| Table 9.1a Examples of Police Misconduct: United States |
|---------------------------------|----------|---------------------------------|
| Author(s) | Title | Year | Summary of Misconduct |
| Strunsky, S. | “Two More Officers Charged in Newark Police Corruption Case.” | 2004 | At least four indictments of officers charging the sale of narcotics and shaking down drug dealers for money and drugs. |

*(Continued)*
Table 9.1a (Continued)

<table>
<thead>
<tr>
<th>Author(s)</th>
<th>Title</th>
<th>Year</th>
<th>Summary of Misconduct</th>
</tr>
</thead>
<tbody>
<tr>
<td>Associated Press</td>
<td>“Chicago Police Dept. not Doing Enough to Stop Corruption.”</td>
<td>2006</td>
<td>Chicago officials were accused of a “practice of indifference to corruption . . . making officers who engage in misconduct feel protected.”</td>
</tr>
<tr>
<td>Tram, M. Associated Press</td>
<td>“More Arrests as Chicago Police Corruption Investigation Widens; 3 Officers Charged.”</td>
<td>2006</td>
<td>Officers accused of shaking down drug dealers, home invasion, and armed violence. Earlier in the same year, four other officers from the same Gang Crimes Unit were charged with robbery, kidnapping, and making false arrests.</td>
</tr>
<tr>
<td>Melia, M. Associated Press Worldstream</td>
<td>“Police in Puerto Rico Rocked by Scandals.”</td>
<td>2007</td>
<td>Ten officers were accused of planting drugs on people and making false arrests. This indictment came amid several police scandals with more than 50 federal indictments of police officers the previous year. The protection of drug dealers was the most common offense regarding those cases.</td>
</tr>
</tbody>
</table>

Table 9.1b  Examples of Police Misconduct: International

<table>
<thead>
<tr>
<th>Author(s)</th>
<th>Title</th>
<th>Year</th>
<th>Summary of Misconduct</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan Economic Newswire</td>
<td>&quot;Japan Urged to do More to Tackle Police Corruption.&quot;</td>
<td>2005</td>
<td>Series of scandals involving the theft of public funds . . . monies intended to pay informants.</td>
</tr>
<tr>
<td>Pogatchnik, S. Associated Press Worldstream</td>
<td>“Ireland to Crack Down on Police Corruption After Judge Catalogs Abuses.”</td>
<td>2006</td>
<td>Judicial reports cited the planting of evidence to frame people for murder and other crimes. Panel also describes the Donegal Division of the National Police as having a weak and corrupt management structure that encourages corrupt practices.</td>
</tr>
<tr>
<td>Gibb, F., O’Neill, S., &amp; Ball, J. The Times (London)</td>
<td>“Police Misconduct Costs Forces &amp; Pounds.”</td>
<td>2007</td>
<td>Police forces in the Ulster and Cleveland areas have paid out more than 44 million pounds to victims of police misconduct, including wrongful arrest, abuses of human rights, assaults, and malicious prosecutions.</td>
</tr>
<tr>
<td>Canberra Times</td>
<td>“Corruption Mars Victoria Police.”</td>
<td>2007</td>
<td>Police brass resigned amid allegations of leaking confidential information on a murder case. Government calls for independent watchdog groups similar to those operating in three other provinces.</td>
</tr>
</tbody>
</table>
The Background of Police Corruption

The history of the American municipal police is replete with examples and discussions concerning corruption. Reform movements have been initiated periodically to reduce or eliminate corruption but have largely failed to achieve their goals. The reform movement of the middle 1800s attempted to remove blatant, undesirable political influence from policing. The civil service reforms of the late 1800s sought the same goal, and though there were some successes, they were bitterly opposed and circumvented by those wishing to retain undue influence over the police (Johnson, 1981;
Richardson, 1974; Trojanowicz, 1992). According to Bracey (1989, p. 175), in 1894 the Lexow Commission, an investigative group appointed by a coalition of concerned citizens and good government groups, closed its hearings into police corruption and ineffectiveness in New York City. It reported that corruption was systematic and pervasive, a condition that it attributed in large part to malfeasance, misfeasance, and nonfeasance in the higher ranks. The next 15 years saw similar investigations and findings in almost every major American city.

Reforms in the early and middle 1900s emphasized the importance of professionalism as a means of reducing corruption of all types, and reform-oriented chiefs were appointed in many cities across the nation. Yet the problem of corruption resurfaced, sometimes in departments previously marred, other times in departments previously untouched by scandal. Lacayo (1993) reported, “For cops as for anyone else, money works like an acid on integrity. Bribes from bootleggers made the 1920s a golden era for crooked police. Gambling syndicates in the 1950s were protected by a payoff system more elaborate than the Internal Revenue Service” (p. 43). In 1971, Frank Serpico brought to light police corruption in New York City, and the Knapp Commission investigation that followed uncovered widespread corruption among officers of all ranks. According to Lacayo (1993), “In the 1980s Philadelphia saw more than 30 officers convicted of taking part in a scheme to extort money from [drug] dealers” (p. 43). A major corruption scandal “hit Miami in the mid-1980s, when about 10% of the city’s police were either jailed, fired, or disciplined in connection with a scheme in which officers robbed and sometimes killed cocaine smugglers on the Miami River, then resold the drugs” (Lacayo, 1993, p. 44). As Cooksey (1991) stated, “The Los Angeles County Sheriff’s Department discharges approximately 20 officers a year, primarily as the result of misconduct” (p. 7). In 1993, 22 years after Serpico’s disclosures in the same department, Michael Dowd and 15 to 20 other New York City police officers led “a parade of dirty cops who dealt drugs and beat innocent people [that] has shocked the city during seven days of corruption hearings” (Frankel, 1993b, p. 3A). A 1998 report by the Government Accounting Office cited drug-related police corruption in Atlanta, Chicago, Cleveland, Detroit, Los Angeles, Miami, New Orleans, New York, Philadelphia, Savannah, and Washington, DC. In 2009, four former members of an elite Chicago police unit admitted to breaking into homes and stealing money and to stopping Hispanic drivers, taking their keys, illegally searching their homes, and dividing any money they found (“4 Chicago Officers”, 2009). And also in 2009, 15 police officers in Illinois were charged with conspiracy to possess and distribute cocaine and heroin in drug dealing operations that played out in parking lots at suburban [Chicago] shopping centers and hotels (Anonymous, 2009b). Some departments were built on corrupt foundations, with politicians requiring payments for positions, while others gave police positions away in return for political favors. Allegations of corruption still occur on a regular basis in many large departments, as noted. Our observations in recent years indicate that corruption of authority remains widespread in small- and medium-sized (less than 500 sworn personnel) departments as well. Several of the other forms of corruption also have been noted in smaller departments.

Corruption occurs when a police officer acts in a manner that places his personal gain ahead of duty, resulting in the violation of police procedures, criminal law, or both (Lynch, 1989). According to Barker and Carter (1986), “Corrupt acts contain
three elements: (1) They are forbidden by some law, rule, regulation, or ethical standard; (2) they involve the misuse of the officer’s position; and (3) they involve some actual or expected material reward or gain” (pp. 3–4). It must be emphasized though that measuring police corruption is a difficult, if not impossible, task. As Ivkovic (2003) indicated, there are several factors to consider.

- What exactly is corruption? How is it operationalized by researchers?
- There is currently no official source of data on corruption, such as those provided by the Uniform Crime Report and National Crime Victimization Report for most other crimes.
- If it cannot be measured, how can it be determined if anticorruption strategies are working?
- Actual crimes that are indicative of corruption, such as bribery, are not labeled as such.
- Distinguishing between the various types of police can be a difficult task as well. Police officers from the state, county, local, campus, and even federal levels have many times been grouped together by researchers, oftentimes skewing their analyses.
- Data is hard to come by. Without public statistics researchers are generally left to the mercy of police administrators, who often are reluctant to share this type of information for fear of negative consequences from the press, local politicians, and the community.

Police corruption is best viewed not as the aberrant behavior of individual officers, but as group behavior guided by contradictory sets of norms. It involves a number of specific patterns that can be analyzed in terms of several dimensions, including the acts and actors involved, the norms violated, the extent of peer group support, the degree of organization, and the police department’s reaction. It is difficult to estimate the proportion of police officers directly involved in police corruption, but it is probably small. Still, the actual number of police officers involved nationwide is significant, and these officers attract a good deal of negative attention when their acts of corruption are made public. And while most police officers are not directly involved in corrupt activities, large numbers do condone such activities by their failure to speak out or take action against them. These are the officers, referred to as grass eaters by the Knapp Commission, who passively accept the presence of corruption as a part of the police world (Knapp Commission, 1973). Meat eaters are those officers, typically far fewer in number, who actively seek out the opportunity for corrupt activities. Recognition that those officers who actively seek out corrupt activities are relatively few has led many police administrators to espouse the “rotten apple” theory, which holds that while there are a few corrupt officers in policing, most officers are unaffected by corruption.

In fact, it is virtually impossible for a single corrupt officer to survive (other than in a one-person department). In other words, most forms of corruption require some degree of organizational support, at least in the sense that others within the organization turn their heads and refuse to confront the corrupt officer. This failure to take action against corrupt officers, even on the part of other officers who clearly dislike such activities, may be due in part to the police subculture.

Some time ago, Stoddard (1968) discussed the informal code of silence that exists among police officers with respect to a variety of types of deviant behavior. He and
others (Bouza, 1990; Frankel, 1993a; Klockars, Ivkovich, Harver, & Haberfeld, 2000; Weisburd & Greenspan, 2000) have indicated that such deviance is an “open secret” within the fraternity, but its existence is denied to those outside the group. Frankel (1993a,) reported that, for Bernie Cawley, a New York police officer, it was “nothing to lie to grand juries, to steal drugs, weapons, and money, and to protect other cops doing the same thing” (p. 1A). His fellow officer, Michael Dowd, testified, “Cops don’t want to turn in other cops. Cops don’t want to be a rat” (Frankel, 1993a, p. 3A). According to Johnson (2007), Alex Busansky, who formerly prosecuted police cases in the Civil Rights Division of the Justice Department, “says the code of silence and lack of physical evidence hampers many investigations. Without the cooperation of witnesses—often other police officers—the cases are reduced to allegations and denials.” This was the case when a Milwaukee jury failed to convict three police officers on battery charges for a beating in which a suspect was kicked in the head and stabbed in both ears. Such cases are frequently plagued by problems such as a lack of strong physical evidence and the code of silence adopted by some officers who refuse to testify against others in their ranks. (For a further discussion of the code of silence, see Chapter 8.)

In some departments, officers who are “straight” are regarded as stupid or as failing to take advantage of the benefits of corrupt activities that have come to be defined as inherent in the job. When an officer does decide to take action against corrupt colleagues, the fraternity may react violently and is very likely to ostracize the officer who violated the code or broke faith with those in the subculture.

Police corruption has been recognized as a problem in this country for at least 100 years, and various reform movements and departmental programs to reduce or eliminate corruption have been attempted, as we shall see shortly. Given these initiatives, why does police corruption remain problematic? The answer seems to lie, at least in part, in the relationship between the police and the larger society. It has been said that police are a reflection of the society or community they serve, and this is nowhere more true than with respect to police corruption. Simply put, a large percentage of corrupt practices by police could be stopped quickly if we wanted to eliminate them. If other citizens stopped offering bribes, free services, and other gratuities, and started reporting all police attempts to benefit in unauthorized fashion from their positions, as was recommended by the Knapp Commission in 1972, it would be very difficult for corrupt police officers to survive unscathed.

To some extent, it appears that we want our police to be corrupt, or at least corruptible. It gives us something to talk and write about, it provides us with a sense that the police are not morally superior to others, and it perhaps gives some of us a feeling of power over those who are recognized as having a good deal of power. Do we want our police to be totally honest and trustworthy? Or would we prefer to believe that they would overlook at least minor violations as a result of the favors we have provided them? Are we satisfied regarding the police as morally superior because they routinely turn down opportunities to earn thousands of dollars by accepting payoffs from drug dealers, gunrunners, pimps, and those involved with other illegal activities? If the police do in fact adhere to high ethical standards, and if they are, after all, basically citizens like ourselves, and if we would be tempted by opportunities to earn large sums of money by simply failing to enforce the law, are we less ethical, less moral? Or are we, too, convinced that corruption is inherent in the police role and that there is little we could do about it even if we wanted to?
Seron, Pereira, and Kovath (2004) believed the public has more to do with police corruption than one would think. These researchers described acts of misconduct by police resulting from various social phenomena, some of which stemmed from legal guidelines and some of which flowed from mitigating factors or circumstances. Citizen respondents were asked to rate the seriousness of a variety of hypothetical police–citizen encounters. Respondents used both the legal and extralegal circumstances described in the scenarios to rate the level of seriousness. From a legal standpoint, the use of excessive force and offensive language directed at citizens by police bore high ratings. When viewed from the extralegal perspective though, the ratings were significantly reduced when confrontational demeanors on the part of citizens were introduced to the scenarios. The study concluded the following:

Citizens expect officers to behave professionally, or by the book, but with a recognition that “street-level” discretion has a place in an officer’s toolkit. . . . [This] is also demonstrated by findings for the dimension abuse of authority: Abuse or threatening behavior by officers [was] not a significant predictor of serious police misconduct. (Seron et al., 2004, p. 665)

Unfortunately, when the “officers toolkit” is added to the list of citizen actions, perceptions, and contradictions regarding how police should and should not act, the ethical conundrums faced by police in their daily duties become even more clouded.

Two publicized commissions were formed to investigate police corruption and offer recommendations for change, the first of which was the Christopher Commission. Created by former Los Angeles Mayor Tom Bradley in 1991 in response to several high-profile media accounts of various acts of misconduct by LAPD members, the Commission specifically addressed structure and operation, recruitment and training practices, internal disciplinary procedures, and citizen review and oversight issues (Human Rights Watch, 1998). Headed by attorney and former U.S. Secretary of State Warren Christopher, the final report, titled “The Christopher Commission Report,” painted a disturbing, but all too familiar, picture of the LAPD for both the public and the police. Key findings of the report included the following:

- A small, but significant, number of police officers systematically engaged in acts involving excessive force.
- Police administrators clearly knew who these problem officers were but took little or no preventive measures to address the problem.
- A new policy needed to be adopted that would hold both individual officers and command staff personnel strictly accountable for future acts of malfeasance (Christopher Commission, 1991; Human Rights Watch, 1998).

Whether the LAPD adopted any of these recommendations stemming from the Christopher Commission Report is subject to debate. Many remain skeptical that any fundamental changes occurred within the LAPD.

For many of the same reasons cited by Los Angeles public officials and enraged citizen groups, former Mayor Rudolph Giuliani of New York City formed a special commission to investigate allegations of corruption within the ranks of the NYPD. Officially formed in 1994 and commonly referred to as the Mollen Commission, headed by retired New York State Supreme Court Justice Milton Mollen, the charge of
the Commission was to investigate allegations of misconduct, analyze the effectiveness of anticorruption mechanisms within the department, and offer recommendations for improvement. Key findings and recommendations included the following:

- Much of the corruption was closely tied to the illegal drug market and the use of excessive force.
- Many of the corrupt acts were perpetrated by police officers acting in concert with one another, sometimes with as many as 15 conspiring officers.
- Corruption occurred primarily in crime-ridden precincts, populated predominantly by minority group members.
- The leadership structure of the Department demonstrated no sense of commitment to rooting out corrupt practices.
- There existed a strong police subculture that frowned on honest officers reporting the wrongdoings of corrupt coworkers.
- The internal mechanisms responsible for uncovering and investigating misconduct were ineffective and, in many instances, focused on the whistle-blowers rather than the perpetrators.
- There existed a department-wide belief that the identification of corruption would cause the Department administrators to retaliate for bringing discredit on the NYPD.
- A recommendation was made to create a permanent, external panel to monitor internal anticorruption measures and conduct investigations (Tran, 1994; Treaster, 1994).

It appears that the mayor and police administrators have yet to adopt the recommendations of the Mollen Commission and strongly object to oversight outside the control of the NYPD. This reluctance may be, in part, responsible for the continued allegations of misconduct plaguing the NYPD. Nearly 15 years after the Mollen Commission findings and recommendations were released, the Executive Director of the New York Civil Liberties Union recently stated the following:

Under his [Commissioner Raymond Kelly] watch the discipline of officers guilty of misconduct has deteriorated dramatically, and many misconduct cases have been closed without any action whatsoever. . . . The police department has sabotaged independent scrutiny of officer practices, creating an atmosphere in which even the most egregious misconduct goes unpunished—unless, of course, a YouTube video puts the lie to the official truth. (Lieberman, 2008)

Clearly, a brief comparison of the major findings and recommendations of both the Christopher and Mollen Commissions reveals many more similarities than differences: the inability of these two agencies to police themselves, a reluctance to proactively and seriously confront this issue or encourage independent oversight, subcultures that discourage honest police officers from reporting coworker misconduct, and leadership structures that do not actively promote and support anticorruption measures. Moreover, the recommendations offered by these and other similar commissions were never followed with any degree of seriousness. (See Table 9.2 for some examples.)

While the aforementioned reports focused on two of our nation’s largest police departments, the critical issues that formed the core of both investigations seem to ring true, albeit in differing magnitude, for all size departments and in all regions of the country.
# Table 9.2  Historical Attempts at Investigating Police Corruption

<table>
<thead>
<tr>
<th>Name of Commission</th>
<th>Year of report</th>
<th>Conclusions</th>
<th>Recommendations</th>
</tr>
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<tbody>
<tr>
<td>Lexow Commission</td>
<td>1894</td>
<td>Corruption was pervasive and systematic in the NYPD, largely due to malfeasance, misfeasance, and nonfeasance in the higher ranks. Political corruption from the infamous Tammany Hall played a significant role as well.</td>
<td>Appointment of honest and capable police magistrates; appointment of honest, efficient, and responsible police administrators; passage of the “Police Magistrates Bill.”</td>
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<tr>
<td>Wickersham Commission</td>
<td>1932</td>
<td>Their report was titled “Lawlessness in Law Enforcement.” Findings included widespread nationwide use of brutality by police, bribery, entrapment, evidence tampering, intimidation and coercion of witnesses, unlawful wiretapping, and collusion with organized criminal gangs.</td>
<td>Widespread reforms not just in policing but in the entire CJ system. Need for more professional police departments higher qualifications for the job of a police officer, and insulation of the police from political influences.</td>
</tr>
<tr>
<td>Knapp Commission</td>
<td>1972</td>
<td>Started as a result of police whistleblowers. Widespread corruption in the NYPD; identification of two types of corrupt officers, grass eaters and meat eaters; and citizens’ willingness to bribe police for preferential treatment perpetuates corruption.</td>
<td>Increased supervisor accountability for actions of subordinates, creation of internal affairs units in all units of the department, improved screening and increased qualifications for all ranks, and undercover informants to be assigned to all units in the agency.</td>
</tr>
<tr>
<td>Fitzgerald Commission</td>
<td>1989</td>
<td>Rampant corruption in the state of Queensland, Australia. Deep-seated corrupt practices found throughout the Queensland Police Department. The activities included bribery, protection of and kickbacks from vice operations, evidence tampering, excessive use of force, and perjury.</td>
<td>Improved professionalism, increases hiring and promotional standards, creation of watchdog groups, limit terms of police executives to mitigate political influence, and a change in culture.</td>
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Table 9.2 (Continued)

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<tr>
<th>Name of Commission</th>
<th>Year of report</th>
<th>Conclusions</th>
<th>Recommendations</th>
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<tr>
<td>Christopher Commission (Human Rights Watch, 1998).</td>
<td>1991</td>
<td>Corrupt LAPD police culture that tolerated various acts of misconduct, a relatively small group (44) of officers responsible for a significant portion of malfeasance (group received no discipline) committed during the “CRASH” years), planting evidence, brutality, and perjury.</td>
<td>Improved selection and training criteria, implementation of community-oriented policing strategies, and more supervisor accountability for the actions of subordinates.</td>
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<tr>
<td>Mollen Commission (Treaster, 1994).</td>
<td>1994</td>
<td>Significant amount of corruption tied to the drug markets, weak leadership structure with no commitment to uncovering corrupt practices, strong police subculture encouraging officers not to rat on one another, weak internal affairs unit, and many acts of corruption committed by officers acting together in small groups.</td>
<td>Change in leadership structure, more department-wide emphases on anticorruption measures, better trained internal affairs unit, and an external panel to oversee misconduct investigations.</td>
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**YOU DECIDE 9.1**

Based on the corrupt practices cited in the news articles noted in Tables 9.1a and 9.1b and the malfeasance identified and investigated by the various commissions noted in Table 9.2, were there any common denominators? If so, what were they? Were there any major differences? If so, what were they?

In addition to the recommendations offered by these commissions to the agencies in question to mitigate the frequency of police misconduct, would you add any others? Which ones would you add? Why? How would you enforce your recommendations?

Discuss your findings with your classmates.
Types of Misconduct

Because of their vast legal and discretionary power and authority, and the multiple roles that they perform and assume in a democratic society, police officers consistently find themselves in the midst of a wide range of ethical dilemmas. The structural and functional opportunities for all forms of misconduct are unfortunately omnipresent in the everyday world of policing. While few would argue with the assertion that the vast majority of the men and women who serve their communities do so in an exemplary fashion, it is equally true that the minority of officers who bring discredit on their departments by compromising the Police Code of Conduct causes severe damage to their respective agencies in the areas of public trust, department morale, and overall community relations.

Rosoff, Pontell, and Tillman (2007), in their work on police corruption and in their analyses and interpretation of earlier research by Barker and Roebuck (1974), set forth a typology that encompassed a variety of misconduct, ranging from violations of departmental rules and regulations to statutory violations of state and federal law. A brief examination of each category follows.

Corruption of Authority

The corruption of authority is the most widespread form of police misconduct and includes “a wide variety of unauthorized material inducements, anything from discounted underwear to free commercial sex” (Rosoff, Pontell, & Tillman, 2007, p. 448). While this acceptance of gratuities on the part of the police often violates department policy, it does not violate criminal law statutes when the gratuities are offered voluntarily. In many cases, they are viewed as coming with the job and are overlooked by police departments unless they become a matter of public concern. In other words, the acceptance of gratuities is often condoned if not approved.

The difficulty with accepting gratuities is that the officer never knows when the corruptor may expect or request special services or favors in return. This may, of course, never happen, but if it does, it places the officer who has accepted the gratuities in a difficult position, although she may certainly refuse to grant such requests. In addition, it becomes difficult to draw a line between such gratuities and other types of corrupt activities in terms of monetary value and violation of ethical standards.

Such actions also may have an effect on the police image. For example, two police officers were witnessed during lunch hour at a fast food chain. One officer was in uniform, the other in plain clothes. In front of a large number of lunch-hour customers, the person taking the orders told the uniformed officer he would receive a 50% discount on the price of his meal. This started some murmuring in the crowd. The second officer then informed the cashier that he, too, was a police officer, and entitled to a 50% discount, and he showed his badge to prove it. The cashier apologized, saying she hadn’t recognized him as a police officer and assured him that he would receive his discount. Needless to say, the muttering in the crowd became rather negative, with other patrons indicating that they now understood why so many police officers visited the establishment in question.
DeLeon-Granados and Wells (1998) explored an ecological model called the “gratuity exchange principle,” which predicts that the mere act of receiving a gratuity is likely to offset police patrol practices. Their research found that gratuities increased police coverage, in that establishments that offered free or discounted menu items received greater police coverage compared with similar types of establishments that did not offer gratuities to police officers. DeLeon-Granados and Wells indicated the need for further discussions of the social costs of police receiving gratuities. Others, such as Ruiz and Bono (2004), agreed and stated that the acceptance of gratuities by the police is both harmful and degrading and should be discouraged. They concluded that accepting gratuities provided an opportunity for corrupt intent, whether the intent was initially that of the giver or the receiver. Once that opportunity has been grasped, officers may find themselves on a slippery slope of compromise and opportunism. Coleman (2004) discussed five types of situations that are particularly problematic for police and suggested that in these types of situations, gratuities should always be refused:

1. When gratuities are offered because the recipient is a police officer
2. When gratuities are offered on a regular basis
3. When the value of the gratuities offered is disproportionate to the services rendered
4. When the person offering the gratuity is under the impression that certain services will be provided only if a gratuity is offered
5. When the person offering the gratuity is not authorized to do so.

The issue of police officers and gratuities continues to be debated, but the weight of evidence seems to suggest that they are best avoided when offered by commercial enterprises. Whether or not they pose a major problem when they are offered by a grateful citizen and involve nothing more than a cup of coffee and a cookie remains controversial. It is clear, however, that if a departmental policy prohibiting acceptance of any form of gratuity exists and is ignored, a bad precedent has been established.

**Kickbacks**

Kickbacks constitute a second type of police corruption and refer to the practice of obtaining goods, services, or money for business referrals by police officers (Rosoff, Pontell, & Tillman, 2007). Those involved in offering these quid pro quo schemes include lawyers, doctors, towing contractors, auto body shop operators, and others who reward police officers who refer customers to them. While some of the forms of misconduct in this category are not illegal per se, it is easy to cross the line between violations of department rules and regulations and illegal activities. The difficulties inherent in such activities are obvious, but in some police departments, they too are condoned unless a public issue arises as a result.

**Shakedowns**

The third type of misconduct involves shakedowns and occurs when officers take money or other valuables and personal services from offenders they have caught during the commission of a crime (Rosoff, Pontell, & Tillman, 2007). Drug dealers,
prostitutes, and motorists seem to be favorite targets, though incidents like these occur when any arrestee is willing to buy his or her way out of an arrest.

**Bribes**

This type of malfeasance can assume many different forms. Sometimes referred to as the fix, it involves police officers taking no enforcement action when they are normally required to do so, usually in exchange for monetary remuneration (Rosoff, Pontell, & Tillman, 2007). Common examples include officers who, in exchange for money, will not write a motorist a ticket or officers who deliberately misdirect an investigation or perjure their court testimony to ensure a favorable outcome for the defendant (Hyatt, 2001, p. 79).

**Opportunistic Theft**

This form of misconduct pertains to police officers who steal money or other valuables when, for example, they are guarding a crime scene, as in the case of a burglary, or steal other such goods from unconscious, inebriated, or dead people (Rosoff, Pontell, & Tillman, 2007). Similar activity also may occur when money and other property are stolen from arrestees either prior to or during the booking process.

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**POLICE STORIES**

I recall one incident when working on a Paddy Wagon (a truck-like police vehicle used for transporting arrestees, dead bodies, etc.) for the Chicago Police Department. My partner that day was a veteran wagon man, as they were called, of 35+ years. We received a call of a dead body at a residence. The deceased was an elderly gentleman (grandfather of the homeowner) who had expired while seated in an easy chair. He had a history of serious illness and the Medical Examiner’s Office gave us permission to transport the deceased to the funeral home of the family’s choice.

We placed the fully-dressed deceased onto a stretcher and loaded him into the back of the wagon for transport to the funeral home. Just before reaching the funeral home, my partner asked me to pull into a nearby alley. He got out and proceeded to open the rear compartment of the vehicle. I exited the vehicle to see what was happening.

My partner removed the shoes (a rather new set of oxfords) from the deceased, put those shoes on his own feet, and began pacing up and down the alley as if he was trying on a new pair of shoes in a shoe store. He indicated that the shoes fit well and that he was going to keep them. I protested, saying that the family had seen what the deceased was wearing when we took him from their home and that the shoes should not be taken. He replied “Don’t worry about it, kid. They don’t bury you with your shoes on, and besides, I need the shoes more than he does.”

(Continued)
Protection of Illegal Activities

Protection of illegal activities is one of the most egregious forms of misconduct, and it involves police officers taking money or other valuables in exchange for their protection of criminal activities (Rosoff, Pontell, & Tillman, 2007). The most common forms of criminal activity protected by police are narcotics trafficking, gambling, prostitution, the fencing or sale of stolen property, and chop shop or auto theft operations. Unfortunately, allegations of this type of behavior occur all too frequently. To protect the illegal behaviors, a good deal of organization is often required. It does little good for one officer to look the other way when gambling occurs if his replacement for days off and vacations or officers on other shifts fail to protect the parties involved.

This incident occurred more than 20 years ago. Faced with the same circumstances today, I would not allow another police officer to do that in my presence; we would have a genuine “face to face” encounter.

CASE IN POINT 9.1

Conspiracy Cops—Bad Apples or Bad Barrels?

In what is the biggest story of the week so far, New Orleans LA police Lt Michael Lohman has plead guilty to a federal obstruction charge concerning his testimony to federal agents about his role in a cover up of the Sept 4, 2005 post-hurricane [sic] Katrina officer-involved shooting incident on the Danziger bridge that left 2 dead and 4 seriously injured. Lohman was not there when the shootings took place, but instead had responded afterward to direct an investigation into the incident and he found out pretty quickly that it was a “bad shoot” . . . in other words, it was an unjustified shooting incident.

The factual basis document signed by Lohman goes into detailing a rather convoluted process by which he conspired not only with the officers involved in the shooting incident, but also the officers that he had assigned to investigate the shooting incident to develop a plausible false story to justify the shooting that included planting a gun since none were found at the scene of the shooting.
The conspiracy to cover up the unjustified shooting went so far as to involve Lohman not only telling the officers to get their stories straight before being interviewed, but to also sit down with all of them to help them get their falsified stories together... and when that failed, he rewrote the entire report on his own to make it more convincing.

If anyone ever wondered at what extent law enforcement officers might go to concoct a cover up, the Danziger bridge incident now offers us a rare view into that depth, and it’s pretty deep. At each point in the process, from the time he arrived on the Danziger bridge to the point where he finally agreed to cooperate with federal investigators and plead guilty, he knew he was building a lie to hide the murder of two people and attempted murder on several others.

The scope of this conspiracy to obstruct justice involved not [sic] only Lohman and the 7 officers involved in the incident, but also the officers that he assigned to investigate it, bringing the total number of officers involved up to at least 9, if not more. While headline-worthy not only for the history of the case, but also for the scope of the subsequent cover-up, this type of conspiracy to obstruct justice is not unique by any stretch... in fact, there have been several other similar cases recently:

**On February 16, 2010**, Stoughton, MA police officer Anthony Bickerton plead guilty to obstructing a federal investigation into corruption within the Stoughton Police Department that involved theft when Bickerton hid evidence at his home for another officer targeted by the probe. Bickerton was the third officer ensnared by this particular probe that had another officer plead guilty in January and a third turn over and cooperate with federal agents. All three had resigned abruptly late last year.

**On December 15, 2009**, federal authorities indicted the Shenandoah PA police chief and two of his officers for conspiracy to obstruct justice, witness tampering, and evidence tampering in a racially motivated murder case involving several local teens that the officers allegedly helped concoct stories to prevent their prosecution for the crime. Not only this, but the police chief and a fourth officer were indicted for extortion charges in a separate case. On top of this, a lawsuit was filed alleging yet another cover up where officers allegedly beat a detainee to death then hanged the man in an effort to make the beating death appear to be a suicide.

**On January 21, 2010**, the city of Marlow OK fired two officers and continues to investigate the chief of police on allegations that they had lied about a drug bust at trial which forced prosecutors to drop all charges in the case. Furthermore, allegations of rampant corruption within the department includes missing drug evidence, warrantless raids, motorists being robbed by officers, a cover up of an officer-involved fatality, and allegations of child molestation made by 8 minors against one officer still on active duty. The police chief has been on paid leave since late October.

(Continued)
Even more disturbing than this review of unethical and criminal conduct by police officers are the results of research conducted by Barker and Wells (1982) and Annarino (1996), cited in Hyatt’s (2001) work on police misconduct. They surveyed police chiefs in the southeast region of the United States in an effort to ascertain whether their respective agencies had official regulations explicitly covering the range of misconduct cited previously and their opinions regarding the type of disciplinary action these activities would warrant. The following is a brief summary of the results:

- **Kickbacks**: More than 50% of the chiefs indicated that they would reprimand or suspend officers involved in kickbacks.
- **Opportunistic thefts**: Approximately 60% of the departments had regulations pertaining to this category of malfeasance. However, only 35% of the chiefs indicated a willingness to pursue criminal charges.
- **Shakedowns**: Approximately 60% of the respondent departments had regulations pertaining to this activity, and only 37% of the police chief respondents considered the initiation of criminal charges.
- **Bribes**: Even more disturbing was that only 39% of departments had regulations governing this form of conduct, and less than 30% of the chiefs believed this activity to be serious enough to recommend criminal prosecution (Annarino, 1996; Barker & Wells, 1982; Hyatt, 2001, pp. 79–80).

The reluctance by chief executive officers to take appropriate disciplinary action against officers engaged in unethical behavior serves only to strengthen the force the police subculture exerts on so many officers. Moreover, these types of attitudes by
Chiefs send a very disturbing, but clear message to subordinates—that more often than not, at least with respect to this research population, the penalty for malfeasance will not be commensurate with the seriousness of the offense. In any event, this view of corruption by chiefs of police is an issue that begs more attention, both through research and professional development activities.

Although one type of corruption does not necessarily lead to another, where one finds more serious types of corruption, one is also likely to find most of the less serious types. Consider, for example, a department that condones internal payoffs. If a supervisor attained her position by paying someone for it, it becomes difficult to deal with less serious forms of corruption among those supervised because they may have knowledge of the way in which the promotion was obtained. In the long run, such a department is likely to be characterized by all other forms of corruption. In addition, services to the public are likely to be less efficient and effective than they might otherwise be because promotions are not usually based on merit, and less competent or incompetent people may become supervisors. As Richardson (1974) stated early on,

Discipline may be especially weak since any action might lead to unpleasant publicity. If a large portion of a police department is implicated in such corrupt relations, no one can enforce the law against the police themselves. Officers outside the network of payoffs have to turn their backs on what goes on around them and deny publicly that any such activity exists. . . . Moreover, what is the effect on a young patrolman who learns that his colleagues and commanders are often more interested in profiting from the law than enforcing it? (p. 154)

Frankel (1993b), dealing with similar issues, noted the following:

Daniel Sullivan, former head of the [NYC] department’s Internal Affairs division, testified that the message from the top brass to his investigators was simple: “We shouldn’t be so aggressive because the department doesn’t want bad press. . . . Honest officers testified that their efforts to report and investigate corruption ran into resistance and retaliation. (p. 3A)

Walker, Spohn, and DeLone (2006) concluded that many police agencies fail to discipline officers who are guilty of misconduct. Such actions, or failure to act, send a clear message to line officers: We are not committed to ethical conduct. The resulting consequences may be disastrous.

**Causes and Consequences of Police Misconduct**

While not specifically included in the original typology developed by Barker and Roebuck (1974), Rosoff, Pontell, and Tillman (2007), and others, there are additional categories of malfeasance that should be specifically identified, along with associated causes and consequences.

**Nonfeasance**

*Nonfeasance* in the context of policing refers to the reluctance of most police officers to report wrongdoings committed by their coworkers. Why is this so? Can the situation be changed? The code of silence (discussed earlier in this chapter as
well as in Chapter 8) among police officers results in collective feelings and attitudes, as misdirected as they may be, of cynicism, isolation from the community in which the police live and work, and a sense of blind loyalty to their colleagues. Cox (1996) described the police culture as consisting of the informal rules and regulations, tactics, and folklore passed on from one generation of police officers to the next. The cycle of corruption is allowed to perpetuate because honest police officers, due to fear of retaliation from coworkers and supervisors, often hesitate to report the illegal and unethical acts of coworkers. Until this aspect of the police subculture can be significantly diminished, and honest police officers develop the courage to do the right thing, police misconduct will continue to flourish. The effects of this continued pattern of misconduct will then spread and exert even more strain on the already tenuous relationship that exists between many police departments and their respective communities.

Evidence of the problematic relationship between the police and the public they serve can be found in a Gallup News poll (Jones, 2005): “The decline in confidence [in the police] has generally occurred across demographic subgroups, as members of most key groups are less confident in the police, . . . . Gallup also finds a new low in the percentage of Americans who say they have a ‘great deal’ of respect for the police in their area” (p. 419). A Gallup Poll taken in June 2009 found that 28% of

![Photo 9.2](image-url) The aftermath of a successful narcotics raid, with the fruits of the crime showing. The seizure of large quantities of illicit drugs and cash has frequently been the downfall of many police officers.
those surveyed had a great deal of confidence in the police and another 31% had quite a lot of confidence in the police. Although the public perception of and confidence in the police undoubtedly has numerous causes, reported and suspected police corruption may well be among them.

**Drug-Related Corruption**

Another form of police misconduct involves drug-related corruption. A 1998 study by the U.S. General Accounting Office (GAO), titled “Drug-Related Police Corruption,” provided insight into the systematic, narcotics-related corruption in the field of policing. The study analyzed federal drug-related investigations and prosecutions of police officers from several state and municipal police departments. Through its examination and analysis of government and academic reports and interviews with numerous federal law enforcement sources specializing in the investigation of public integrity matters, the GAO generated interesting data to be considered in the study of police corruption. The following is a summary of the major conclusions of the GAO report:

- Drug-related police corruption differs from other forms of police misconduct.
- Officers involved in this corrupt practice “were more likely to be actively involved in the commission of a variety of crimes, including stealing drugs and/or money from drug dealers, selling drugs and lying under oath about illegal searches” (p. 3).
- Power and vigilante justice were found to be additional motives for drug-related corruption.
- A recurring pattern of this form of corruption was that the misconduct involved small groups of officers who consistently conspired and helped one another commit a variety of crimes.
- The culture surrounding drug-related corruption was characterized by the all too familiar code of silence, blind loyalty to group members, and cynicism about the criminal justice system.
- Younger officers, as well as those lacking experience and at least some form of higher education, were found to be more susceptible to these corrupt practices.
- A variety of critical management and administrative issues were also associated with this form of corruption, such as lax and/or incompetent supervision; no real commitment from department brass to promote integrity; weak or ineffective investigative methodologies used to combat corruption; inadequate training, both basic and in-service, particularly in the area of ethical decision making; police brutality; and informal pressures stemming from officers’ personal friendships and affiliations with neighborhood figures. (GAO, 1998, pp. 3–5)

Although the GAO report is somewhat dated, it is nonetheless a seminal piece of research regarding police corruption. Further, the conclusions drawn appear to be supported by the vast majority of news stories highlighted in Tables 9.1a and 9.1b, as well as the conclusions formed by the majority of police corruption commissions highlighted in Table 9.2. The issues pertaining to the strength of the police subculture, the support of peers in the commission of acts of misconduct, lax supervisory
practices, and ineffective leadership structures seem to be key variables in the continuation of corrupt activities.

**Noble Cause Corruption**

As the phrase implies, **noble cause corruption** pertains to various situations in which officers circumvent the law in order to serve what they perceive to be the greater good. Perhaps Delattre (2002) described this behavior best by posing the following dilemma to both officers and administrators: “If you have a perpetrator in custody, and he has information that could save the life of an innocent victim, is it right to use extreme methods to get the information” (p. 185)? Although questions such as that posed by Delattre always generate enthusiastic debate on both sides of the issue, the answer is actually quite clear—police officers are sworn to uphold the law and should never, under any circumstances, willfully violate the rights of anyone in their custody. Those who disagree with this assertion point to the life-and-death nature of Delattre’s scenario. The question that begs an answer, however, is how often do cases like this occur in the daily lives of police officers? Most would argue that they occur rarely, if ever, during an officer’s career.

The debate underlying noble cause corruption, then, must focus around more commonplace activities encountered by police officers. Imagine plainclothes officers approaching an individual on the street to conduct a field interview. The person in question abruptly turns a corner, and while temporarily out of view of the officers, drops a quantity of illegal narcotics to the ground. The police then find the contraband and arrest the subject. What should the officers do? If they tell the truth, the case will most likely be dismissed in court. If they elect to fabricate their report and possibly perjure themselves in court, they have removed a dope dealer from the street. Herein lies the problem with adhering to the noble cause corruption philosophy—two wrongs never make a right, and if left unchecked, the collective behavior of officers may eventually even assume a vigilante-like mentality (Delattre, 2002).

Incidents like the one just described occur all too often, and officers and administrators who approve of this manifestation of the police subculture, even if only tacitly, run the risk of systemic corruption taking hold in their agencies. According to Harrison (1999), no matter how routine or exigent the circumstances may be, the following is true:

> When officers use unlawful means to gain a desired end, they damage the system they represent. Beyond the damage to the justice system, however, officers who engage in illegal behavior denigrate not only the uniform of the guardian but also the individual within. The eventual result to society is a loss of confidence in those charged with the protection of others, leading to a fraying of the tapestry of the culture that binds communities together. (p. 5)

**Physical and Emotional Abuse**

Police misconduct also includes many other categories, such as perjury, emotional abuse or harassment, physical abuse, and even murder. To some extent, perjury and other forms of unauthorized deception serve as links between corruption and other forms of misconduct. What is the difference, for example, between a police officer
perjuring himself in order to fix a ticket in return for payment from the defendant and one who perjures herself in order to cover up the fact that she used physical force unnecessarily against a defendant? How does one draw the line between lying to informants and drug dealers and deceiving one’s superiors? Once perjury and deception gain a foothold, they tend to spread to other officers and to other types of situations until, in some cases, the entire justice system becomes a sham.

This is the case, for instance, when police officers perjure themselves in criminal cases in which the defendant is also perjuring himself, the respective attorneys know that perjury is occurring, and the judge knows that none of the parties is being completely honest. The outcomes of such cases appear to depend on who told the most believable lie, or the last lie. The overall impact is to increase the amount of suspicion and distrust of the justice system among all parties, and this is certainly not the desired end product if we wish citizens to participate in and believe in the system.

Chevigny (1969), Cray (1972), Manning (1974), Skolnick (1966), and Roberg and Kuykendall (1993) addressed the issue of police lying and all agree that the behavior, in some cases, becomes accepted as an inherent part of the job in much the same way as corruption. Adding to this, Foley’s (2000) research on police perjury strongly indicated that nobody should be surprised that perjury by police officers is a significant problem since “. . . the courts, police agencies, and society have acknowledged, justified, and approved . . . ” (p. iv) of the use of lying and deception by the police. This appears to be true particularly in cases in which police misconduct has occurred and the officers involved are trying to cover up the misconduct. Police officers who stop other citizens without probable cause and harass them, and police officers who use force unnecessarily, must attempt to justify their actions or face relatively severe sanctions.

As a case in point, Foley (2000) interviewed nearly 200 NYPD officers and presented a series of vignettes representing various issues associated with police misconduct. Most of the data pertaining to perjury by the police was not surprising. For example, 77% of officers in the study “. . . indicated perjury would likely be committed in some of the vignettes presented” (p. 132). Examine other related highlights from Foley’s (2000) research:

- The three crimes found to be most significant in affecting officers’ decisions to perjure themselves were the sale of narcotics, rape, and assault.
- Officers seeking promotion were more likely to perjure themselves.
- Officers with a significant need for overtime pay were highly likely to commit perjury.
- The past performance of officers in this regard was a strong predictor of continued acts of perjury.
- The duty assignments of officers affected their likelihood to commit perjury. Uniformed officers were more than twice as likely as detectives to commit perjury.
- Officers who had been expressly warned by their supervisors on prior occasions not to perjure their testimony or lie on arrest reports were highly unlikely to engage in this form of misconduct again.

The implications from this research are important for police administrators to consider and further investigate, particularly the finding that express warnings from supervisors appeared to lead to fewer cases of perjury on behalf of the warned officers.
Emotional Abuse and Psychological Harassment by Police Officers

As indicated elsewhere in this text (see Chapter 11), police officers, like those in other occupational groups, sometimes employ stereotypes and divide the world into *us* and *them*, or insiders versus outsiders. Those who are perceived as outsiders are often labeled, and occasionally these labels are used openly to refer to the members of groups so designated. The use of racial slurs is but one example of the kind of harassment under consideration. Other special categories and labels are created for those belonging to particular types of “deviants,” for example, drug dealers, homosexuals, prostitutes, and protestors. The creation of special categories and the ensuing labels are not unique to the police, but as public servants who represent the authority of the government, the police are in a unique position when it comes to using the labels created.

### AROUND THE WORLD

**Police Integrity Commission**

*New South Wales Government*

The Police Integrity Commission (PIC) of New South Wales, Australia was formed due to that state’s worst police corruption scandal. Visit the PIC website at http://www.pic.nsw.gov.au/ and familiarize yourself with its many features.

After you are finished acquainting yourself with the PIC website, answer the following questions and be prepared to discuss your answers with your classmates.

1. What was the name and basis of the scandal that led to the formation of PIC?

2. Have there been any scandals involving misconduct by the New South Wales Police since PIC’s creation? If so, what were the allegations and what was the result of the investigation?

Do you recommend the formation of similar investigative commissions in other countries, including the United States? Why or why not?

**Emotional Abuse and Psychological Harassment by Police Officers**

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**POLICE STORIES**

I recall working for a short time in one of districts of the Chicago Police Department, the geographical boundaries of which were well known by Chicago residents due to the diverse nature of its citizenry. Parts of the district housed some of the wealthiest people in Chicago, and other parts had a significant homeless population, gang activity, and a substantial number of persons living
alternative sexual lifestyles. One area of the district catered to the gay lifestyle and was referred to by many as “Boy’s Town.” It was common practice for many officers to verbally harass gays. For example, when passing by persons on the street that officers thought to be gay, many would activate their loud speakers and utter derogatory remarks, such as “get off the street, fagot,” “don’t you look pretty tonight,” “bet your a$$%#$ is bigger than a sewer cover,” as well as other similar remarks.

This was also an era when the incivility directed toward gays by some police extended to citizens from other areas of the city. In a practice known as gay bashing, a phrase coined by the media to describe incidents in which gay men were targeted at random by groups of thugs who would chase them down and beat them... sometimes very severely and for no reason other than being gay or being perceived as being gay. It was not uncommon to hear radio calls regarding this practice or for officers to sometimes witness a group of males chasing other males who were pegged as being “queer.” Many of those radio calls and cries for help were either completely ignored by many officers or their response was to deliberately drive very slowly to the location.

While neither my partner nor I engaged in this form of misconduct, we knew it was happening and we knew many of the officers who frequently demeaned gays or ignored or responded slowly to incidences of gay bashing. Did I do anything about it? Sadly, I must say no. Why? It was the police subculture once again. I perceived the pressure to go along and get along as intense.

Looking back on those days makes me ashamed of myself for ignoring those injustices. Given those same set of circumstances today, I would let those officers know, in a face to face manner, that if they continued doing what they were doing in my presence I would report them. No longer would I care about getting along with ass$ like that; and the more I think about it, even 20 to 30 years ago the vast majority of officers were honest and hard working. I don’t think they would mind seeing those kinds of officers face the consequences of their actions.

First, the police are supposed to represent all citizens, regardless of race, creed, nationality, gender, age, political beliefs, or sexual orientation. When they use dehumanizing terms or harass others, the impression may be that because they represent government, they are expressing the attitudes of those who govern—though in fact they may simply be expressing personal dislikes, contempt, or hostility. Second, because of the fact that they represent governmental authority, they are in turn very likely to be subject to harassment, name calling, and challenges. When those being policed use dehumanizing terms, and deliberate attempts to harass or provoke the police occur, the possibility that the police will reciprocate in kind is heightened. Third, the occupational subculture legitimizes the use of labels behind squad room
doors or among police officers, keeping these labels alive and meaningful. Fourth, few of those other citizens harassed or verbally abused are likely to report the abuse, which tends to reinforce the abusive behavior. Fifth, as an alternative to arrest, many of those harassed probably view the harassment as the lesser of two evils (homeless people, for instance, who are “escorted” to the city limits by police officers with a warning not to return).

Members of minority groups (both racial and behavioral), particularly in high-crime areas, report that psychological or emotional abuse is a routine part of their encounters with the police. And in fact, the best available evidence supports this contention. Although his study is dated, Reiss (1968) provided information concerning the incidence of police psychological mistreatment of other citizens:

What citizens object to and call “police brutality” is really the judgment that they have not been treated with the full rights and dignity owing [sic] citizens in a democratic society. Any practice that degrades their status, that restricts their freedom, that annoys or harasses them, or that use physical force is frequently seen as unnecessary and unwarranted. More often than not, they are probably right. . . . Members of minority groups and those seen as nonconformists, for whatever reasons, are the most likely targets of status degradation. (pp. 59–60)

Hacker (1992), for example, noted that “most black Americans can recall encounters [with the police] where they were treated with discourtesy, hostility, or worse . . . . And it would appear that at least a few police officers still move in circles where no censure attaches to using the word ‘nigger’” (p. 189).

According to Lurigo, Greenleaf, and Flexon (2009), complaints of harassment and disrespectful treatment were widespread among the young black and Hispanic men they interviewed. These men described repeated instances of verbal abuse by officers, including antagonistic language, name-calling, profanity, and derogatory remarks.

What constitutes police brutality is, at least in part, a matter of definition, and police definitions and those of other citizens may not always coincide. What some segments of the public see as police harassment or brutality, the police are likely to view as aggressive policing that is necessary for their survival on the streets as well as for maintaining some degree of order and crime control. Is a police officer in a high-crime area, where many residents are known to carry deadly weapons, harassing a citizen when she approaches cautiously, pats the citizen down for weapons, appears suspicious, and has another officer back her up? The answer depends, in part, on whether the person is the police officer or the person being stopped, questioned, and searched—because while the latter knows whether he is a dangerous person, the officer typically does not. Obviously, the way in which such encounters are carried out is important. Reiss (1968) and others (Lurigio, Greenleaf, & Flexon, 2009) noted that it is not always what the officer says, but how she says it that is degrading, and that whites, as well as racial or ethnic minority group members, may be victims of psychological harassment. The conclusions drawn by Reiss are supported by the findings of the National Advisory Commission on Civil Disorders (1968)
All concluded that foremost among the complaints of minority group members about the police were the use of improper forms of address (use of terms such as *boy*, or use of a first name when a surname is appropriate) and stopping and questioning people for no apparent reason other than their race or ethnicity.

All of these findings and incidents, and others as well, imply that harassment and psychological brutality, if not actual physical brutality, continue to occur in police encounters with at least certain citizens. This is supported by the fact that repeated public opinion polls regarding the police typically indicate that the police are looked upon less favorably by minorities. For example, a CBS News/New York Times poll taken in July of 2008 asked respondents whether they felt they had ever been stopped by the police just because of race or ethnicity. Just 7% of whites responded “yes” to the question compared to 43% of blacks and 30% of Hispanics (CBS/New York Times Poll, 2008).

**Excessive Use of Force**

Nothing seems to grip the attention of the public more than the accounts of police officers overextending their legal authority by using *excessive force* to either effect an arrest of or to coerce information from individuals they interact with during the course of their duties. Celebrated cases such as the Rodney King incident in Los Angeles and the Abner Louima case in New York City are indelibly etched into the minds of many Americans, but are the abusive tactics in question commonplace in policing? Has police brutality reached epidemic proportions? To answer these questions and ascertain whether abuses similar in nature occur frequently and are perpetrated by a significant number of police officers requires a systematic examination of data pertaining to the overall use of force by police.

One relevant study examined citizen complaints filed against police officers in Florida, Illinois, Missouri, Pennsylvania, and Washington. Approximately 50% of all the complaints focused on the verbal conduct and overall demeanor of the officers. An additional quarter of the total complaints involved a wide variety of nonviolent, illegal conduct committed by officers on and off duty. The remaining quarter of complaints dealt with excessive force issues, once again by officers on and off duty (Johnson, 1998).

Actual complaints arising from on-duty arrest situations were responsible for less than one quarter of the complaints filed against police officers. While these numbers are significant, the author did not indicate whether these complaints were sustained or whether the officers were exonerated of wrongdoing. Either way, the data “reveals that excessive force by police officers while affecting an arrest represents a problem to address, it does not appear as widespread as the media portrays” (Johnson, 1998, p. 3).

A much more representative investigation of issues involving use of force by police was conducted by the NIJ in a 1999 study titled “Use of Force by Police: Overview of National and Local Data.” According to this and other NIJ reports, only a small percentage of police–public interactions involve the use of force, with an even smaller percentage resulting in incidents of conduct that would be classified as excessive. Data
used in their analyses were gathered from a variety of sources, including police reports, citizen complaints, victimization surveys, and ethnographic methodologies. A summary of the highlights of their research follows:

- With respect to custody arrests of adults, of the 7,512 cases studied, police used physical force less than 20% of the time. In those instances, nonviolent or weaponless tactics such as grabbing were used in the majority of cases.
- Approximately 2% of the cases involved the use of weapons by police, and chemical agents such as pepper spray were used in the majority of those cases.
- Use of force by police typically occurs when a suspect is resisting arrest.
- When physical injuries do occur as a result of arrest, they are usually minor (e.g., bruises or abrasions).
- Instances of the use of force do not seem to be associated with officers’ demographic characteristics, such as age, gender, and ethnicity. (This finding seems to be at odds with an earlier study in which officers who received the bulk of citizen complaints, albeit not all for excessive force, tended to be male, white, under 30 years of age, with less than five years of experience, and with little or no formal education [Johnson, 1998].)
- Use of force by police occurs more often when dealing with individuals who are under the influence of alcohol or drugs and with emotionally disturbed persons.
- A small number of police officers tend to be involved with an unusually high percentage of use-of-force incidents.
No matter how one interprets the data, the evidence seems to suggest that cases that involve severe beatings with fists, feet, and batons are not at all typical of the use of force by police. That is not to say that such cases do not exist or that police brutality is limited to use of fists or batons. Consider the case of Chicago police lieutenant Jon Burge, whose arrest capped a long-running controversy over allegations that beatings, electric shocks, and death threats were used against suspects at Burge’s Area 2 violent crimes headquarters. The former high-ranking police official was arrested on charges that he lied when he denied that he and detectives under his command tortured murder suspects (Anonymous, 2008). When these cases do occur, however, data also demonstrate, as they do with many other forms of police misconduct, that excessive use of force is committed by a disproportionately small number of officers (National Institute of Justice [NIJ], 1999).

The evidence cited is consistent with a more recent NIJ sponsored research project regarding citizen contacts with the police in 2005 (Durose, Smith, & Langan, 2007). Of the 43.5 million persons who reported having face-to-face contact with police, approximately 2.3% of those individuals reported experiencing force or the threat of force by police at least once during that time period. Additional highlights were as follows:

- 55% of those respondents who reported experiencing force or threat of force, claimed that police actually used force (i.e., pushing, pointing a gun, and use of chemical sprays)
- 28% reported force being threatened by police but no force was used
- 10% reported police officers shouting or cursing at them but not applying force
- Approximately 17% of those respondents experiencing force admitted to provoking the officers by threatening them or resisting arrest

The NIJ reports also identified areas in need of further research, areas that may further assist in helping us understand the sources of and the answers to issues pertaining to bona fide incidences of excessive use of force by police. These areas include administrative policies, hiring practices, disciplinary procedures, use of technology, and the various influences of situational characteristics on the use of force.

Reiss (1971, p. 2) observed, “At law, the police in modern democracies such as the United States possess a virtual monopoly on the legitimate use of force over citizens.” Bittner (1970) described the capacity to use force as the core of the police role. And Rubinstein (1973) discussed the police officer’s body as his most important tool and the process by which he evaluates other citizens in terms of his physical ability to “handle” these other citizens if an encounter should turn nasty. That the police have the capacity to use force is indicated by the baton, mace, and sidearm they carry into every encounter, as well as by their sheer numbers in certain types of encounters. It should not be surprising, therefore, that the issue of misuse of force by the police should arise occasionally. This is perhaps especially true when we recognize that we live in a society characterized by violence. Spouse abuse, child abuse, and drug-related street violence are common occurrences in our society; and the police are routinely involved in dealing with all three.

What is clear is that the perception that such incidents occur is widespread in minority communities in cities of all sizes across the country. This perception becomes the reality for those involved, whether the perception is grounded in reality or not.
The perception creates hostility and resentment on behalf of some citizens who view themselves as particularly likely to be victims of harassment and brutality and on behalf of the police who view themselves as particularly likely to be harassed, challenged, and criticized by certain segments of the population. In spite of these misgivings on both sides, the vast majority of police encounters with other citizens occur without physical brutality on the part of either party.

Occasionally, however, suspicion, fear, resentment, and hostility escalate, resulting in physically violent encounters. In addition, of course, the police must be concerned about the possibility of violence that has nothing to do with harassment or social status but is based on felonious behavior. The possibility of physical violence always exists when the officer responds to calls involving domestic disputes, bar fights, robberies in progress, burglaries in progress, bomb threats, street protests, gunrunning, and drug trafficking, to mention just a few. In a small proportion of these cases, the result will be the use of deadly force by one or more of the parties involved.

**Misconduct: Management and Administrative Issues**

There is perhaps no phrase or cliché more relevant than the following when directed toward command staff personnel in the context of police misconduct: The buck stops here. Since the early days of policing, and following a review of major law enforcement scandals and the reports of the various commissions that investigated the misconduct in question, one common denominator surfaced—the leadership structures of the agencies in question demonstrated no real sense of commitment to investigating and ferreting out corruption from within. As Delattre (2002) and others pointed out, with respect to police misconduct, the problem does not lie with the few “rotten apples” that many police chiefs espouse as the problem; rather, it is the result of rotten leadership structures and administrative policies that seem to avoid rather than promote strict accountability for all department members who engage in misconduct. Moreover, these structures and policies do not support sound investigative methodologies that are necessary to proactively investigate malfeasance.

Marche’s (2009) research confirmed what Delattre (2002), Klockars et al. (2000), and many others have said about the inaccuracies associated with these “rotten apples” hypotheses and corrupt police practices. He found that the police culture, the organizational culture of many police agencies, actually fosters corruption. Marche’s (2009) research also indicated that “... incentive structures within police agencies increase the problem of corruption ...” (p. 463). Arrest quotas and arrest rates of officers used as a criterion to be assigned to more sought after assignments, such as Gang Crimes, vice, and so on, and even used as criteria for promotion are not good management practices.

The Mollen Commission (1995) report pointed to another potential problem in reducing misconduct—the existence of a department-wide belief that the identification of corruption would cause department administrators to retaliate for bringing adverse public attention to the agency. These retaliatory actions, were often directed toward the whistleblowers. Unfortunately, the history regarding the treatment of officers who came forward with the intent of exposing corruption is replete with instances of unpleasant and, in many cases, threatening actions bestowed on them by their superiors and coworkers.
In response to data such as these, some chiefs emphasize the harm done to community relations when misconduct becomes public. They mistakenly believe that covering up, ignoring, or simply having wrongdoers resign rather than face the disciplinary ramifications commensurate with their misdeeds, is for the greater good. Yet according to Bracey (1989), the following is true:

Management accountability is perhaps the most important, effective and most difficult proactive tool for preventing and detecting police corruption. This is not a program or a device, but rather a thorough rethinking of the meaning of supervision and management responsibility. The driving assumption underlying accountability is that commanders are responsible for all police activity that takes place on their command. At its simplest, a policy of accountability means that commanders may not plead ignorance and surprise when corruption is discovered in their areas. (p. 176)

Bracey goes on to indicate that while the accountability approach clearly can work, it can be carried to extremes by supervisors so concerned with protecting themselves from liability that they trivialize the process.

Trojanowicz (1992) noted that supervisors can have an impact on corrupt activities, but also said the following:

[They] must go the extra distance to ensure that the officers under their command treat people with respect and that they have not crossed the line. . . . The good news is that departments which have embraced Community Policing have taken an important step in fostering a climate where average citizens may well feel encouraged to share any such concerns or suspicions. (p. 2)

No matter how one analyzes the situation, any administrative action short of holding all members of the organization strictly accountable for their misdeeds serves only to perpetuate the problem and send a disturbing message down the organizational ladder—a message that tacitly approves of corrupt practices. Some chiefs clearly recognize that a different sort of message needs to be sent in these circumstances. Former Chicago Police Superintendent Terry Hillard, after concluding a 2-year joint Internal Affairs Division–FBI investigation into the allegations that some police officers were shaking down Polish immigrants, had the officers involved arrested at their residences, without affording them the usual custom of advance notice. As one official in the Hillard administration put it, “The superintendent wanted to treat them like any other thieves” (Main, Sadovi, & Sweeney, 2000, p. 1).

Other administrative issues that may unwittingly lead to corrupt practices are related to the various get-tough-on-crime, no-nonsense, zero-tolerance policing strategies initiated by many law enforcement executives. While their intentions may be noble, do the results of such endeavors outweigh the possible negative consequences associated with them? Such strategies are normally reserved for locales ridden with crime, generally the lower socioeconomic areas of our nation’s cities. Officers who are assigned to police these areas usually work in specialized units such as gang crimes, narcotics, and vice control, and many times they are forced to work under quota-type pressure if they wish to remain assigned to those units. Consequently, the pressure to make arrests will lead to increased citizen encounters, substantially raising the possibility of an
increased number of citizen complaints concerning activities that range from illegal searches and seizures to excessive force and discriminatory or biased enforcement practices. When poor or inadequate supervisory practices and the “conspiracy of silence” are added to the mix, the result can prove to be disastrous for agencies in terms of public relations and department morale.

In addition to the negative consequences associated with zero-tolerance policies, the underlying tenets of these techniques are, in many cases, diametrically opposed to the principle of community policing. The us-versus-them mentality that tends to accompany get-tough-on-crime crusades serves more to alienate the public than to reduce crime and solve other social problems through collaboration and partnership with members of the community. Moreover, it must be emphasized at this point that the majority of society that views the police most suspiciously reside in the geographic areas most likely to be targeted by these traditional, zero-tolerance policing initiatives.

There may, however, be a glimmer of hope for those police administrators who prefer get-tough-on-crime and no nonsense police tactics. Through their research, Davis, Mateu-Gelabert, and Miller (2005) attempted to explain why, at a time when crime in New York City dramatically decreased and the number of citizen complaints against police dramatically increased after implementation of a new police strategy in 1994, two police precincts in the South Bronx managed to experience a reduction in the number of citizen complaints, to below the level in 1993. They determined the answers to be related to two key variables: (1) a new department-wide policy called CPR (courtesy, professionalism, and respect) and (2) the dedication to improving community relations by the precincts’ commanding officers. This latter variable was accomplished through commanding officers taking a keen interest in “repeat offender” officers, or those receiving multiple citizen complaints. It did not take long for officers to figure out that their commanders were keeping tabs on them. Davis et al. (2005) concluded by stating “... that the most likely explanation for the decline in citizen complaints in these two precincts was efforts made by precinct commanders to promote respectful policing and change a police culture that tolerated citizen complaints” (p. 229).

Other techniques used by management to detect corruption include the use of field associates, “turning” officers who have been found to be corrupt, and rotation of assignments. **Field associates** are those officers specially trained and sometimes recruited to obtain information on corrupt activities while performing normal police functions. This information is relayed to management without other officers knowing who the informants are, creating an atmosphere of suspicion among officers when the existence of the program is known. “Turning” involves offering leniency or immunity to corrupt officers who agree to provide information on other corrupt officers. Rotation of personnel across shifts and geographic assignments is a technique used to disrupt possible corruption by making it difficult for officers and citizens to establish permanent ties. While this may have a positive impact on corruption, it may also disrupt the flow of information between officers and citizens, negatively impact community relations, and make community-oriented policing impossible.

Another strategy that may be employed to reduce misconduct is selective recruitment. Recruiting police personnel of high moral character and providing training in
ethics early in their careers appear to be steps in the right direction (Cooksey, 1991; Lynch, 1989; Meese & Ortmeier, 2003). If the department and subculture also foster an anticorruption attitude, promote on the basis of merit, and pay relatively well, the allure of corruption may be somewhat reduced. Internal affairs units and external review boards have also been used to help curb corruption by identifying and charging those involved.

It is difficult to assess the extent to which anticorruption programs have been successful. To some extent, police corruption may be related to economic conditions, but the relationship appears to be curvilinear. That is, when police and other wages are low, the temptation to accept dirty money may be great. Alternatively, as Lynch (1989) indicated

> When the wages of sin are incredibly lucrative, as they are in so many instances today, the appeal of corruption is proportionately more alluring. ... Let me suggest to you that given the potential for misuse of police power, the wonder is that police officers, who witness crime, inhumanity and degradation every day, do not lose their sense of integrity and do not violate their oath of office more frequently. (pp. 166–167)

This holds true today with the potential for police officers to accumulate large sums of money by working with drug dealers in a variety of ways. Many officers could undoubtedly make much more by protecting drug dealers and selling drugs themselves than they could hope to make in their official capacities as police officers.

In the long run, the only way to significantly reduce police corruption is to prosecute, to the fullest extent of the law, those involved—sending a clear message to the corrupt, uncorrupt, and corruptors that such action will be taken and that the consequences may be severe. While such actions in and of themselves may have limited impact on corrupt police officers, when widely publicized they may alert the community to the fact that reform in the police department is required. Although such reform is seldom sweeping enough to keep the problem from reemerging, it is possible to achieve positive results. And at a minimum, it disrupts the corrupt activities already in progress and alerts those involved to the fact that their activities are not secret and may result in official action.

**Correcting and Preventing Misconduct**

Klockars, Ivkovich, and Haberfeld (2005), acknowledging the fact that measuring police corruption is a difficult task, “... applied a new approach—rather than focusing on corruption, researchers measured the integrity of police officers and their organizations” (p. ii). This was accomplished by the application of four dimensions of organizational integrity:

- Communication of all organizational rules
- Professional investigation of and disciplinary action taken for rule violations
- Intolerance of officer silence concerning rule violations
- Managing outside influences, such as public perception and expectations of officers (p. 2)

Klockars et al. (2005) examined the responses of 3,235 police officers from 30 different agencies in multiple states to several different hypothetical scenarios involving
various forms of misconduct. They developed a number of questions and recommendations related to the issue of integrity:

- Do all officers in the agency know the rules? If not, they must be taught.
- How strongly do officers support the rules? If they do not, they should be told why they should be supportive.
- Do officers know the disciplinary actions associated with breaking the rules? It is imperative that this be well known and publicized.
- Do the officers believe the disciplinary actions associated with rule violations are fair? If they do not, the chief must either modify the discipline or correct the officers’ perceptions.
- How willing are officers to report misconduct of their colleagues? If they are not, the chief must establish a policy which encourages the reporting of misconduct, such as rules which call for the termination of any officer who had knowledge of misconduct and did not report them, guarantees of anonymity to officers who come forward and report misconduct, etc. (pp. 1–2)

Klockars et al. (2005) concluded that police officers evaluate the seriousness of various acts of misconduct by examining their department’s efforts in proactively detecting misconduct to see if disciplinary actions commensurate with the rule violations are consistently enforced. If either rules or disciplinary actions are interpreted by officers as weak or inconsistent, efforts designed to mitigate misconduct are undermined. The following quotation captures the essence of the study: “An agency’s culture of integrity, as defined by clearly understood and implemented policies and rules, may be more important in shaping the ethics of police officers than hiring the “right” people” (p. ii).

A similar study conducted on the international level by Ivkovic (2005) found that “…by controlling agency-related factors, police administrators may influence the level of seriousness with which police officers view police corruption.” (Ivkovic, 2005, p. 546)

Ivkovic and Shelley (2008) studied many of the same issues in yet another international context, focusing on 1,055 police officers from Bosnia and the Czech Republic. The results with respect to officers’ opinions about the seriousness of police malfeasance, associated disciplinary actions, and willingness to report misconduct were remarkably similar to those reported for officers in the United States. Specifically, officers from both countries had the following similarities:

1. Shared an understanding of what constitutes serious issues of misconduct
2. The infamous code of silence was observed by the majority of respondents from both countries, unless the misconduct at issue fell on the serious end of the misconduct continuum.
3. Officers from the Czech Republic were more willing to expect disciplinary action for rule violations, and officers from Bosnia felt that discipline was controlled by an informal set or rules and norms—and most felt they would not receive any discipline at all, unless the misconduct was viewed as severe.

Ivkovic and Shelley (2008) concluded that the most significant finding was that the disciplinary culture of the two countries affected the views of individual officers more than any other variable.
The complexities of our society are a challenge for today’s police administrators. Effective police operations, however, become even more difficult when acts of misconduct continue to surface. As the public, legislative bodies, and judicial decisions increase the level of accountability placed on the police, law enforcement administrators must respond accordingly by eliminating corrupt practices to the best of their abilities. This is no easy task, but there are a number of recommendations that, if followed, might significantly mitigate instances of corruption.

A 2001 report issued by the U.S. Department of Justice (DOJ), titled “Principles for Promoting Police Integrity: Examples of Promising Police Practices and Policies,” offers recommendations for curbing police misconduct and improving the continued professionalization of the field. The following is a summary of the various recommendations from the DOJ report.

1. Accepting Complaints: Many police departments have policies that require those wishing to file a complaint against a police officer to do so in person, oftentimes requiring them to submit a formal written statement. It is recommended that citizens be allowed to file a complaint using any medium of communication (e.g., e-mail, telephone, mail, or facsimile). Not to allow these options is tantamount to discouraging reports of wrongdoing.

2. Reports of Misconduct: This portion of the DOJ report deals with the nonfeasance issue identified earlier in the chapter. Police executives should adopt formal policies that hold officers responsible for not reporting the wrongdoings of their coworkers. In addition, the disciplinary action reserved for acts of nonfeasance should be commensurate with the serious nature of this failure to act.

3. Avenues for Reporting Misconduct: Departments should also have mechanisms in place that encourage and allow officers to come forward and report acts of misconduct, anonymously if necessary. Currently, the NYPD and other agencies seem to be moving in that direction, and “this policy change attempts to insure protection of officers who come forward and report other officers’ misconduct and corruption” (Sykes, 1999). Many critics of such policies warn about potential Constitutional abuses and liken this practice to the treatment of confidential informants and protected witnesses. In a perfect world, police departments would not have to employ such tactics. At this point in time, however, this policy of anonymity appears to be a good starting point.

4. Whistle-Blowing Policy: Formal policy addressing retaliation against officers reporting misconduct should be implemented and rigorously enforced. If officers are afraid to report misconduct, the problem of corruption will continue to grow. Recent research on whistle-blowing by Rothwell and Baldwin (2006) attempted to apply ethical climate theory to various predictors of willingness to blow the whistle on misconduct. Predictor variables included size of the agency, supervisory status, length of time employed, existence of a policy manual, a policy requiring the reporting of misconduct, existence of internal affairs units, use of polygraph exams, and civilian versus police status (pp. 222–224). The results of this research were somewhat surprising in light of the fact that ethical climate theory consistently failed to predict whistle-blowing, supervisory status was the most consistent and significant predictor of whistle-blowing, and
civilian employees of these police agencies were more inclined to abide by the infamous code of silence than their sworn counterparts (pp. 237–238).

5. Assistance From Other Arms of the CJ System: Police administrators can turn to prosecutors and judges when they have reason to believe that an officer may have engaged in inappropriate behavior during the course of a criminal investigation or court proceeding. Incidents involving perjury and bringing false charges against a defendant to justify malfeasance are particularly heinous in this regard.

6. Effective Investigative Methodologies: Investigations that focus on allegations of serious misconduct, such as constitutional violations, should be conducted by a special unit or body charged only with these responsibilities. It must be emphasized that individuals working in these specialized units should be competent and experienced investigators, with access to state-of-the-art investigative aids. Most important, investigators in these units need the support and encouragement of the entire command structure of their agencies.

7. Resolution of Misconduct Investigations: When the evidence warrants, and officers are found to be culpable for misconduct, they should be held strictly accountable and punished accordingly. On deciding disciplinary action, police chiefs should not only look at the seriousness of the misconduct, but consider the officer’s history of similar misdeeds. After resolution, the complainant should be notified, in writing, of the disposition of the case, the reasons for the decision, and the disciplinary action taken.

8. Accountability and Effective Management: According to the DOJ (2001), “Studies of law enforcement agencies yielded empirical data that a small number of police officers are responsible for a disproportionate amount of problematic police behavior” (p. 10). In light of this information, police departments are advised to maintain a computer database that identifies potentially problematic behavior patterns of officers. Information entered into the database should include, but not be limited to, incidents involving the use of force; number of citizen complaints, as well as commendations and honorable mentions; criminal and civil actions initiated against officers; disciplinary record; and training history. Rather than use such information solely for punitive purposes, supervisors can use it as part of an early warning program that inappropriate behavior patterns may be beginning to develop. Armed with this information, remedial actions can be taken before serious problems develop.

On a more recent note, Greene, Piquero, Hickman, and Lawton (2004) examined the personnel records of more than 2,000 Philadelphia police officers to identify characteristics most associated with disciplinary issues. More than 4,000 patrol officers were then surveyed regarding their attitudes toward police work, their department, and police misconduct. Variables pertaining to background, academy performance and attitude proved useful in predicting future problematic behavior in police officers. The strongest predictor of problematic officer behavior was departmental discipline, followed by physical abuse complaints, internal investigations, and off-duty incidents (Greene et al., 2004).

9. Supervision and Leadership: Supervisors should lead by example and be alert for signs of misconduct. Nothing hurts the morale of ethical employees more than seeing
supervisors either ignore the misdeeds of their subordinates or engage in inappropriate behavior themselves. If supervisory personnel are held accountable for the actions of individuals within the span of their direct control, acts of misconduct should diminish substantially.

10. **Public Information, Feedback, and Civilian Input:** Police administrators should actively seek feedback from the public regarding performance of the agency. A relatively convenient and inexpensive way to elicit this information is by the random distribution of what is commonly referred to as community satisfaction surveys. The key is to analyze the feedback provided by the public and to address negative comments when appropriate.

11. **Community Meetings:** It is suggested that regular meetings be held to disseminate all relevant information to members of the community. These meetings also give residents an opportunity to voice their concerns regarding police operations.

12. **Citizen Oversight:** With respect to the goals of community-oriented policing, it is recommended that police departments utilize some form of citizen oversight when investigating allegations of misconduct. For example, Walker (2001) concluded that citizen oversight agencies have resulted in the development of more open and accessible complaint procedures, compared to the traditional procedures used by many police departments. He concluded that many police agencies have failed to investigate complaints in a thorough and fair fashion and have failed to use hostility from citizen complaints as a learning tool. Thus, in many agencies, citizen oversight agencies have improved police accountability and resulted in positive changes in the police organization. However, many citizen oversight agencies have not been successful. Walker (2001) also found that these agencies were unable to establish independence from the police agency, suffered from leadership problems, and, in many cases, faced unrelenting police resistance. While the effectiveness of citizen oversight remains subject to debate, the inclusion of community members in this process goes a long way toward the removal of barriers that for decades have prevented the police and the communities they serve from coming together.

13. **Training:** Basic and inservice training curriculums should be expanded to both include and stress the importance of such subjects as ethical decision making; responsible use of discretionary authority; racial, ethnic, and cultural diversity; and effective interpersonal communication. It is also important that individuals who serve as academy instructors and facilitators of continuing professional education be well versed not only in the topics they are assigned to cover, but also in the basic principles of learning and instructional technology.

One last study regarding the importance of leadership is worthy of note. Leadership must start at the very top and must be done by example. Zuidema and Duff (2009) focused their research on curtailing corruption through organizational ethics and effective leadership. The central hypothesis of their study was that the level of corruption in any given agency was strongly associated with the quality of its leaders; thus, agencies should encourage the development of ethical leadership to mitigate corrupt practices. During their case study of the Lynchburg, Virginia Police Department (LPD), they discovered that agency leaders encouraged ethical behavior in a variety of ways. First, they routinely espoused the importance of ethical behavior. For example,
through some creativity on the part of their officers, they decided that the letter L in Lynchburg would stand for leadership, the letter P for professionalism, and the letter D for dedication. This motto was then imprinted on coffee mugs, t-shirts, hats, the agency website, patrol cars, and brochures. These efforts sent the intended signals to both agency members and the community at large. In addition, during public ceremonies and department-wide meetings, all sworn officers were asked to stand and recite the International Association of Chiefs of Police Oath of Honor. Last, they do not tolerate unethical behavior of any kind (pp. 8–9).

LPD members also take seriously the notion that the younger officers who represent the future leaders of the department need to be groomed as such. Drawing on any and all resources available, the LPD academy developed and now offers a multitude of inservice training activities that focus on new leader development (p. 9).

Finally, to close the loop, LPD administrators constantly encourage and reward ethical practice by their officers. This too is part of their routine, and is a key ingredient in their recipe for individual and organizational success (Zuidema & Duff, 2009).

Chapter Summary

The issue of misconduct is a problem that has plagued the field of policing since its inception. Even though the range of activities categorized as malfeasance occur infrequently and are committed by a relatively small number of officers, the harm caused by these actions often takes years to repair. The costs in terms of community relations, department morale, and reputation are too devastating to bear any longer. The message is clear—it is no longer acceptable for police departments to operate with impunity or without accountability. Police executives should strive to continuously advance the field of policing along a path of professionalization.

There is hope, however. There have been many recommendations made by police researchers, police executives, and governmental agencies to mitigate the frequency of the many forms of misconduct covered throughout this chapter. The International Association of Chiefs of Police and the U.S. Department of Justice have offered many sound recommendations. As Klockars et al. (2005) noted, and which encapsulates the essence of the aforementioned recommendations, “An agency’s culture of integrity, as defined by clearly understood and implemented policies and rules, may be more important in shaping the ethics of police officers than hiring the “right” people” (p. ii).

Leadership lies at the foundation of this issue. Supervisory personnel must lead by example, and the examples need to start at the top. To do otherwise is tantamount to nonfeasance, thus making leaders of these agencies part of the problem rather than the solution. One theme that consistently emerges from the literature is that police misconduct tends to flourish, absent real commitment from the top rungs of the organizational ladder to put an end to corrupt policing practices.

Key Terms

- police ethics
- Lexow Commission
- Knapp Commission
- police corruption
- grass eaters
- meat eaters
- police code of silence
- Christopher Commission
Mollen Commission  
Police Code of Conduct  
corruption of authority  
kickbacks  
shakedowns  
bribery  
opportunistic theft  

protection of illegal activities  
nonfeasance  
noble cause corruption  
emotional abuse/psychological harassment  
excessive use of force  
rotten apple hypothesis  
field associates

Discussion Questions

1. What are some of the more important ethical issues in policing? Should police recruits be taught ethics?

2. What constitutes police corruption? Can you cite examples of police corruption from your own experiences?

3. Why is corruption of authority (accepting gratuities such as free coffee, food, etc.) critical in understanding police corruption in general?

4. Does society desire or demand police who are incorruptible? Why or why not?

5. What are the relationships between internal corruption in police agencies and other forms of corruption?

6. Do circumstances involving the philosophy of “the end justifies the means” or “noble cause corruption” mitigate the serious nature of misconduct by police? Why or why not?

7. Why would a police officer perjure himself? What is the impact of such perjury on the criminal justice network and other citizens in general?

8. Is psychological brutality an important form of police misconduct? Why and in what ways?

9. What recommendations have been offered to mitigate the frequency and depth of police corruption?

10. Do you think police misconduct is as serious a problem now as it was a decade or so ago? Support your answer.

Internet Exercises

1. Using the Web, locate examples of three “real life” scandals pertaining to at least three different forms of corruptions identified in the chapter.

2. Using the Web, locate what recent strategies are being used by law enforcement and other government personnel in their fight against the drug cartels of Mexico.

3. Research the term or phrase narcoterrorism, and define it in detail. Document at least two examples of this form of terrorism.