

Corruption in Law Enforcement: A Paradigm of Occupational Stress and Deviancy

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In the closed society of a law enforcement agency, factors such as the conspiracy of silence, authoritarian supervision, and police discretion contribute to corruption. This article describes various types of corrupt behavior by police officers, reports the incidence of corruption in law enforcement agencies, discusses psychiatric conditions that may arise from corruption and also contribute to further corruption, and reviews proposed remedies for corruption. It also suggests that an understanding of corruption in law enforcement might be helpful in understanding, correcting, and preventing corruption in other professions, including medicine.

The institution is the lengthened shadow of the man.—Emerson

Police officers are both respected and suspected, hated and loved, feared and courted for favor, maligned and praised. They wield tremendous power and are capable of depriving others of their freedom, their reputations, and their lives.¹

Most of us assume, in our dealings with police officers, that they are all competent, honest, professional, and psychologically stable. This is true of the majority of officers, but there are also officers who are dishonest, corrupt, incompetent, and psychologically unstable. Some use their shields as a license to steal and/or kill.

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Most law enforcement agencies recruit the best officers possible. What happens to some of these officers that makes them corrupt? This article explores the factors that contribute to their corruption, based on the more than 30 years of experience that one of the authors (F.L.M.) has had in psychiatric evaluation and treatment of law enforcement officers.

Types of Corruption in Law Enforcement

Police corruption, in the context of this article, is “the use of one’s status as a police officer for wrongful gain or benefits.”² An investigation of the Chicago Police Department from 1970 to 1976 revealed that officers engaged in 10 types of corrupt behavior:³

1. Mooching: Receiving gratuities

(such as free meals), sometimes in return for favoritism;

2. Chiseling: Demanding free or discounted admission to sporting events or other events not connected with police duties;
3. Favoritism: Granting immunity from police action to certain citizens or peers, such as "fixing" parking or traffic violations;
4. Prejudice: Treating certain groups differently, particularly minority groups, because their influence within the political structure is not likely to cause trouble for the officer;
5. Shopping: Stealing small items from a store on one's beat when the door is accidentally left unlocked during nonbusiness hours;
6. Extortion: Demanding a cash payment and promising that in return, the person making the payment will be protected from police action;
7. Accepting bribes: Accepting an unsolicited cash payment, as from a bar owner or a person who wishes to avoid prosecution;
8. Shakedown: Stealing expensive items for personal use, as from a crime scene, and attributing their loss to criminal activity;
9. Perjury: Lying to protect a fellow officer or oneself, in a court of law or during an Internal Affairs Division investigation;
10. Premeditated theft: Carrying out a planned burglary.

Dr. Edward Shev, a veteran psychia-

trist for the Sausalito (California) Police Department, has his own classification:

[C]ops are routinely subjected to temptations that I call the three B's—booze, broads and bribes (and today—drugs). That is, the pressure of the job may lead to their drinking while on duty (perhaps accepting free drinks at bars or restaurants on their beats); many police, in the line of duty, have daily contact with persons who work to become sexually involved with them; and any number of persons would be willing to bribe a cop to have him ignore some offense or criminal activity. For many, these temptations become harder to resist as time goes by; middle-aged officers seem especially vulnerable in this regard.⁴

Some of the many other types of corrupt behavior that police officers engage in are carrying unauthorized weapons; taking property from recovered stolen cars; keeping guns, knives, and drugs that are confiscated from suspects; having sex with informants in vice and narcotics investigations; selling confidential information to lawyers and insurance companies; going to movies, sleeping, and doing personal chores while on duty; using deceptive means in interrogation of subjects; collecting "kickbacks" from lawyers for drunk driving arrests or auto accident investigations; and assault (personal communication). The videotaped beating of Rodney King by Los Angeles police officers was an unusually high-profile example of assault, but there is evidence that corruption and brutality may be linked. A 1994 study in the New York City Police Department found that corruption-prone officers were more than five times more likely than other officers to have had five or more complaints filed against them about the use of unnecessary force.⁵

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Some female police officers have experienced chronic sexual harassment inside station houses, everything from male officers making sophomoric (and threatening) jokes to grabbing their crotches and breasts.⁶ Some of this behavior is criminal assault.

Little has been written about corruption among female police officers, but there is evidence that they are prone to the same types of corruption as male officers. One example is the arrest and conviction of a female officer in the New Orleans police department for three counts of first-degree murder. One of the victims was a fellow officer who had been her work partner. This officer was also suspected of shakedowns and robberies of small-time criminals and of setting up innocent people to take the responsibility for the crimes she committed.⁷

Incidence of Corruption in Law Enforcement

If such activities as free meals are excluded, a significant number of police officers do not engage in any corrupt activities. But with extremely rare exceptions, even those who do not engage in corrupt activities are indirectly involved because they do not report what they know or suspect.⁸ In some large urban departments, even the reported extent of corruption is staggering.

A 1972 study revealed that one of every three police officers in Chicago was found to be guilty of a criminal act, one of four in Boston, and one of five in Washington, DC. Their crimes included assault, theft, shakedown, extortion, and accepting bribes.⁴ *The Knapp Commission*

Report on Police Corruption, published in 1973, charged that as many as half of all officers in the New York Police Department were corrupt.⁸ According to a 1994 report, 100 of 1,046 Miami police officers had been, or currently were being, investigated on corruption-related matters, and officials predicted that as many as 200 additional officers might eventually be investigated.⁹ In New Orleans in 1995, the local U.S. district attorney and several watchdog groups estimated that between 10 and 15 percent of the 1,500-officer police department was corrupt.¹⁰

It is obviously difficult to get accurate statistics. Law enforcement agencies are reluctant to reveal serious corruption, and some actively conceal it. For example, in one year the Internal Affairs Division of the New York Police Department classified approximately 1,500 corruption allegations as cases of "law enforcement impersonation."⁵ Avoiding headlines becomes more important than eradicating corruption, and institutional cover-ups send the message to police officers that corruption will be tolerated.⁵

Corruption in Other Professions

Law enforcement corruption has parallels in other agencies of government, in industry and labor, and in other professions.⁸

In medicine, the business ethics and "bottom line mentality" of managed care are being substituted for medical ethics and the noble ideals of the Hippocratic Oath. Doctors are now expected to maintain high-quality care with a shrinking level of reimbursement, and the pressure

to cut corners is tremendous. The Oslerian tradition, which tolerates no interference in the physician-patient relationship, is being subverted as physicians work to please the managed care organization rather than the patient.

In law, increased competition is forcing some attorneys to overbill, lie to clients, mingle practice and personal funds, and so on. Additionally, the promise of large verdicts and press coverage lures some attorneys to engage in unlawful solicitation of accident victims. The intensity of the anger that attorneys face from clients and other attorneys, the corruption that they encounter, and the stress of practice are other reasons that attorneys may abandon personal integrity.

Knowledge of the factors that contribute to corruption in law enforcement will be helpful in understanding, correcting, and preventing corruption in other professions including medicine and law. These factors include the conspiracy of silence, authoritarian supervision, and professional discretion.

Contributors to Corruption

Conspiracy of Silence The conspiracy of silence is not limited to law enforcement. It is also present in religion, medicine, law, business, and government, where it is felt that "outsiders don't understand." In a law enforcement agency, the conspiracy of silence is based on a "code" that defines the acceptable standards of practice. Where practices exist that in a citizen's view are "corrupt," but in a police officer's view are within the code, the conspiracy of silence sanctions and strengthens their continuance.³ Offic-

ers lie for each other, and if someone "rats out," he or she can be "ratted out." Such a system tends to nullify the internal investigative apparatus of a law enforcement agency.

An intense group loyalty develops among police officers, and this contributes to the conspiracy of silence. Group loyalty often overcomes an officer's sworn oath and duty. It makes allegiance to fellow officers, even corrupt ones, more important than allegiance to the ideals of the law enforcement agency and the community. The conspiracy of silence is strongest where corruption is most frequent. Officers who report law enforcement misconduct are ostracized, harassed, called "rats" and "finks," become targets of complaints and even physical threats and attacks, and are made to feel that they will be abandoned on the streets in a time of crisis.⁵

Authoritarian Supervision In a law enforcement agency, discipline is frequently maintained by "a tyranny of proceduralism that ensures absolute compliance with agency rules of operation. Regulations, for all practical purposes, are effectively used to silence the nonconformists who dare to deviate from the administrative lines."¹¹ It becomes impossible to be a police officer without violating some procedure or regulation, and under an authoritarian supervisor, the violation can be used to intimidate, control, or punish the officer. This can lead to attrition of officers who are honest or who do not support authoritarian supervisors.

Police officers who are frustrated and resentful over the lack of respect shown to them may use corruption as a means of

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“getting back” at their superiors. Or, they themselves may act in an overly authoritarian way on the streets where they feel free to express their feelings without fear of retaliation. As job dissatisfaction increases, there is an increased tendency for officers to act out against citizens on the basis of race or national origin.¹¹

Police Discretion No set of regulations can address every possible circumstance, so police officers are given discretion to decide which laws will be enforced, as well as when, where, and how.¹² Officers decide whether or not to arrest, use deadly force, prosecute, permit participation in plea bargaining, impose punishment, and treat citizens fairly.¹¹ Therefore, individual and institutional ethics become critical.

For example, when a police officer goes into court, the slightest spin of his testimony can make or break a case. How he reacts to a suspect running from the scene of a crime might mean the difference between that person's life or death.³ The officer can influence a jury to convict an innocent person, acquit a guilty person, or in the extreme, permit someone to get away with murder.

A more subtle form of discretion is provision or nonprovision of services by a police officer. For example, in community policing an officer performs many services unrelated to law enforcement, ranging from managing domestic disputes to helping store owners. Officers frequently find themselves in situations where they could extort money, goods, or favors in return for performing or not performing a service. The possibilities for harassment and street justice are limited

only by the level of integrity and the imagination of the officer.

Psychiatric Conditions that May Develop in Police Officers

The stress that police officers encounter is extraordinary. Symptoms of personality disorder may be secondary to overwhelming stress and an individual's attempts to cope with that stress.

Borderline Personality Disorder

This symptomatology, in particular, is often an adaptation to stress. Police officers may exhibit a pattern of irrational and intense relationships, alternating between over-idealization of fellow officers and devaluation of citizens; self-damaging impulsiveness (e.g., in overspending, promiscuous sexual activity, substance abuse, and theft); affective instability; inappropriately intense anger or lack of control; suicide threats; persistent identity disturbance (e.g., in self-image, long-term goals, types of friends, and preferred values); and a chronic feeling of emptiness, that was not present prior to the stress of police work.¹³

Narcissistic Personality Disorder

As outlined in the DSM-IV,¹⁴ narcissistic personality disorder is characterized by lack of empathy, exploitation of others, arrogance, a sense of entitlement, and a belief that one has special powers or abilities.

Antisocial Personality This describes people who lack a conscience and have no sense of right and wrong. They are often very shrewd. Police officers with this personality type may steal whatever they can from an unreported robbery scene or race to be first to a robbery scene

so they can steal what is available. Such officers must be "weeded out" by police academy instructors and field training officers, as well as by means of psychological testing and background investigations.¹²

Passive-Dependent or Inadequate Personality This describes the so-called "grass eaters," who cannot trust themselves under any pressure from peers or in situations of great temptation. These individuals rationalize that their behavior is acceptable "because others do it."¹²

Treatable Personalities These individuals conform, but they resent their conformity, as they see others getting away with dishonest activities. They function in a state of tension between their conscience and what they would like to get away with. Police officers who fit this description can be helped by leaders who support them and encourage them to perform their duties well.¹²

This lessening of stress would help to prevent the increased incidence of suicide and early retirement among police officers and their attempts to go off duty on disability.

Remedies for Corruption in Law Enforcement

Trained Leaders of Integrity The most important factor for prevention of corruption in a law enforcement agency, besides the personal integrity of individual officers, is a leader who is mature, seasoned, stable, and has personal integrity and a strong personal ethic. The leader needs to be under civil service protection or protected in some other way from the whims of politicians, free from

the fear of being fired or neutralized if he or she does not yield to their wishes.

Ideally, the leader should be an attorney, able to understand and deal with the more subtle areas of possible corruption in law enforcement. Policing has become much more complex and difficult than in the past, and police officers need to know the legal implications of what they do. A police chief has to instruct the lieutenants and captains as to how to handle situations, and there is rarely an attorney readily available to help him or her make these decisions.

It is not advisable for a police officer who has "come up through the ranks" to become the leader of a law enforcement agency. Unless there is great confidence that the agency is free from corruption, the promotion of an insider will tend to perpetuate the problems. Likewise, the leader of a law enforcement agency should not name his or her successor, and it is not good policy for an acting leader to be appointed leader.

In its 1973 report on the New York Police Department, the Knapp Commission suggested forming a National Police Academy.⁸ Police officers who had a college degree, police academy training, and at least one year of work experience would complete a one- or two-year master's degree program. The program would be designed to instill professionalism and the knowledge, awareness, and ability to combat corruption. These officers would assume leadership roles in law enforcement agencies with the assistance of grants from the federal government. A variation of this idea was the suggestion for a program similar to an officers' can-

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didate school that could be accomplished on a part-time basis.⁸

Better Hiring The evaluation of law enforcement candidates should be based on psychological test data, a full social service history, a clinical interview, a personal history, and polygraph screening. "Red flags" include drug abuse, alcohol abuse, or trauma that might have caused brain damage, disinhibition, or erosion of one's ethical sense; juvenile delinquency; conflicts with authority; misconduct or poor relationships in former jobs; financial problems; and a criminal record.² The latter point seems obvious, but in the 1994 study of the New York Police Department, it was found that 24 percent of the officers dismissed or suspended had a prior criminal arrest record.⁵

Psychological evaluations need to be done by a fully qualified psychiatrist or psychologist. These evaluators should be knowledgeable about law enforcement work and the demands it makes on a person, and they should undergo a background investigation.² Two of the vital factors in the psychological evaluation of a prospective police officer are family history (e.g., family history of criminal activity) and how candidates handle their anger and aggression.

Better Pay When a law enforcement officer's pay is low, and the risks and occupational stresses are high, law enforcement officers will be more vulnerable to corruption because of their need for money. The demands of the job mandate that the law enforcement officer should be intelligent, mature, and ethical. Law enforcement officers should be paid ade-

quately to encourage high quality applicants.

Longer Probation Law enforcement agencies typically require probation periods of one year for new officers. A longer period, 18 months to two years, would be more helpful in uncovering problem officers.

Better Supervision Leaders of law enforcement agencies must make supervisors aware of behavior that indicates possible corruption. Officers who are engaged in corrupt activities may abuse sick leave, be tardy, fail to meet commitments such as court appearances, be unable to speak clearly or coherently (suggesting abuse of alcohol or other drugs), and make implausible excuses for suspicious and/or unusual actions.

Leaders must also find ways to ensure that supervisors intervene. Sometimes supervisors who are aware of corrupt behavior ignore the signs because of friendship with the officer, because the officer is considered to be outstanding, or because allegations of corruption could threaten the supervisor's career. It is difficult to be promoted when there are scandals involving the officers under one's supervision. Another problem is that when some officers are promoted to supervisory positions, they become so lazy that they are essentially semi-retired. Such a supervisor may "look the other way" rather than go to the trouble of reporting a subordinate officer and filling out the many required reports.

More Attention to the Code of Ethics The Law Enforcement Code of Ethics, adopted by the International Association of Chiefs of Police in 1989,¹⁵ should be

prominently displayed in each law enforcement station. Each officer should have to sign off on the Code every six months, to help the officer develop a mind-set of integrity.

Regular Reevaluation of Officers

After every five years of service, all police officers should be reevaluated for psychological stability and undergo another background investigation. This investigation should include a comparison of the officer's present standard of living to his or her standard of living at the time of admission to the law enforcement agency (taking into consideration legitimate alternate sources of income). Photographs of officers should be taken every five years, with copies maintained in both the personnel department and in the Internal Affairs Division (for ready identification of officers accepting bribes, etc.).

Officers should be monitored even more frequently if they work in areas of law enforcement with high potential for corruption: drug enforcement units, undercover operations, vice, and handling and storage of evidence in property rooms.

Better Evaluation of Complaints

Citizens and peers who register complaints about police officers must be guaranteed confidentiality. All complaints should be investigated thoroughly, even if the officer in question resigns. Resignations "for the good of the agency" should be evaluated. There should be no anonymous "heads up" calls from the Internal Affairs Division, warning a suspected officer of an investigation. If corrupt practices are identified, the investigating officers should evaluate whether the

supervising officers did not adequately supervise, or whether they were involved in the corruption.

Officers in an Internal Affairs Division can determine whether a criminal case is made, prematurely closed, or concealed, working either by themselves, on orders, or through collusion with their supervisors. Therefore, there should be a permanent, independent monitor of each law enforcement agency, and the monitoring body should have subpoena power, access to records, and the ability to administer oaths.⁵

Better Discipline Discipline should be consistent, impartial, immediate, and definitive. Officers who are corrupt must be dismissed from the agency. Leaders of law enforcement agencies must find ways to defeat the obstacles to discipline and dismissal, including the conspiracy of silence, peer pressure, and civil service rules.

The Future of Law Enforcement

The criminal of the future will not necessarily be of the same type as the criminal of today, and there may be different psychological and ethical demands on police officers. In a recent book entitled *Slouching toward Gomorrah*, Robert Bork describes the driving force in American culture as "modern liberalism," dual forces of radical egalitarianism (the equality of outcome rather than opportunities) and radical individualism (the drastic reduction of limits to personal gratification).¹⁶ In his view, these forces originated in the 1960s as a revolt against the entire American culture, and the individuals who advocated this revolt are now

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in positions to shape the personalities of teenagers. Bork believes that modern liberalism takes a relaxed view of crimes and does not regard criminals as constituting a serious threat to society. Furthermore, he suggests that the recent drop in the rate of serious crimes is the lull before the storm. The population of young males in the age groups that commit serious and violent crimes is about to increase rapidly, he predicts, and so he argues that the rate of serious crime will also increase.¹⁶

If "modern liberalism" is influencing the developing personalities of both prospective criminals and prospective police officers, society needs to question what characteristics the officers of the future will need to combat more hedonistic, vicious, and violent criminals. These areas of concern need to be focused on presently, so that policing does not continue to be such a difficult mandate.

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